Planning Inspectorate
Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Fens Reservoir

Case Reference: WA010004

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

03 December 2024

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1. INTRODUCTION

1.0.1 On 23 October 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Anglian Water and Cambridge Water (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Fens Reservoir (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

1.0.3 https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/WA010004

1.0.4 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.5 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.6 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.7 The Inspectorate has published a series of advice pages, including Advice Note 7: *Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping* (AN7). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.8 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes

1.0.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
2.1.1	n/a	Optionality and description of the Proposed Development	A number of options are presented in the Scoping Report and it is unclear whether or which options will remain at the point of submission and how an assessment will be approached for each option as this is not determined in the Scoping Report. For example, rail and river navigation options, highways improvement works, temporary accommodation, overhead power lines, renewable energy, recreational facilities etc. For clarity, the Applicant should be aware that the description of the Proposed Development provided in the ES must be sufficiently certain to meet the requirements of the EIA Regulations. The description of the Proposed Development in the ES should make reference to the design, size and locations of each element, including maximum heights, design parameters and limits of deviation. The description should be supported (as necessary) by figures, cross sections and drawings which should be clearly and appropriately referenced. The ES should assess the worst case scenario that could potentially be built out in accordance with the Authorised Development of the DCO being applied for and explain the proposed methodology for assessment in the relevant aspect Chapters. In the ES consideration of alternatives, this should demonstrate how environmental constraints, viability and consultation have refined options and locations. Where any chosen options alter the scope of assessment the ES should justify the proposed scope in consultation with the relevant bodies.
2.1.2	Paragraphs 2.5.129 and 2.5.139 and 16.3.4	Renewable energy generation options	The Scoping Report identifies potential renewable energy options in paragraph 2.5.129 including wind turbines and/or solar panels. Paragraph 2.5.139 states that an assessment has not been undertaken regarding renewable energy in the Scoping Report. Scoping Report paragraph 16.3.4 also states that there is potential for renewable energy to be

ID	Ref	Description	Inspectorate's comments
			procured off site as part of the Proposed Development. It is unclear whether Battery Energy Storage Systems would be considered as part of this option. Whilst the Planning Inspectorate cannot provide specific comment on the scope of assessment without further detail, the ES should assess associated likely significant effects of the option or options presented as part of the description of the Proposed Development across all phases. In the ES consideration of alternatives, this should demonstrate how environmental constraints, viability and consultation have refined options and locations. The ES should describe and secure any associated mitigation where it is required eg a Battery Safety Management Plan. Where the provision of renewable energy is procured off site, the ES should determine the scope of assessment in consultation with relevant bodies in the context of its location and the option proposed.
2.1.3	Section 2	Maximum parameters for water transfer and abstraction	Water is proposed to be abstracted and transferred to the reservoir from the Middle Level System, the Ouse Washes or the River Great Ouse and the River Nene and its Counter Drain. Additionally, water may be transferred through the Middle Level System. Scoping Report paragraphs 2.5.4 and 2.5.5 states that this is dependent on whether there is enough water available in the system. The Scoping Report does not define what 'enough' or 'not enough' means and does not state the maximum amount of water to be abstracted on a daily basis or how abstraction or water transfer would cease/change source, should water availability be too low and what threshold this would be. The ES should describe the maximum parameters for abstraction and transfer of water and explain how water levels/availability affect these parameters and assess any associated significant effects within relevant chapters of the ES where they are likely to occur.
2.1.4	Paragraphs 2.5.65 and 16.7.1	Peat	The Scoping Report identifies peat is present across the Proposed Development site.

ID	Ref	Description	Inspectorate's comments
			Where peat soils are identified, peat surveys should be undertaken to characterise the baseline or else the ES should justify an alternative methodology for characterising the baseline in agreement with relevant consultees. The ES should demonstrate that when managing areas with peat present, the mitigation hierarchy has been applied to minimise potential impacts and effects and how this has been taken into account in the design evolution. It should be demonstrated in the consideration of alternatives how areas of peat have been avoided and if not, why not.
2.1.5	Section 2	Repetition	The Scoping Report includes repetition throughout. For example, paragraphs 2.2.10, 2.3.9 and 2.5.12 and paragraphs 2.5.33 and 2.5.38. The ES should be written concisely and include detail up front.
2.1.6	Paragraphs 2.5.83 to 2.5.85	Accesses	Accesses are described in Scoping Report paragraphs 2.5.83 to 2.5.85 and 2.6.19 to 2.6.20 but these are not located on a figure. The ES should locate all proposed accesses on a figure.
2.1.7	Paragraph 2.6.39	Trial embankment	Scoping Report paragraph 2.6.39 states that a trial embankment will be constructed and deconstructed to determine whether the proposed design is suitable for the ground conditions on site. The ES should explain what constitutes 'suitable design' and describe a worst-case scenario. Where measures are required to secure a suitable design, these should be described and secured through the Development Consent Order (DCO).
2.1.8	Paragraph 2.6.49	Trenchless techniques and drilling fluid	Trenchless techniques are being considered for installing pipelines. The ES should assess any potential likely significant effects from breakout of drilling fluid where it is proposed to be used and describe and secure appropriate mitigation measures such as a drilling fluid breakout plan.
2.1.9	Figure 2.1 and Paragraph 2.3.1	Water transfer between existing channels within red line boundary	Water transfer between Counter Drain and Middle Level has not been included in the Scoping Boundary as this is proposed to constitute only the areas required for construction, operation and maintenance of the Proposed Development. However,

ID	Ref	Description	Inspectorate's comments
			although the transfers may be existing, the operation is dependent on this transfer and has potential to alter these areas through changes in flow regime and water levels. The ES should include these areas within the relevant red line boundary.
2.1.10	2.5.80, 9.6.55, Table 10-11	Effects to ecology from changes in flood regimes	Impacts from changes in flood regimes on ecological habitats has not been discussed in the Scoping Report. The Scoping Report indicates that its construction and operation will alter flood regimes ie creation of a wetland, alleviating flooding elsewhere. The Inspectorate considers that this matter should be scoped in. The ES should assess significant effects on changes to terrestrial and aquatic ecology where they are likely to occur.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 6)

ID	Ref	Description	Inspectorate's comments
2.2.1	Paragraph 6.3.28	Professional judgement	A significance matrix is provided in Image 6.1 where the combination of magnitude and receptor sensitivity may lead to multiple conclusions of significance of effect. For example, a low value receptor combined with a large magnitude could result in one of a major, moderate, minor or neutral effect. Scoping Report paragraph 6.3.26 states that this reflects the role of professional judgement when allocating significance. Professional judgement is also used to determine other matters such as appropriate study areas, eg in Scoping Report paragraph 11.4.5 it states that where there was no Zone of Theoretical Visibility (ZTV) available, professional judgement is used for the baseline study area. Heritage asset values and level of significance of effects are also proposed to be determined using professional judgement. The ES should set out the factors in relation to each aspect chapter that will be used in determining significance and any other matters through professional judgement.
2.2.2	Paragraphs 6.3.52 to 6.3.55	Transboundary	The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.

ID	Ref	Description	Inspectorate's comments
			Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Page 'Nationally Significant Infrastructure Projects: Advice on Transboundary Impacts and Process', links for which can be found in paragraph 1.0.7 above.

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Landscape and Visual

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Table 7-4	Temporary construction impacts and permanent operational impacts on landscape character at a regional scale	The Scoping Report states that national character areas (NCAs) have a broad geographical coverage and local level landscape character assessments are more related to the scale and extent of the landscape character in the assessment area. An assessment of the district council/city council landscape character areas (LCA) is proposed to be undertaken. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.1.2	Table 7-4	Temporary construction impacts and permanent operational impacts on landscape character - indirect distant effects on landscape character	The Scoping Report states that a significant effect is unlikely to occur towards the periphery of the study area and the LCA would not be directly affected by the Proposed Development and indirect effects would be barely perceptible due to distance from the Proposed Development. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.1.3	Table 7-4	Temporary construction lighting and permanent operational lighting - effects on night sky	The Scoping Report states that the study area is not located within a Dark Sky Reserve. The Inspectorate agrees that this matter can be scoped out from further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.4	Table 7-4	Temporary construction lighting and permanent operational lighting on the night-time environment	The Scoping Report states that residents beyond 500m are less likely to be affected due to distance, intervening features, and the existing lit environment, and that other visual receptors are less affected at night or will be undertaking activities that are lit. The Inspectorate agrees that the assessment of effects on residents beyond 500m can be scoped out from further assessment on this basis.

