

# West Burton Solar Project

## ~~Draft~~ Statement of Common Ground With Anglian Water Revision A - Final (Tracked)

Prepared by: Lanpro Services

~~November~~December 2023

PINS reference: EN010132

Document reference: ~~EX1~~EX2/WB8.3.12\_A

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010



## Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	PURPOSE OF THE DOCUMENT	3
1.2	PARTIES TO THIS STATEMENT OF COMMON GROUND	3
1.3	TERMINOLOGY	3
1.4	TOPIC REFERENCING FOR ALL MATTERS	3
<b>2</b>	<b>RECORD OF ENGAGEMENT</b>	<b>1</b>
2.1	SUMMARY OF CONSULTATION	1
<b>3</b>	<b>MATTERS AGREED</b>	<b>3</b>
3.2	MATTERS AGREED	3
<b>4</b>	<b>MATTERS UNDER DISCUSSION</b>	<b>5</b>
4.2	MATTERS UNDER DISCUSSION	5
<b>5</b>	<b>MATTERS NOT AGREED</b>	<b>5</b>
5.1	MATTERS NOT AGREED	5
<b>6</b>	<b>SIGNATORIES</b>	<b>6</b>
6.1	OVERVIEW	6
<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	PURPOSE OF THE DOCUMENT	3
1.2	PARTIES TO THIS STATEMENT OF COMMON GROUND	3
1.3	TERMINOLOGY	3
1.4	TOPIC REFERENCING FOR ALL MATTERS	3
<b>2</b>	<b>RECORD OF ENGAGEMENT</b>	<b>14</b>
2.1	SUMMARY OF CONSULTATION	14
<b>3</b>	<b>MATTERS AGREED</b>	<b>36</b>
3.2	MATTERS AGREED	36
<b>4</b>	<b>MATTERS UNDER DISCUSSION</b>	<b>58</b>
4.2	MATTERS UNDER DISCUSSION	58
<b>5</b>	<b>MATTERS NOT AGREED</b>	<b>58</b>
5.1	MATTERS NOT AGREED	58
<b>6</b>	<b>SIGNATORIES</b>	<b>69</b>
6.1	OVERVIEW	69

## Issue Sheet

Report Prepared for: West Burton Solar Project Ltd.  
Examination Deadline ~~12~~

### Statement of Common Ground Anglian Water [Revision A - Final](#)

**Prepared by:**

Name: Stephen Flynn

Title: Planner

**Approved by:**

Name: Jane Crichton

Title: October 2023

Revision	Date	Prepared by:	Approved by:
<del>001</del>	<del>24/11</del> <a href="#">31/10/2023</a>	SF	JC
<a href="#">A</a>	<a href="#">12/12/2024</a>	<a href="#">SF</a>	<a href="#">JC</a>

## 1 Introduction

### 1.1 Purpose of the Document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared as part of the proposed West Burton Solar Project Development Consent Order (the Application) made by West Burton Solar Project Ltd (The Applicant) to the Secretary of State for Energy Security & Net Zero (the Secretary of State) pursuant to the Planning Act 2008 (PA 2008).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the parties, and where agreement has not (yet) been reached. SoCGs are an established means in the DCO consenting process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.

### 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) West Burton Solar Project Ltd. as the Applicant and (2) Anglian Water
- 1.2.2 Collectively, West Burton Solar Project Ltd. and Anglian Water are referred to as ‘the parties’.

### 1.3 Terminology

- 1.3.1 In the tables in **Sections 3 - 5** of this SoCG:
- “Agreed” indicates where the issue has been resolved.
  - “Not Agreed” indicates a final position, and
  - “Under discussion” indicates where these points will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

### 1.4 Topic Referencing for All Matters

- 1.4.1 All matters agreed, under discussion and not agreed have been given unique references which relate to the topic matter. The referencing system is defined as follows:

**Table 1.1: Topic Referencing**

Topic	Unique Identifying Code
Protective Provisions	PP-xx
Anglian Water	AW-xx

## 2 Record of Engagement

### 2.1 Summary of Consultation

2.1.1 The parties have been engaged in consultation since February 2022, pre- and post-PEIR stage and prior to the submission of the Application in March 2023. A summary of the meetings and correspondence that has taken place between West Burton Solar Project and Anglian Water in relation to the Application is outlined in **Table 2.1**.

