



Lincolnshire Reservoir Programme – WA010003

Section 51 advice regarding the Programme Document submitted by Anglian Water

On 10 July Anglian Water submitted its draft Programme Document to the Planning Inspectorate¹:

The Planning Inspectorate's new pre-application service launched in October 2024. The Applicant's Programme Document is amongst the first of such documents to be submitted to the Planning Inspectorate. As such, the way in which the Inspectorate handles such submissions may change as the service evolves.

The advice recorded in the table below relates solely to matters raised upon the Planning Inspectorate's review of the draft Programme Document. The advice is limited by the maturity of the documentation provided by the Applicant and the time available for consideration and is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.

Ref No.	Paragraph/Section	Comment or question
1.	General	It is noted that the Programme Document appears to be at an early stage. It is expected that the Programme Document will be updated to include more detail now that the pre-application service tier has been confirmed and to align with that described in Guidance and the Planning Inspectorate's pre-application Prospectus.
2.	General	It is important that an accurate description of the Proposed Development is included in the Programme Document. Please note that the Planning Inspectorate project page will be updated to reflect the description of the Proposed Development in the Programme Document.
3.	General	It is expected that the views of stakeholders, including local authorities and statutory consultees on the Programme Document are included in the Programme Document.

¹ See <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>



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4.	Draft Application Documents	It would assist if details of which draft application documents require Planning Inspectorate review and when are included in the Programme Document. Draft application documents review allows the Planning Inspectorate to give advice about the standard of the documentation, any aspects that may need clarification and procedural omissions prior to submission. The Applicant is advised to review the Prospectus, in particular ‘Review of draft application documents’ . Please note that the Planning Inspectorate requires six weeks for the review of draft documents.
5.	General	The list of draft documents to be provided to relevant statutory consultees for review should be included in the Programme Document, together with the timescales.
6.	General – Appendix A	<p>It is expected that more detail on project update meetings, topic areas for technical working group meetings, evidence plan meetings and any multiparty meetings are included in the Programme Document. The Programme Document should set out dates and what those meetings will cover.</p> <p>It should be made clear which meetings or forums the Planning Inspectorate’s attendance is required at. The Applicant is advised to review the types of multiparty forums available and appropriate under the Prospectus. Please note that the Planning Inspectorate requires six weeks’ notice to participate in Evidence Plan meetings.</p>
7.	General – Appendix A	The Applicant is reminded to add, if known, any targeted consultation dates to the Programme Document.
8.	General	It is expected that further details on the approach to preparing the Preliminary Environmental Information are set out within the Programme Document.
9.	Paragraph 2.1.4	It is noted that submission of the Environmental Impact Assessment (EIA) scoping request is currently described as ‘shortly after Phase Two consultation (Autumn 2024)’. The Programme Document should set out an updated and more specific date for EIA scoping, once known.



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10.	General	The Programme Document should include a draft programme for the preparation of an 'Information to Inform Habitats Regulations Assessment' Report. If there is a potential need for derogations under the Habitats Regulations, it would assist if relevant details can be included in the draft programme including meetings scheduled and the development of Principal Areas of Disagreement Summary Statements. The Applicant should make effort to agree the draft programme with the relevant statutory nature conservation body.
11.	General	It is expected that details on how application documents, including the Development Consent Order (DCO), Book of Reference, Statement of Reasons, Funding Statement, Works, Land, Public Rights of Way and other Plans, and any other documents will be developed and who will be engaged in the development is included in the Programme Document.
12.	General	It is expected that details of any related non DCO consents, permits, licences and permissions required and the timescales are included in the Programme Document.
13.	General	It is expected that information on when a Policy and Compliance Document, Design Approach Document, Mature outline control documents, Pre-application Land and Rights Negotiations Tracker will be provided are included in the Programme Document.
14.	General	It is expected that details of how and when Public Sector Equality Duty supporting evidence will be provided are included in the Programme Document.



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15.	General	<p>The Programme Document will be produced and maintained by the applicant, setting out the main pre-application steps that the Applicant anticipates taking during the preparation of the application.</p> <p>Updates to the Programme Document should be communicated by the Applicant proactively, with a clear description of the potential impacts on the requested services of the Inspectorate, relevant statutory bodies, local authorities and other stakeholders.</p> <p>The Applicant is reminded to review the Primary Service features of the Prospectus, where the Applicant is expected to engage in and note under feature ‘Programme Document’ that:</p> <p><i>“A public version of the pre-application Programme Document must be published on the applicant’s website.”</i></p>
16.	General	<p>Final page of the Programme Document states:</p> <p><i>“You can view all our DCO application documents and updates on the application on the Planning Inspectorates website...”</i></p> <p>The Applicant is reminded to ensure that any material necessary to be publicised during the pre-application period be made available on the Applicant’s website. The Planning Inspectorate will host any DCO application documents should the Application be accepted for Examination.</p>
17.	General	<p>The final page of the Programme Document refers to Fens Reservoir as opposed to Lincs Reservoir proposal. The Applicant is reminded to ensure consistency across all documents during the pre-application stage.</p>
18.	Section 2	<p>The Applicant is reminded to review the pre-application guidance on the Adequacy of Consultation Milestone (AoCM) and the Primary Service features of the Prospectus in particular the feature ‘Adequacy of Consultation Milestone’.</p> <p>Paragraph 2.2.11 provides a broad overview of when the Applicant intends to engage with the relevant Local Authorities, however the AoCM feature, expresses the importance of the Applicant to:</p> <p><i>“...include the views and any relevant supporting material from local authorities if available.”</i></p>



Ref No.	Paragraph/Section	Comment or question
19.	Section 3	<p>The Applicant under section 3 of the Programme Document provides an overview of risks identified at the pre-application stage, including the main issues for resolution, which will be kept under review.</p> <p>The Applicant is reminded to review the Primary Service features of the Prospectus in particular the feature ‘Issues Tracker and Potential Main Issues for the Examination’(PMIE).</p> <p>We would also remind the Applicant of the templates available, to consider when compiling the Principal Areas of Disagreement Summary Statement, PMIE and how these interact with the Statement of Common Ground.</p>