ID	Ref	Description	Inspectorate's comments
3.1.5	Paragraph 7.4.4, 7.4.12 Appendix 7.1	Study area for proposed pipelines - ZTV	Appendix 7.1 identifies a study area for the Proposed Development pipeline as 2km from the red line boundary. It also states that this is not based on a ZTV therefore there is no explanation as to why 2km is appropriate. The ES should explain and justify an appropriate study area and demonstrate any relevant agreement with consultees.
3.1.6	Paragraph 7.4.9	Study area review	The Scoping Report states that the preliminary overarching study area will be reviewed and the detailed study area will be determined once the boundary has been further refined. The Inspectorate advises that any review of the study area should be consulted on and agreed where possible with relevant consultation bodies.
3.1.7	Paragraphs 2.5.5-2.5.6, 7.4.10, 7.4.12, 7.6.93-7.6.94,	Representative viewpoints - landscape photography and visualisations	The Inspectorate advises that the Applicant should seek to agree the number and location of wireframes / photomontages with the relevant consultation bodies with regards to landscape photography and visualisations for the assessment.

ID	Ref	Description	Inspectorate's comments
	7.6.135-7.6.136 Figure 7.3 Appendices 7.3, 7.4 and 7.5		
3.1.8	Paragraph 7.6.137	Cumulative effects	The assessment of cumulative effects should distinguish between effect on overall landscape character and on visual impact/amenity generally.
3.1.9	Paragraph 7.9.5	Assessment years	It is unclear from Scoping Report paragraph 7.9.5 whether an assessment at years 1 and 15 during winter will be undertaken. The ES should provide an assessment of the anticipated magnitude of effects from the Proposed Development in operation during winter at year 1 compared with year 15 during winter, in addition to the summer period, to allow for comparison in the LVIA.

3.2 Terrestrial Biodiversity

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Table 8-12 and Paragraph 8.4.10	Construction and operational effects on Dormice Location - All zones and Middle Level System to proposed reservoir transfer.	Scoping Report paragraph 8.6.24 states that there are no records of dormice in the study areas and therefore there would be no pathways for effect during construction or operation. Scoping Report paragraph 8.4.10 states that the need for further dormouse surveys will be informed by a review of existing records. On the basis that any further surveys confirm the absence of dormice species within the study area, the Inspectorate agrees to scope this matter out.
3.2.2	Table 8-12	All construction activity (enabling works, structures excavation, earthworks, demolition, pipeline installation and utility diversions) effects on loss of habitat for all terrestrial habitats and flora and features of designated sites in the Middle Level System to proposed reservoir transfer.	The Scoping Report states that no habitat loss is expected for terrestrial habitats, flora and features of designated sites as there is construction proposed within the Middle level System to proposed reservoir transfer. Subject to confirmation in the ES that no construction or water transfer will take place in the Middle Level System to the proposed reservoir transfer, the Inspectorate agrees that this matter can be scoped out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.3	Table 8-12	All construction activity effects (enabling works, structures excavation, earthworks, demolition, pipeline installation and utility diversions) resulting in killing or injury of all terrestrial fauna species through removal of occupied resting or breeding sites for all terrestrial fauna in the Middle Level System to proposed reservoir transfer	The Scoping Report states that no killing or injury to terrestrial species is expected for terrestrial fauna and features of designated sites as there is no construction proposed within the Middle Level System to the proposed reservoir transfer. Subject to confirmation in the ES that no construction or water transfer will take place in the Middle Level System to the proposed reservoir transfer, the Inspectorate agrees that this matter can be scoped out.
3.2.4	Table 8-12	All construction activity effects (enabling works, structures excavation, earthworks, demolition, pipeline installation and utility diversions) causing severance of habitats, fragmentation and loss of ecological connectivity for all terrestrial habitats,	The Scoping Report states that no severance of habitats is expected for terrestrial habitats, flora and features of designated sites as there is no construction proposed within the Middle level System to proposed reservoir transfer. Subject to confirmation in the ES that no construction or water transfer will take place in the Middle Level System to the proposed reservoir transfer, the Inspectorate agrees that this matter can be scoped out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		flora and fauna in the Middle Level System to proposed reservoir transfer	
3.2.5	Table 8-12	Operation effects from the reservoir, water treatment and inter-catchment treatment works and transfers via pipeline causing disturbance and displacement of reptiles, water voles and other notable species in all zones	The Scoping Report states that no disturbance and displacement of fauna is expected for terrestrial species during operation of the Proposed Development on the basis that these species are not susceptible to lighting disturbance. It is not clear whether other operational activities would pose a risk of disturbance and displacement of species eg water treatment works, pumping water etc. or whether the transfer of water would influence water levels or movement of species which could lead to indirect effects such as displacement. Due to the lack of information on potential impacts from other operational activities on ecology, the Inspectorate does not agree to scope this matter out. The ES should describe all operational activities of the Proposed Development and provide an assessment of effects from these activities on ecological species from displacement and disturbance where they are likely to be significant.
3.2.6	Table 8-12	Operation effects from the reservoir, water treatment works, transfers via pipeline (including inter-catchment treatment pumping stations and service reservoirs) and operation of open channel transfers on mortality and injury of species to badger, bats, birds, great	The Scoping Report states that no mortality and injury to species is expected for terrestrial species during operation of the pipeline of the Proposed Development. It is not clear whether other operational activities would pose a risk to mortality and injury of species eg water treatment works, pumping water etc. or whether the transfer of water would influence water levels or movement of species which could lead to indirect effects such as predation. Due to the lack of information on potential impacts from other operational activities on ecology, the Inspectorate does not agree to scope this matter out. The ES should describe all operational activities of the Proposed Development and provide an assessment of effects from these activities on ecological species from mortality and injury where they are likely to be significant.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		crested newts, riparian mammals, reptiles, terrestrial invertebrates and other notable species in all zones and Middle Level System to proposed reservoir transfer	
3.2.7	Table 8-12	Operation effects from transfers via pipeline (including pumping stations and service reservoirs) causing habitat loss/ modification to all terrestrial habitats, flora and fauna at sources of supply and upstream water transfers, and downstream treated water transfers	The Scoping Report states that no habitat loss/modification is expected for the operation of the pipeline. However, the Inspectorate considers that the transfer of water would reduce available habitat of species or alter existing habitats. Due to the lack of information on potential impacts from other operational activities on ecology, the Inspectorate does not agree to scope this matter out. The ES should describe all operational activities of the Proposed Development and provide an assessment of effects from these activities on habitat loss or modification where they are likely to be significant.
3.2.8	Table 8-12	Effects from recreational use of the reservoir site causing species disturbance from noise from plant such as heating and ventilation units at the	The Scoping Report states that no species disturbance is expected from plant sources such as heating and ventilation units from the visitor hub. This is only one example of a potential plant noise source. The Planning Inspectorate takes the view that there could be other sources of noise which has not been taken into consideration at this early stage of design for example, noise and disturbance from renewable energy sources as proposed in Scoping Report paragraph 1.1.6.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		visitor hub to badger, great crested newt, reptiles, terrestrial invertebrates, other notable species at the reservoir site	On this basis, the Inspectorate agrees to scope out noise disturbance from plant such as heating and ventilation but other sources of plant noise disturbance should be scoped in for further assessment. The ES should identify all potential impact pathways from plant noise during operation, assess any significant effects where they are likely to occur and describe and secure appropriate mitigation measures where required.
3.2.9	Table 8-12	Effects from management of habitat creation (e.g. wetlands, lagoons, etc.) causing disturbance from noise and vibration from plant used for maintenance for all terrestrial fauna at all zones and Middle Level System to proposed reservoir transfer	The Scoping Report states that noise and vibration sources will be similar to the current agricultural activities already prevalent in the area and therefore significant effects are unlikely. Subject to confirmation in the ES that the plant required for maintenance of the new habitats will be similar in terms of noise and vibration to the current plant used on site, the Inspectorate agrees to scope this matter out. The ES should describe the maintenance parameters during operation including the anticipated plant, duration and types of activities.
3.2.10	Table 8-12	Effects from operation of open channel transfers causing disturbance from noise and vibration for all terrestrial fauna at sources of supply and	The Scoping Report states that no noise or vibration sources associated with operation of open channel transfers have been identified which are likely to result in significant effects. The Inspectorate agrees that significant effects are not likely considering the nature of operation and that this matter can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		upstream water transfers	
3.2.11	Table 8-12	Effects from operation of the reservoir, recreational use of the reservoir site, abstraction of water from Middle Level system, Ouse Washes or River Great Ouse and Counter Drain (Nene), inter-catchment treatment and operation of transfers via pipeline causing disturbance from vibration to terrestrial fauna at all zones	The Scoping Report scopes this out on the basis that mounting plant so that there is suitable isolation would result in a negligible effect. On the basis that the ES secures appropriate isolation measures through the DCO an demonstrates any relevant agreement with consultees, the Inspectorate agrees that impacts from vibration from the reservoir infrastructure during operation would not be significant and can be scoped out of further assessment.
3.2.12	Table 8-12	Effects from operation of transfers via pipeline causing disturbance from noise and vibration on all terrestrial fauna at sources of supply and upstream water transfers, and	The Scoping Report states that no noise or vibration sources associated with operation of open channel transfers have been identified which are likely to result in significant effects. The Inspectorate agrees that significant effects are not likely and that this matter can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		downstream treated water transfers	
3.2.13	Table 8-12	Effects from operation of transfers via pipeline and inter-catchment treatment causing disturbance from noise, vibration from transformers and emergency generators on all terrestrial fauna at sources of supply and upstream water transfers, and downstream treated water transfers	The Scoping Report states that the generators would only be used for planned testing once a month during daytime hours, or in an emergency. Considering the likely frequency and duration of the potential impacts, the Inspectorate is content that significant effects are not likely and agrees that this matter can be scoped out of the ES.
3.2.14	Table 8-12	Effects from operation - Abstraction of water from Middle Level System, Ouse Washes or River Great Ouse and Counter Drain (Nene) and operation of open channel and pipeline transfers causing introduction and/or spread of invasive non-native species (INNS) on all	The Scoping Report states that there would be no pathway for the introduction and/or spread of INNS as inter-catchment treatment plants will be located at abstraction points. The inter-catchment treatment strategy is described in Scoping Report paragraph 2.5.25 but details are not provided on how INNS would be managed and it is unclear what INNS are likely to require management. Due to the lack of information, the Inspectorate does not agree to scope this matter out and the ES should assess significant effects from the introduction and spread of INNS where they are likely to occur. The ES should provide details and secure appropriate measures where they are required in consultation with the relevant bodies.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		terrestrial habitats, flora and fauna at sources of supply and upstream water transfers, and downstream treated water transfers	