**Table 2.1: Record of Engagement**

Date	Form of Correspondence	Key topics discussed and key outcomes
17/01/2022	Utilities searches	Utilities searches were undertaken to establish the extent of Anglian Water’s assets within the Scheme’s application boundary. These have been mapped and the Scheme has been designed to avoid impacts upon those assets. A number of Anglian Water pipelines exist in road verges crossed by the cable route and used by construction traffic but there are no assets crossing any of the Scheme sites containing solar panels, so interactions are limited.
27/09/2022	Online meeting	Discussion between a representative of the Applicant and a Planning and EIA consultant from Jacobs who represent Anglian Water. Topics covered included: <ul style="list-style-type: none"> <li>- Project overview</li> <li>- Anticipated submission dates</li> <li>- Protective provisions</li> </ul> An initial draft of the protective provisions was circulated via email by Jacobs after the meeting and these have formed the basis of negotiations to date.

Date	Form of Correspondence	Key topics discussed and key outcomes
02/02/2023	Email	Email conversations ongoing between Associate Director, Town Planning and Consents at Jacobs (for Anglian Water) and the Applicant providing updates on the progress of the protective provisions negotiations.
23/05/2023	Relevant Representation submitted by Anglian Water <b>[RR-018]</b> .	<p>The Relevant Representation stated the following: <i>“Anglian Water are in contact with the Applicant regarding the protective provisions in Schedule 16 (For the Protection of Anglian Water Services Limited) Part 7 of the Draft Development Consent Order (DCO) as some provisions differ from Anglian Water’s protective provisions template that was previously shared with the Applicant.</i></p> <p><i>Any impacted Anglian Water assets need to be identified and either diverted or protected. It is noted that no connections to Anglian Water’s services for potable water, and surface water and foul water are proposed for the development. The Applicant should be aware that in the event a potable water connection be required or an increase in supply sought from Anglian Water, possibly in part to replace water supplies through sustainable abstraction reductions at private abstraction sites, that such supplies may not be available from Anglian Water. This position changed in early 2023 with further work on the draft Water Resources Management Plan.</i></p> <p><i>If necessary, Anglian Water will also seek and agree a Statement of Common Ground with the Applicant, for example, if protective provisions are not agreed before Deadline 1 and so are a live matter for the Examining Authority.”</i></p>

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) West Burton Solar Project Ltd. and (2) Anglian Water in relation to the issues addressed in this SoCG.

### 3 Matters Agreed

3.1.1 **Table 3.1** below detail by topic the matters agreed with Anglian Water.

#### 3.2 Matters Agreed

**Table 3.1**

Main Topic	Sub-topic	Details of Matters Agreed
PP-01	Protective Provisions	<p>The parties have agreed on the protective provisions, which will be updated in Part 7 of Schedule 16 to the draft West Burton DCO <b>[APP-017]</b>, and will be amended at Deadline 1.</p> <p>Under these provisions, the Applicant will only be able to exercise any powers in the DCO subject to those protective provisions, which ensures protection and safeguards for Anglian Water’s assets and interests are in place. The parties therefore agree that appropriate protection is in place for Anglian Water and that as a result Anglian Water will not suffer serious detriment to the carrying on of its undertaking as a result of the Scheme.</p> <p>With the protective provisions in place, the parties agree that the tests set out in section 127 and 138 of the Planning Act 2008, to the extent they apply, are satisfied.</p>
PP-02	Draft DCO	<p>The parties agree that Requirement 11 in Schedule 2 of to the draft DCO (Surface and foul water drainage) <b>[APP-017]</b> will be amended at Deadline 1, to allow provision for the relevant planning authority who must consult with Anglian Water Services Limited before approving the written details under sub-paragraph (1) of Requirement 11 in Schedule 2 (see requirement 11(3) in the draft DCO).</p>
AW-01	Is rainwater harvesting being investigated for all non-potable uses including firefighting?	<p>A temporary mains water supply is anticipated to be necessary during construction and decommissioning and this will be set out in an updated Outline Construction Environmental Management Plan (oCEMP) <b>[APP-309]</b> which will be amended at Deadline 1 to specify that rainwater harvesting will be used for all non-potable uses where possible and appropriate.</p>

Main Topic	Sub-topic	Details of Matters Agreed
		<p>During operation, fire suppression tanks / ponds could be fed by rainwater to avoid having to install water abstraction boreholes or connect to mains water if they are built underground. The decision as to whether the tanks would be under or above ground has not been made yet as detailed design of the firewater suppression system will be completed at a later stage. The Outline Operational Environmental Management <b>[APP-323]</b> Plan will be amended at Deadline 1 to specify that rainwater harvesting will be used for the fire suppression tanks/ponds where possible and appropriate.</p>



## **4 Matters Under Discussion**

4.1.1 **Table 4.1** below detail by topic the matters under discussion with Anglian Water.

### **4.2 Matters Under Discussion**

**Table 4.1**

## **5 Matters Not Agreed**

**Tables 5.1** below detail by topic the matters not agreed with Anglian Water.

### **5.1 Matters Not Agreed**

**Table 5.1**