ID	Ref	Description	Inspectorate's comments
3.2.15	Paragraph 7.4.2.19	White-clawed crayfish	The Scoping Report does not discuss white clawed crayfish. The ES should confirm whether this receptor is located within the study area and if so, include an assessment of significant effects where they are likely to occur.
3.2.16	Table 8-10	INNS Species	The Scoping Report states the INNS have been identified by a combination of desk study and field surveys. The Scoping Report only reports the INNS in the reservoir baseline and does not report what INNS are located within the zone of influence. Consultees have identified Chinese mitten crab, non-native crayfish and floating pennywort as INNS located within the zone of influence additional to the species identified in the Scoping Report in Table 8-10. The ES should identify all relevant INNS and assess significant effects where they are likely to occur. The ES should include any evidence of agreement with relevant consultees and describe and secure any required mitigation measures.

3.3 Aquatic Biodiversity

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Table 9-12	Operation of open channel transfers causing mortality and injury of species on aquatic habitats, fish, aquatic invertebrates and macrophytes at the sources of supply and upstream transfers.	The Scoping Report states there will be no mortality and injury of species during operation as a result of operation of the open channel transfers. The Scoping Report describes an open channel transfer in the glossary as 'The transfer of water in a natural or man-made conduit that has an open top (a free surface)'. Currently it is unclear whether associated infrastructure e.g. structure, screens and pumps are included within the operation of open channel transfers. In addition, it is unclear whether indirect impacts to species from an increased risked risk in predation from displacement for example has been included within the operation of open channel transfers. If associated infrastructure is included within the operation of open channel transfers there is a risk of mortality and injury to species and therefore the Inspectorate does not agree to scope this matter out. The ES should describe all operational activities that may lead to mortality and injury of species both directly and indirectly and assess any impact pathways where significant effects are likely to occur. The ES should describe and secure any required mitigation measures and demonstrate any agreement with relevant consultees.
3.3.2	Table 9-12 and paragraphs 2.5.9 and 2.7.9	Operation of open channel transfers causing disturbance from noise, vibration, visual stimuli and loss of	The Scoping Report states that no noise or vibration or visual stimuli sources and no loss of ecological connectivity through severance of habitats resulting in fragmentation is associated with operation of open channel transfers have been identified which are likely to result in significant effects.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		ecological connectivity through severance of habitats resulting in fragmentation on aquatic habitats, fish, aquatic invertebrates and macrophytes at the sources of supply and upstream transfers	Currently it is unclear whether the pumping of water is included within the operation of open channel transfers. Scoping Report paragraphs 2.5.9 and 2.7.9 refer to the pumping of water as part of the open channel transfers. For clarity, the Inspectorate agrees that whilst water is being transferred through the open water channel only, the matter can be scoped out. Any disturbance, noise, vibration and visual stimuli to species and any loss of ecological connectivity through severance of habitats from other transfers such as pumping, should be scoped into the ES assessment where significant effects are likely to occur. Any required mitigation measures should be described and secured in the ES including any evidence of agreement with relevant consultees.
3.3.3	Table 9-11	Effects from abstraction of water from Middle Level System, Ouse Washes or River Great Ouse and Counter Drain (Nene) and operation of open channel and pipeline transfers on fish species at sources of supply and upstream water transfers, and	The Scoping Report currently states that the impacts of abstraction have been scoped in for changes in water quantity/quality/chemistry. It is not clear whether the impacts of abstraction include impacts to genetic quality, predation and reinstatement of aquatic habitats on fish species have been scoped in as these impacts are not named. The ES should identify and report on all potential impacts, both direct and indirect, from construction and operation on fish species where significant effects are likely to occur.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		downstream treated water transfers	

ID	Ref	Description	Inspectorate's comments
3.3.4	Paragraph 9.4.5	Study area	The description of the study area for the Middle Level System is unclear; it is noted as being smaller than the four zones within the Scoping boundary only and there is no figure to support this. The ES should clearly justify and describe the study area in consultation with relevant bodies and this should be supported by appropriate figures.
3.3.5	Table 9-3	Study area - INNS	The Scoping Report states the study area for fish is 10km from the Scoping Boundary. Scoping Report Table 9-3 identifies a study area of 2km from the Scoping Boundary for an assessment of INNS. Considering that fish species are/can be noted as INNS it is not clear why a smaller study area has been included in the scoping boundary. The ES should clearly justify and describe the study area in consultation with relevant bodies and this should be supported by appropriate figures.
3.3.6	Table 9-1	Legislation, policy and guidance	The Scoping Report should provide relevant legislation and policy considerations for each specific chapter where relevant, Table 9-1 should also include; The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017(as amended), Salmon and Freshwater Fisheries Act 1975 (as amended) and The Eels (England and Wales) Regulations 2009 (as amended).
3.3.7	Paragraphs 9.6.279.6.29- 9.6.36	Baseline / Surveys	The Scoping Report states that 288 ditch/canal watercourses and 7 River and Streams were identified. However, in paragraph 9.6.29 it notes that habitat scoping was undertaken for 9 main rivers and 15 ditches. In paragraphs 9.6.31 – 9.6.36 there are references to further surveys to be completed in 2024. Currently, it is difficult to ascertain how many

ID	Ref	Description	Inspectorate's comments
			watercourses have been identified within the study area and what watercourses will be subject to further surveys. The ES should identify the number, type and location of watercourses that are included in the assessment of likely significant effects and explain which have been surveyed to inform the assessment.

3.4 Water Resources and Flood Risk

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Table 10-12 and paragraph 10.6.32	Impacts to water quality and hydromorphology of ditches that are dry for some of the year and dominated by terrestrial ecology – construction and operation	The Scoping Report identifies that there is no hydraulic connectivity and that dry ditches are not considered water habitats. It is not clear which ditches described in Scoping Report paragraph 10.6.32 are proposed to be scoped out. The Inspectorate does not agree to scope this matter out as some dry ditches may still be a water resource at varying times of year and may provide habitat for species. The ES should include an assessment of likely significant effects on all ditches where they are hydrologically connected to the Proposed Development.
3.4.2	Table 10-12 and paragraph 10.6.43	Impacts to bedrock aquifers at the proposed reservoir and water treatment works site: kellaways sand, cornbrash formation, blisworth limestone and Lincolnshire limestone – construction and operation	The Scoping Report scopes this matter out on the basis that there is 70m of low permeability clay formation overlying the bedrock aquifers identified and therefore there is negligible pathway for effects. However, currently the Scoping Report does not identify the depth of the reservoir and whether 70m of clay is sufficient to avoid potential significant effects. The Inspectorate considers that not enough information has been provided to agree to scope this matter out. The ES should assess likely significant effects on bedrock aquifers or else provide evidence to demonstrate that there is no pathway for effect or effects would be negligible. Any evidence of agreement with relevant consultees should be provided in the ES.
3.4.3	Table 10-12 and	Contamination and sedimentation effects	On the basis that appropriate good construction and operation practices, including bunded storage areas (Scoping Report paragraph 2.5.135), spill kits and

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	paragraph 2.5.135	from stockpile runoff during excavation and earthworks on surface watercourses, superficial aquifers, bedrock aquifers and unlicenced groundwater abstractions – construction	isolation/treatment ponds for site runoff, are secured through the application, the Inspectorate agrees that this matter can be scoped out.
3.4.4	Table 10-12 and paragraph 10.7.7	Leaks and spills of contaminative materials used in construction and operation on surface watercourses, superficial aquifers, bedrock aquifers and abstractions, Nene Washes Whittlesey (GWDTE), Ouse Washes (River Delph) (GWDTE), Huntingdon River Gravel NVZ – construction	The Scoping Report proposes to scope this matter out on the basis that good construction and operation practices will be implemented. However, currently the Scoping Report does not determine the parameters for construction of pipelines and the reservoir ie depths and how good construction and operation practices would reduce/avoid such impacts. Additionally, the Scoping Report does not reference a drilling fluid breakout plan. The Inspectorate therefore does not agree to scope this matter out on the basis that not enough information has been provided. The ES should describe the proposed construction parameters and secure appropriate measures and explain how they avoid/reduce potential effects so that they are not significant or provide an assessment of significant effects where they are likely.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.5	Table 10-12	Permanent change in flows between groundwater and surface water to minor ditches, due to the presence of the below ground pipeline from all pipeline crossings on surface watercourses and groundwater – all pipeline crossings – operation	The Scoping Report scopes this matter out on the basis that good design proposals in the form of materials, size and depths of pipelines, and excavations based on groundwater risk assessment outcomes will be implemented. However, currently the Scoping Report does not determine how deep the proposed pipelines would be installed and how these design measures will reduce/avoid adverse effects. The Inspectorate therefore does not agree to scope this matter out on the basis that not enough information has been provided. The ES should describe the proposed construction parameters and secure appropriate measures and explain how they avoid/reduce potential effects so that they are not significant or provide an assessment of significant effects where they are likely.
3.4.6	Table 10-12	Permanent change in flows between groundwater and surface water to main rivers and smaller watercourses not in a groundwater body due to the presence of the below ground pipeline – all pipeline crossings – construction and operation	Pipelines are proposed to be built at least 1.5m below watercourse beds for at least 5m beyond each bank top and implementation of good design practice measures. On this basis and considering these watercourses will not be located in a groundwater body, the Inspectorate agrees that this matter can be scoped out of further assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.7	Table 10-12	Impacts to water quality of surface watercourses from water treatment and inter-catchment treatment – operation	The Inspectorate agrees that this matter can be scoped out on the basis that it is a one-off, short-term impact that is treated to a quality regulated by discharge consent. The ES should provide evidence of agreement of such consents, confirm what discharge consents are in place, how they are secured and that the water quality would not be altered by such discharges.
3.4.8	Table 10-12	Impacts on water quality of surface watercourses from discharge of dewatering water – construction	The Inspectorate agrees that this matter can be scoped out on the basis that it is a short-term impact that is treated to a quality regulated by discharge consent. The ES should provide evidence of agreement of such consents, confirm what discharge consents are in place, how they are secured and that the water quality would not be altered by such discharges.
3.4.9	Table 10-12	Impacts to superficial aquifers, watercourses, potential groundwater abstractions within study area, Huntingdon River Gravels (groundwater NVZ) from formation of preferential flow pathways along pipeline routes facilitating lateral migration of contaminants from	This is scoped out on the basis of implementing good construction practices. However, there is no detail on what or how construction practices would minimise/avoid potential effects. Additionally, the Scoping Report does not determine how deep the proposed pipelines would be installed. The Inspectorate therefore does not agree to scope this matter out on the basis that not enough information has been provided. The ES should describe the proposed construction parameters and secure appropriate measures and explain how they avoid/reduce potential effects so that they are not significant or provide an assessment of significant effects where they are likely to occur.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		installation of pipelines and operation of transfers via pipeline	
3.4.10	Paragraphs 2.3.5 and 2.6.61	Impacts of flood risk on temporary accommodation	Scoping Report paragraph 2.3.5 identifies that temporary accommodation may be provided for construction workers at site compounds and paragraph 2.6.61 states that this may also be provided elsewhere. Flooding impacts on temporary accommodation for construction workers is not included in Scoping Report Table 10-11. The ES should explain how consideration of flood risk has informed the location of temporary accommodation and where required, describe and secure appropriate measures. An assessment of significant effects should be included where they are likely to occur.
3.4.11	Table 10-11	Impacts from compaction and hardstanding during construction	It is not clear from Table 10-11 whether increases in surface water runoff from compaction and increase in hardstanding are proposed to be assessed. For clarity, the ES should include these impacts in the assessment of significant effects from construction where they are likely to occur. Any relevant mitigation required to manage runoff during construction and operation should be described and secured.
3.4.12	Table 10-11	Impacts from abstractions leading to changes to channel footprint, flow velocity and volume, sedimentation deposition and hydromorphology	Whilst this matter is scoped in, the 'zone' only refers to 'sources of supply and upstream water transfer zone'. The Inspectorate considers that impacts may also occur downstream and that downstream receptors should be scoped into the ES assessment.

ID	Ref	Description	Inspectorate's comments
3.4.13	Paragraphs 10.6.2 to 10.6.9 and Figure 10.3	Flood risk zones 3a and 3b	The Scoping Report does not identify which areas are flood zones 3a and 3b. The ES should identify areas of flood zones 3a and 3b and this should be used to inform both the assessment of likely significant effects and the description of proposed mitigation to be secured through the DCO.
3.4.14	Paragraph 10.6.3	Middle Level asset improvement scheme	Scoping Report paragraph 10.6.3 refers to the Middle Level Commissioner asset improvement scheme which is currently underway and aims to raise river banks and manage bed levels to increase flood protection. It states that this will be taken into account in the baseline in the ES; the Scoping Report does not explain the timeline of this project and how this interacts with the Proposed Development timeframe. To confirm whether it is appropriate to take this scheme into account in characterisation of the baseline water environment, the ES should explain how the project timeframe interacts with the timeframe of the Proposed Development and how it should be incorporated into the assessments.
3.4.15	Paragraph 10.9.4	Water level and quality monitoring	Scoping Report paragraph 10.9.4 identifies that additional locations for these surveys may be required. The ES should explain how these locations have been identified to be representative and explain the extent of agreement on the locations with relevant consultation bodies.
3.4.16	Paragraph 10.9.4	Sensitivity testing against the Lower Great Ouse Flood Model 2025	The Scoping Report states that the ES 'may' include sensitivity testing against the 2025 updated flood model which is anticipated to be released in late 2025. Where it is available and no sensitivity testing is undertaken, the ES should justify why this approach has been taken and evidence any agreement with relevant consultees.
3.4.17	Figure 10.1 and section 10.4	Flood Risk study area	Scoping Report paragraph 10.4.4 states that the flood risk study area is based on the extent of flood models. There are no flood models for 70 ordinary watercourses located downstream of the Proposed Development and in this case, it is proposed that the pipeline corridor will be used to define the study area. It does not explain why this is an appropriate proxy or why flood modelling will not be undertaken to inform assessment of these areas.

ID	Ref	Description	Inspectorate's comments
			Where flood models are not available to define the extent of the study area, the ES should explain and justify how these study areas have been defined. The ES should describe any surveys undertaken to inform these areas and provide any evidence of consultation with relevant bodies that has informed the flood risk study area and approach to assessment.
3.4.18	Paragraph 10.4.4	Groundwater study area	A 500m study area is proposed around the scoping boundary for the groundwater assessment. Whilst the Scoping Report states that this has been informed by the design of the Proposed Development and geological setting, the ES should demonstrate how appropriate consultation with the relevant bodies has informed the identified study area.
3.4.19	Section 10.6	Historic Flood Risk Data	It is noted that the baseline information and data sources do not include historic data on flooding but it is not explained why. The ES should draw from data on previous flood events where they are available or explain why they have not been used to inform the assessment of likely significant effects from/to flood risk.
3.4.20	Section 2.5	Transfer of water	The Scoping Report refers to a number of ways by which water can be transferred but it is not clear what options are being considered at what locations and how the final option will be chosen. For example, section 2.5 describes abstraction of water at various sites, but does not always describe by what means the water will be abstracted. All water transfer options and locations should be clearly described in the ES and the justification for the chosen option should be explained.
3.4.21	Table 10-14	Criteria to determine impact magnitude for flood risk	The Environment Agency consultation response identifies that the Design Manual for Roads and Bridges Guidance (LA113 2020) used to determine the criteria for magnitude of effect in relation to flood risk may not be appropriate. The ES should justify the methodology for assessment of flood risk in agreement with relevant consultation bodies.
3.4.22	Paragraphs 2.6.52 and 10.10.1	Dewatering	Dewatering is proposed in Scoping Report 2.6.52 and 10.10.1. Should it form part of the Proposed Development, the application should include a dewatering management plan to

ID	Ref	Description	Inspectorate's comments
			detail how abstracted groundwater will be managed. This plan should be secured through the DCO.
3.4.23	Table 10-11	Impacts to deep aquifers	Impacts during construction to groundwater resources in Table 10-11 includes 'Construction of trenchless crossings have the potential to form preferential flow pathways for shallow contamination to deeper aquifers' however, deep aquifers are not included in the receptor column for this effect. The ES should assess significant effects to deep aquifers from construction of trenchless crossings where they are likely to occur.
3.4.24	n/a	Technical advice	The Applicant is directed to the responses provided by the Environment Agency, Natural England etc which include details on additional impact-pathways, baseline survey methods and the assessment methodology approach. The ES should demonstrate how this advice has been taken into account and how the design and assessment approach has developed through discussion and, where possible, agreement with relevant consultation bodies.

3.5 Historic Environment

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Paragraph 11.8.3	World Heritage Sites (WHS), registered battlefields and protected wrecks	No WHS, registered battlefields or protected wrecks have been identified within the study areas or the wider surrounding landscape. On this basis, the Inspectorate agrees that this matter may be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
3.5.2	Paragraphs 11.4.1-11.4.6 and 11.9.1 and Table 11-3	Study areas	The ES should set out how the baseline study areas were determined and how they have informed the assessment. The Applicant should agree the study area with relevant consultation bodies where possible to ensure that all potential significant effects on heritage assets, including their setting, have been assessed.
3.5.3	Paragraph 11.10.1	Assumptions – historic landscape features	The Scoping Report has assumed that historic landscape features will not be considered as individual heritage assets unless they have been recognised by designation or are determined by the assessment process to be of demonstrably equivalent heritage value to designated assets. No evidence has been provided to support this approach and the extent of impacts during operation are currently unknown. The ES should assess impacts on historic landscape features during construction and operation of the Proposed Development unless robust justification is provided to demonstrate that significant effects are unlikely to occur. Agreement on this matter should be sought with the relevant statutory consultation bodies and evidenced in the ES.

ID	Ref	Description	Inspectorate's comments
3.5.4	Paragraphs 10.1.5 10.8.2 Table 11-4	Historic environments and scheduled monuments - groundwater impacts	Paragraph 10.1.5 states that the assessment of effects on scheduled monuments and other historic environments as a result of potential changes to water resources is discussed in Chapter 11 of the Scoping Report. The ES should ensure that appropriate cross reference is made so that it is clear how the assessment of likely significant effects on the water environment has informed potential effects on the historic environment.

3.6 Geology, Soils, Agriculture and Land Quality

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Table 12-4	All activities – loss or deterioration of a geodiversity or sensitive site - Construction and operation	No geodiversity sites have been identified within 250m of the scoping boundary in the Scoping Report. On this basis, the Inspectorate agrees to scope this matter out.
3.6.2	Table 12-4 and Table 8-11	All activities – loss or deterioration of soils supporting protected features within a UK-designated or notable ecological site - Construction and operation	Ecological sites are proposed to be scoped into the Terrestrial Biodiversity Chapter. This is included in Table 8-11 of the Scoping Report. The Inspectorate agrees with this approach. The Geology, Soils and Agricultural Land ES Chapter should provide clear cross-referencing to where the relevant impacts are considered.
3.6.3	Table 12-4, paragraph 12.7.5 and section 2.7	Reduction in land quality leading to harm to human health or pollution of controlled waters - Operation	The Scoping Report states that mitigation will be in place to prevent contamination during operation, including management of contamination during construction that could lead to impacts during operation. Paragraph 12.7.5 sets out high level measures that will be employed during construction and Scoping Report section 2.7 includes a description of the embedded design measures to prevent/reduce potential contamination during operation. On the basis that the ES describes the measure and confirms they are secured, the Inspectorate agrees to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.4	Paragraph 12.8.2	Soil storing carbon	This is proposed to be scoped out of the Geology, Soils, Agriculture and Land Quality Chapter as it is proposed to be assessed in ES Chapter 16: Carbon and Greenhouse Gases. The Inspectorate agrees with this approach. The Geology, Soils and Agricultural Land ES Chapter should provide clear cross-referencing to where the relevant impacts are considered.

ID	Ref	Description	Inspectorate's comments
3.6.5	Paragraph 12.5.9 and Figure 12.4	Best and Most Versatile (BMV) Agricultural land	Scoping Report Figure 12.4 identifies that the majority of the site is located on Grade 1 BMV Land. The ES should contain a clear tabulation of the areas of land in each BMV classification to be temporarily or permanently lost as a result of the Proposed Development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided. Consideration should be given to the use of BMV land in the Applicant's discussion of alternatives.
3.6.6	Paragraph 12.7.5	Restoration of soils	The ES should explain whether impacted soils are anticipated to be restored and if so, provide details on how this is secured and will be implemented. Where soils are not anticipated to be restored, the ES should justify and explain the alternative approach.
3.6.7	Section 12.6	Coal mining	The Scoping Report does not discuss potential coal mining operations in the baseline that are identified as potentially being present by the Environment Agency. The ES should identify any previous coal mining operations that may impact or be impacted by the Proposed Development, assess any significant effects where they are likely to occur and describe and secure any required mitigation measures.

3.7 Material Assets and Waste Management

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Paragraph 13.6.39 and Table 13-9	Material assets and waste management impacts from all operational and maintenance activities for the reservoir, water transfers and recreational facilities	The Scoping Report proposes to scope these matters out on the basis that there would be limited material assets usage and waste disposal requirements associated with operation and maintenance of these components. Having regard to the nature and characteristics of the Proposed Development, the Inspectorate is content that significant effects are not likely. These matters can be scoped out of further assessment.
3.7.2	Table 13-9	Material assets and waste management impacts from all maintenance activities for the water treatment works and inter-catchment facilities	The Scoping Report proposes to scope these matters out on the basis that there would be limited material assets usage and waste disposal requirements associated with maintenance of these components. Having regard to the nature and characteristics of the Proposed Development, the Inspectorate is content that significant effects are not likely. These matters can be scoped out of further assessment.
3.7.3	Paragraph 13.10.2	Material assets and waste management impacts associated with the off-site extraction of raw materials used for the	The Scoping Report states that these stages of the products' or materials' lifecycles are outside of the scope of the ES assessment due to the range of unknown variables associated with the processes involved and are not considered to form part of the Proposed Development. In addition, the Scoping Report states that these would be subject to their own separate consenting and regulatory controls at the place of production.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		off-site manufacture of products	The Inspectorate notes the difficulty of undertaking any such assessment and agrees to scope this matter out on those grounds.
3.7.4	Paragraph 13.10.6	Land contamination impacts on sensitive receptors from the Material Assets and Waste Management ES Chapter	Section 13 of the Scoping Report indicates that potential adverse effects from land contamination, such as impacts on groundwater and human health, would be considered within other relevant ES chapters. The Material Assets and Waste Management ES chapter would consider only the management of contaminated land found during construction. The Inspectorate is content with this approach. The Material Assets and Waste Management ES Chapter should provide clear cross-referencing to where the relevant impacts from land contamination are considered.

ID	Ref	Description	Inspectorate's comments
3.7.5	Paragraph 13.6.5 and Table 12-3	Demands on aggregate providers	Paragraph 13.6.5 identifies that approximately 2 to 3 million tonnes of aggregate material will be required. The ES should identify the facilities where such aggregate is likely to be acquired from and assess significant effects on demand and distortion of the local and regional markets where they are likely to occur.
3.7.6	Paragraphs 13.6.5 and 13.6.13	Use of material assets	The Scoping Report describes the materials which are likely to be required in large quantities for construction of the Proposed Development. It states that quantities of bulk aggregate materials required have been estimated using *"Available information, based on similar large-scale projects"* but specific details are not provided. The Scoping Report confirms that if, as the design of the Proposed Development is refined, additional materials are identified to be used in large quantities, these would be included in future stages of the EIA process.

ID	Ref	Description	Inspectorate's comments
			The ES should describe the specific method(s) used to estimate the quantities of materials required and clarify what constitutes *"large quantities"* of materials. Where material assets are to be used in quantities that are likely to result in significant effects, this should be assessed in the ES.
3.7.7	Tables 13-8 and 24-1	Potential sterilisation of mineral resources	Table 24-1 of the Scoping Report identifies potential sterilisation of minerals resources as scoped in for both the construction and operational phases. This impact is however not included in Table 13-8 as a matter scoped in for the operational phase, meaning the Applicant's proposed approach is unclear. The ES should clearly identify areas of mineral resources to be temporarily or permanently sterilised as a result of the Proposed Development, with reference to accompanying figures. If any mineral resources are to be permanently sterilised as a result of the Proposed Development, the ES should include an assessment of effects during the operational phase where they are likely to be significant.
3.7.8	Paragraphs 13.6.31, 13.9.9 and Section 13.10	Anticipated quantities of waste	The Scoping Report confirms that the types and quantities of waste arising from construction and operation of the Proposed Development will be identified in the ES assessment. The ES should explain how these figures have been determined. Any assumptions made (such as with regards to quantities of contaminated land/ hazardous waste) should be clearly set out and justified in the ES.
3.7.9	Paragraph 13.9.9	Impacts from transport of waste produced during construction	The ES should identify the likely number, type and routing of vehicular movements required to remove waste generated during construction of the Proposed Development. The ES should assess the impacts which may result in likely significant effects from the transport of waste generated during construction of the Proposed Development. Cross-reference should be made to the Traffic and Transport chapter of the ES, as appropriate. The Inspectorate notes the comments from Norfolk County Council regarding the potential for export of silica sand off-site. If any materials are to be exported off-site as

ID	Ref	Description	Inspectorate's comments
			part of the Proposed Development, the Inspectorate's comments in this row also apply to impacts from the transport of materials off-site during construction.

3.8 Traffic and Transport

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.8.2	Paragraph 14.5.5	Field surveys	The Scoping Report does not set out whether ongoing traffic surveys include non-motorised users (NMU). The Inspectorate considers that the ES should either include NMU as potential users of public rights of way and the road network or justify their omission from field surveys providing any evidence of agreement on the approach with relevant consultees.
3.8.3	Paragraph 14.4.4	Study area for transfer routes and associated infrastructure	Given the traffic associated with some elements of the Proposed Development (transfer routes and other infrastructure) are at an earlier stage of design, the ES should demonstrate the factors that have been considered in determining the study area, supported by appropriate figures. The assessment methodology and selection of study areas should be discussed and agreed with relevant consultation bodies.
3.8.4	n/a	Baseline – visitor access	The ES should include details of how the distances that people may travel to visit the reservoir have been quantified and how they have informed the study area and assessment. The assessment should include a quantified analysis of visitor trips.
3.8.5	Paragraph 14.9.7	Assessment years - seasonal trips	The assessment of traffic during operation should identify whether there would be potential for peaks in visitor traffic to differ from peaks associated with the operation of the reservoir,

ID	Ref	Description	Inspectorate's comments
			including any potential seasonal variation. Where potential is identified this should inform the assessment of likely significant effects.
3.8.6	Paragraph 14.9.7	Assessment years	The assessment years presented in the ES should demonstrate how the 'opening year' takes account of both operational traffic and traffic associated with the proposed recreational facilities to ensure a worst-case assessment is presented.
3.8.7	Paragraph 14.8.4	Abnormal loads	Given the nature of the Proposed Development, the Inspectorate considers there is potential for considerable numbers of abnormal loads particularly during the construction phase. The nature of any abnormal loads that would be required during construction of the Proposed Development, the types of vehicles that could be required and the proposed routes should be set out in the ES and an assessment of effects provided, where significant effects are likely to occur. This should include consideration of effects from increased congestion and/ or increased journey times and distances due to road closures or diversions for abnormal load access, where this could be required.
3.8.8	n/a	Effects on navigation	The ES should provide an assessment of effects on the use of the rivers for navigational and recreational purposes, in conjunction with the assessment of effects on public access and recreation (please see the Inspectorate's comments in ID 2.1.1 of this Scoping Opinion). The approach to the assessment should be discussed and where possible agreed with relevant consultation bodies.

3.9 Air Quality

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.9.2	Paragraphs 15.5.7 and Table 15-3	Potential pollutants	The air quality scope notes that emissions would be focused on NO_2 and particulates (PM_{10} and $PM_{2.5}$). In order to inform the assessment of effects on ecological receptors, additional pollutants should also be considered, such as ammonia, where significant effects are likely to occur. The ES should cross reference with the terrestrial biodiversity assessment to ensure sufficient information is provided to support both assessments. The approach to the assessment should be discussed and where possible agreed with relevant consultation bodies.
3.9.3	Paragraph 15.5.7	Diffusion tube monitoring	The Scoping Report includes proposals for six months of diffusion tube monitoring. The ES should demonstrate how consultation with the relevant bodies has informed the approach to these field surveys.
3.9.4	Paragraphs 15.9.20	Modelled scenarios	The ES should define what 'committed developments' have been assumed within each of the relevant modelled scenarios and how they have been chosen. The list of committed / cumulative developments considered within the assessment should be agreed with consultation bodies along with the modelling approach to ensure it presents a sufficiently precautionary assessment across all phases of the Proposed Development. This should include reference to the terrestrial biodiversity assessment of cumulative air quality effects on identified ecological receptors.

3.10 Carbon and Greenhouse Gases

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Paragraph 16.8.3	All phases – downstream effects	Scoping Report section 16.4 defines downstream emissions as those related to the use of water supplied within the regional network. The Inspectorate agrees that this matter can be scoped out on the basis that downstream emissions would be unfeasible to determine considering that the emissions from the use of the water distributed by the Proposed Development could not be monitored following mixing with the rest of the regional supply.
3.10.2	Paragraph 16.7.3 and Table 16-3	Operation – landscaping and reinstatement	This is not proposed as a matter scoped in during operation in Table 16-3. Scoping Report paragraph 16.7.3 identifies that development design will also include measures that could create habitat to provide carbon sequestration. This has potential to lead to a beneficial significant effect and therefore the Inspectorate considers that this matter should be scoped into the ES assessment.

ID	Ref	Description	Inspectorate's comments
3.10.3	Paragraph 16.7.1	Peat	The Scoping Report identifies peat is present across the Proposed Development site. Scoping Report paragraph 16.7.1 sets out how a reduction of GHG emissions has been considered as part of the design evolution but does not refer to the consideration of peat disturbance. The ES should assess significant effects from the disturbance of peat where they are likely to occur in relation to the release of GHG emissions. Please see box 2.1.4 of this Scoping Opinion for further relevant information related to the assessment of peat.

3.11 Climate Resilience

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 17-3	Construction – droughts, intense rainfall events and storms causing impacts from dust, flood risk and storm damage affecting construction programme and site safety	The Inspectorate agrees that these matters may be assessed within other ES Chapters, however, the Scoping Report does not clearly cross reference which chapters they are proposed to be assessed in and it is not clear where this is proposed to be assessed following review of other Chapters eg Water environment and Flood Risk. For the avoidance of doubt, the ES should assess any significant effects from these impacts where they are likely to occur and clearly identify where they are assessed.
3.11.2	Table 17-3	Operation – cold temperatures causing damage to assets due to freezing and weight of snow and ice	This matter is scoped out on the basis that winter temperatures are anticipated to get warmer rather than colder and the design standards account for current and historic low temperatures. On the basis the design set out in the ES reflects this, the Inspectorate agrees to scope this matter out.
3.11.3	Table 17-3	Operation – impacts from sea level rise	This matter is proposed to be assessed in the ES chapter on Water Resources and Flood Risk. The Inspectorate agrees with this approach. The Climate Resilience Chapter of the ES should clearly cross reference to where this is assessed in the Water Resources and Flood Risk ES Chapter.
3.11.4	Table 17-3	Operation – corporate financial risk	The Scoping Report states that this is not a requirement of the Water Resources National Policy Statement and therefore will not be reported in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate agrees that this can be scoped out of further assessment.
3.11.5	Tables 22-3 and 17-2	Storm related damage – wave overtopping	Storm related damage is proposed to be scoped into the Climate Resilience Chapter in Scoping Report Table 22-3 and it is included in Table 17-2. The Inspectorate considers that effects of wind driven wave overtopping from storms/high winds should be scoped in as an impact from storm related damage.

ID	Ref	Description	Inspectorate's comments
3.11.6	Paragraph 17.5.1	50th percentile for future climate change projections	Scoping Report paragraph 17.5.1 references use of the high-emissions scenario as the 50th percentile for future climate change projections. The determination of which scenario is appropriate should be decided in consultation with the relevant bodies and based on the flood risk vulnerability classification of the Proposed Development.

3.12 Noise and Vibration

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	Paragraph 18.1.5	Noise and vibration impacts on other receptors from the Noise and Vibration ES Chapter	Section 18 of the Scoping Report identifies the types of receptor for which a quantitative assessment of noise and vibration impacts would be provided (such as dwellings, schools and hospitals). The Scoping Report indicates that noise and vibration impacts on other receptors will be *"considered qualitatively"* in ES Chapters 7(LVIA), 8 (Terrestrial Biodiversity), 9 (Aquatic Biodiversity), 11 (Historic Environment), 19 (Public Access and Amenity) and 21 (Human Health). The Inspectorate is content that impacts from noise and vibration on other receptors can be considered in the ES aspect chapters set out above. The Noise and Vibration ES Chapter should provide clear cross-referencing to where the relevant impacts are considered. No explanation has been provided as to why a qualitative assessment is considered appropriate for the aspects set out above. The ES should explain the methodology applied to the assessments of impacts from noise and vibration on other receptors and make use of the quantitative noise and vibration data in relevant aspect assessments where possible.
3.12.2	Table 18-4	Noise and vibration from management of habitat creation (eg wetlands, lagoons) during operation	The Scoping Report states that noise and vibration from plant and machinery being used to maintain the new habitats would be similar to the agricultural noise and vibration sources already prevalent in the area. The Inspectorate is content that any impacts from noise and vibration from management of habitat creation during operation are not likely to result in significant effects. This matter can be scoped out of the ES.
3.12.3	Tables 18-4 and 24-1	Noise and vibration from operation of	The Scoping Report states that no noise or vibration sources associated with operation of open channel transfers have been identified which are likely to result in significant effects.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		open channel transfers	The Inspectorate agrees that significant effects are not likely and that this matter can be scoped out of the ES.
3.12.4	Tables 18-4 and 24-1	Noise and vibration from operation of the pipeline (including effects from valves and transformers)	The Scoping Report explains that valves would be located in buried chambers (with associated above-ground control kiosks) and are unlikely to generate sufficient noise to be perceptible at local receptors. It explains that the transformers are likely to result in negligible effects at all off-site receptors, based on observations from existing pumping stations. The ES should identify the locations of the proposed transformers, to support the assumption that they are likely to result in negligible effects at all off-site receptors. The ES should set out the measures required to ensure that impacts from noise and vibration from valves and transformers during operation would not be significant and confirm how these measures are secured through the dDCO or other legal mechanism. On this basis, the Inspectorate agrees to scope this matter out.
3.12.5	Tables 18-4 and 24-1	Noise and vibration from operation of the pipeline (effects from emergency stand-by generators)	The Scoping Report states that the generators would only be used for planned testing once a month during daytime hours, or in an emergency. Considering the likely frequency and duration of the potential impacts, the Inspectorate is content that significant effects are not likely and agrees that noise and vibration from emergency generators during operation can be scoped out of the ES.
3.12.6	Tables 18-4 and 24-1	Vibration from plant and machinery during operation of: the reservoir; recreational use of the reservoir site; water treatment works; abstraction of	The Scoping Report states that any plant capable of generating vibration would be mounted appropriately with suitable isolation, meaning that any vibration emissions are likely to be negligible and at orders of magnitude lower than would be expected to give rise to nuisance or damage to properties. On the basis that the ES identifies the measures required to ensure that impacts from vibration from plant and machinery during operation would not be significant and confirms

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		water from Middle Level system, Ouse Washes or River Great Ouse and Counter Drain (Nene); inter-catchment treatment; and heating and ventilation units at the visitor hub.	how these measures are secured through the dDCO or other legal mechanism, the Inspectorate agrees to scope these matters out from further assessment.
3.12.7	Paragraph 18.9.2	Site-wide baseline noise survey	Paragraph 18.9.2 of the Scoping Report confirms that a site-wide baseline noise survey is not proposed, on the basis that the most stringent thresholds from BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites - Part 1: Noise have been selected as default values. The Scoping Report goes on to state that baseline noise monitoring is proposed at up to 13 locations in the vicinity of the Scoping boundary. The specific locations are yet to be confirmed but would include locations at the reservoir site and at associated water infrastructure sites that would incorporate operational noise sources (the proposed pumping stations, inter-catchment treatment works and water treatment works). It is stated that the scope and locations for the reservoir and associated water infrastructure sites noise surveys have been agreed with relevant consultation bodies, but evidence of this agreement has not been provided. The scoping consultation response from South Cambridgeshire District Council (Appendix 2 of this Opinion) states that there may be a need for a background survey at the Madingley service reservoir. In the absence of evidence of agreement with relevant consultation bodies and without specific noise-sensitive receptors having been identified at this stage, the Inspectorate is not in a position to scope out the need for additional baseline surveys. The assessment in the ES should be carried out with reference to a robust baseline position reflecting the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			relevant study areas. Effort should be made to agree the sensitive receptors and locations for any additional baseline noise surveys with relevant local authorities.
3.12.8	Paragraphs 18.5.6 and 18.9.3	Baseline vibration survey	The Scoping Report does not propose to undertake a baseline vibration survey, on the basis that no particular sources of ground-borne vibration have been identified within the study area and that following guidance in DMRB LA 111, the vibration baseline will be assumed to be zero. The Inspectorate agrees that a baseline vibration survey may be scoped out on this basis.

ID	Ref	Description	Inspectorate's comments
3.12.9	Section 18.8	Sensitive receptors – flood assets	Section 18.8 of the Scoping Report sets out the sensitive receptors to be considered in the noise and vibration assessment. The ES should also include flood assets as receptors sensitive to changes in vibration, as there is a risk that flood assets could be impacted by construction works that likely to cause vibration including piling and tunnelling. The ES should include an assessment of significant effects from construction vibration on the identified flood assets and describe any mitigation measures and monitoring required. Consideration should also be given to settlement when boring tunnels, especially near flood assets.

3.13 Public Access and Amenity

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.13.2	Section 19.4	Study area	The Inspectorate considers that the current 1km study area should be reviewed as further details of the Proposed Development develop, given the early stage of the design of the embedded and additional recreational facilities. As the facilities evolve, consideration should be given to the distances visitors may travel to visit the Proposed Development and whether a wider study area to support the assessment should therefore be identified.
3.13.3	Table 19-3 and Paragraph 19.6.4	Baseline	The ES should be supported by appropriate figures that identify the current public access and amenity assets identified within the study area.
3.13.4	Paragraphs 19.7.3	Recreational pressure	The Scoping Report explains that the Proposed Development design would include upgrades and improvements to existing access routes such as public rights of way. The ES should cross refer to the terrestrial biodiversity assessment to ensure that potential effects of recreational pressure on sensitive sites (such as increased visitor numbers that could lead to direct damage to sensitive sites or habitats) is considered from the proposed improvements to public access and connectivity.

ID	Ref	Description	Inspectorate's comments
3.13.5	Paragraph 19.9.4 and 19.9.5	Baseline surveys	The ES should be informed by appropriate baseline recreation surveys to understand visitor usage of existing public access routes and amenities. The scope and extent of surveys should be discussed, and agreement sought with relevant consultation bodies.
3.13.6	n/a	Effects on river recreation	The Scoping Report identifies several options for the water abstraction infrastructure using the existing channels of the River Nene, River Great Ouse and Ouse Washes / River Delph. This includes the possibility of navigable routes being used for construction transportation. The ES should describe the current use of these watercourses for recreational activities, such as boating. It should assess how the construction and operation of the water abstraction infrastructure could affect those uses and where relevant, include consideration the effects of any associated changes to water levels. The Applicant should undertake appropriate baseline surveys to understand the current level and type of use of the rivers for recreational purposes, and seek to agree the approach with relevant consultation bodies.
3.13.7	n/a	Monitoring and control of river activities	The ES should describe whether the construction or operation of the water abstraction infrastructure could require periods of time when navigation or recreation would need to be suspended. In addition, the ES should also therefore describe any associated mitigation required to avoid/ reduce significant effects.

3.14 Socio-Economics and Community

(Scoping Report Section 20)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Table 20.9	Demand for community services and facilities as a result of the delivery of the Proposed Development	The Scoping Report seeks to scope out effects from the influx of visitors associated with the reservoir on the basis that this would not give rise to significant effects. The Inspectorate notes that few details are available on the likely type or extent of facilities that would be provided nor the level of community access that would be provided. As such, given the early stage of design, the Inspectorate does not agree that this matter can be scoped out of the assessment. The ES should provide details on the type of facilities and associated visitor numbers and assess significant effects where they are likely to occur. The ES should describe and secure any required associated mitigation measures.

ID	Ref	Description	Inspectorate's comments
3.14.2	Paragraph 20.1.2	Community connectivity	The scope of the socio-economics and community assessment should include community access and connectivity, noting the isolated and rural nature of the Proposed Development.
3.14.3	Section 20.4	Study area	The Scoping Report refers to both a study area and wider study area. The ES should set out the extent and justification for the selection of both study areas and their use in the assessment. The Inspectorate considers that the current 1km study area should be reviewed as further details of the amenity facilities resulting from the Proposed Development are developed, given that details of the extent of the proposed facilities have yet to be confirmed. Please also see ID 3.14.4 of this Scoping Opinion for the Inspectorate's comments on the spatial scope of the assessment.

ID	Ref	Description	Inspectorate's comments
3.14.4	Table 20-8	Indirect effects on existing businesses / community facilities – all phases	The ES should consider the potential for indirect effects on businesses and community facilities arising as a result of changes or diversions to access. The Socio-economics and Community Chapter assessment should therefore cross refer to the ES chapter on traffic and transport for potential severance and delay that could affect the viability of businesses.
3.14.5	Paragraph 20.9.10 and Table 20-11	Key indicators and significant effects	The Scoping Report refers to a spatial scope that includes consideration of 'local', 'wider' and 'regional' impacts but this spatial scale is not referred to in the magnitude of impact in Table 20-11. This should be clarified in the ES and its relationship to the study areas explained.

3.15 Human Health

(Scoping Report Section 21)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	Table 21-9	Problem gambling	The Scoping Report states that prevalence of problem gambling was raised as a potential issue among the construction workforce (Appendix 21-1), but it is unlikely that the Proposed Development would disproportionately influence factors associated with lifestyle choice and no likely significant effects are predicted. The Inspectorate agrees that this matter can be scoped out from further assessment on this basis.
3.15.2	Table 21-9	Housing – Social housing; safeguarding and modern slavery; and population out-migration (including effects on minorities, community cohesion and social isolation)	The Scoping Report states that the Proposed Development would not influence the availability, provision or layout of social housing and therefore no likely significant effects on social housing are predicted. The Applicant's company policy and legislation mean that safeguarding and modern slavery are also not likely significant effects. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.15.3	Table 21-9	Food production and malnutrition; population displacement; labour productivity	The Scoping Report considers impacts associated with food production and population displacement in Table 1-1, Appendix 21-1; the human health assessment would draw on the findings of the land quality and agricultural assessments with respect to food production and social environment considerations relating to housing construction workers would be considered as part of the human health assessment.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		and economic loss; odour; and radiation	The Proposed Development is not considered likely to make a notable contribution to odour emissions and is not of the nature to affect actual or perceived exposure to electromagnetic and ionising radiation risks. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.15.4	Table 21-9	Communication and IT infrastructure	The Scoping Report states that the Proposed Development would not contribute to noticeable levels of new IT or communication infrastructure. During construction, measures would be in place to avoid utilities or limit any outages, in consultation with service providers and in accordance with standard practice. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.

ID	Ref	Description	Inspectorate's comments
3.15.5	Paragraph 21.6.53 Table 21-8	Land contamination and human health effects	Scoping Report paragraph 13.10.6 states that potential adverse environmental effects of land contamination, such as impacts on groundwater and human health are considered in other Scoping Report Chapters. However, Table 21-8 doesn't refer specifically to land contamination effects with respect to human health. The ES should clearly cross reference where impacts from land contamination are assessed to human health either within the Human Health Chapter or another ES Chapter.
3.15.6	Paragraph 21.7.9	Mitigation measures – cross referencing	The ES should clearly cross reference to where mitigation measures relevant to human health impacts and effects are secured and described in other Chapters and/or supporting documents.

3.16 Major Accidents and Disasters

(Scoping Report Section 22)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.1	Tables 22-3 and 22-5 Paragraphs 22.8.10 and 22.9.7	Reservoir dam/ embankment/ structural failure	The Scoping Report states that a breach of the dam or reservoir embankments would result in an uncontrolled release of water of a scale to meet the definition of a major accident and disaster, but the risk of reservoir dam/embankment/structural failure is reduced to as low as reasonably practicable through existing regulatory requirements and standards, and the Proposed Development's design has been developed following these design standards and legislative requirements. The Inspectorate does not agree that this matter can be scoped out of further assessment at this stage. The ES should include an assessment of this matter demonstrating how the design mitigates risk to major accidents and disasters from reservoir/embankment/structural failure. Such design measures should be secured through the DCO and any relevant agreement with consultation bodies should be evidenced in the ES. The Applicant is also directed to the EA's advice (see Appendix 2 of this Opinion) on the further information which may be required as part of the assessment for the ES.
3.16.2	Tables 22-3 and 22-5	Structural/building collapse	The Scoping Report states that the design and construction of buildings and other structures is subject to risk assessment, design standards and construction supervision to ensure safety and managed via Construction (Design and Management) (CDM) Regulations and this risk is reduced to as low as reasonably practicable. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.3	Tables 22-3 and 22-5	Human error/management failure - relating to	The Scoping Report states that this matter will be managed via the Health and Safety at Work etc. Act 1974 (HSWA), CDM Regulations and all relevant subordinate legislation, and the requirements for training, supervision and following of method statements and procedures are

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		construction-related activities and materials storage	standard practice on construction sites in the UK and this risk is reduced to as low as reasonably practicable. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.4	Tables 22-3 and 22-5	Human error/management failure during operation of water treatment infrastructure	The Scoping Report states that this matter is managed via HSWA, and The Water Supply (Water Quality) Regulations 2016, and appropriate training and supervision of staff are standard requirements in the water supply industry and this risk is reduced to as low as reasonably practicable. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.5	Tables 22-3 and 22-5	Human error/management failure - relating to operation of downstream drainage infrastructure	The Scoping Report states that this matter is addressed through The Reservoirs Act 1975 and standards set out in Floods and Reservoir Safety (Fourth Edition) (ICE, 2015) and the Flood Plan Direction which sets requirements for emergency planning, and that this risk is reduced to as low as reasonably practicable. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.6	Tables 22-3 and 22-5	Design error	The Scoping Report states that reservoir design risk is covered above (See ID 3.16.1 above on reservoir dam/ embankment/structural failure) and that the risk of design error in general is managed via CDM Regulations and adherence to relevant best practices and quality assurance procedures and is reduced to as low as reasonably practicable. The Inspectorate agrees that general risk of design error can be scoped out from further assessment on this basis, but that reservoir design should be considered as part of the assessment of the risk of reservoir dam/embankment/structural failure in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.7	Tables 22-3 and 22-5	Sabotage/arson - of the construction and operation sites of the Proposed Development; and of water supplies	The Scoping Report states that security measures are standard measures in the design, construction and operation of water infrastructure projects as required under The Security and Emergency Measures (Water and Sewerage Undertakers and Water Supply Licensees) Direction 2022 and this risk is reduced to as low as reasonably practicable. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.8	Tables 22-3 and 22-5	Aircraft crash	The Scoping Report states that risk to aviation is managed through existing legislation and standards and risk to reservoir integrity is managed via Reservoirs Act 1975 and standards, and the Failure Mode Identification (FMI) process and the risk is reduced to as low as reasonably practicable through the existing regulatory requirements and standards. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.9	Tables 22-3 and 22-5	Train derailment or crash	The Scoping Report states that this risk is managed via existing legislation and Network Rail design codes and standards and these mitigate the risk of settlement and other instability issues and the risk is reduced to as low as reasonably practicable through the existing regulatory requirements and standards. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.10	Tables 22-3 and 22-5	Road collision or crash relating to the physical footprint of the Proposed Development	The Scoping Report states that this risk is managed via existing legislation and Network Rail design codes and standards and these mitigate the risk of settlement and other instability issues and the risk is reduced to as low as reasonably practicable through the existing regulatory requirements and standards. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.16.11	Tables 22-3 and 22-5	Road collision or crash relating to traffic generated by the Proposed Development	The Scoping Report states that construction and operational traffic management plans are standard practice measures to help protect highway safety and are expected to be included for the Proposed Development and the traffic and transport assessment will cover road safety issues and risks to human health from road transport will be assessed in the health assessment; therefore, this matter will be excluded from major accidents and disasters assessment to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES Major Accidents and Disasters Chapter, although the assessment of this should be signposted within the ES to the other relevant chapters and supporting evidence.
3.16.12	Tables 22-3 and 22-5	River transport – collision, overloading or hull failure	The Scoping Report states that this will be managed via existing environmental protection and pollution control legislation; see Appendix 4.1: Legislation, planning policy and guidance summary. Risk of water pollution will be addressed in the assessment of water resources and flood risk and risks to wildlife and habitats will be addressed in the assessments of biodiversity; therefore, these matters will be excluded from major accidents and disasters assessment to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES Major Accidents and Disasters Chapter, although the assessment of this should be signposted within the ES to the other relevant chapters and supporting evidence.
3.16.13	Tables 22-3 and 22-5	Terrorism - reservoir embankment and associated water infrastructure breach and uncontrolled release of water; and	The Scoping Report states that security measures are standard in the design, construction and operation of water infrastructure projects as required under The Security and Emergency Measures (Water and Sewerage Undertakers and Water Supply Licensees) Direction 2022, and the risk of breach is managed via the Reservoirs Act 1975 and standards and the FMI process. The risk of major accidents is reduced to as low as reasonably practicable through existing regulatory requirements and standards.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Terrorism - water supply infrastructure with biological or chemical agents that could pollute water supplies	The Inspectorate agrees that these matters can be scoped out from further assessment, but the ES should explain how these measures would be secured.
3.16.14	Tables 22-3 and 22-5	Cyber-attack	The Scoping Report states that this risk is managed via the Reservoirs Act 1975 and standards set out in and the FMI process. Security provisions in the design will include no remote operation of valves, and provisions include a clear plan of action to prevent an uncontrolled escape of water. The risk of major accidents is stated to be reduced to as low as reasonably practicable through existing regulatory requirements and standards. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.15	Tables 22-3 and 22-5	Industrial/ technological accident	The Scoping Report states that this risk is managed via HSWA, CDM Regulations, Control of Major Accident and Hazards (COMAH) and all relevant subordinate legislation, and the risk of major accidents is reduced to as low as reasonably practicable through existing regulatory requirements and standards. The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.16	Tables 22-3 and 22-5	Explosion (chemical, nuclear or other) - Hazardous substances; and	The Scoping Report states that the risk of major accidents is reduced to as low as reasonably practicable through established practices in UXO surveys, training, and construction practice, and this would be managed via HSWA, CDM Regulations, COMAH and all relevant subordinate legislation. Survey teams and construction workers would be given training in UXO risk and what actions to take should UXO be discovered.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		Unexploded ordnance (UXO)	The Inspectorate agrees that these matters can be scoped out from further assessment on this basis.
3.16.17	Tables 22-3 and 22-5	Pollution (oil, chemical or other)	The Scoping Report states that the pollution risk is controlled through existing regulatory requirements and standards but there is still the residual risk of an accident resulting in a pollution event. Risks to wildlife and habitats would be addressed in the assessments of biodiversity; risk of water pollution would be addressed in the assessment of water resources and flood risk; risks of ground pollution would be addressed in the assessment of land quality and risks to human health from pollution would be addressed in the assessment of human health. Pollution risk would be managed via existing environmental protection and pollution control legislation. The Inspectorate agrees that these matters can be scoped out of the ES chapter of Major Accidents and Disasters providing the risk of pollution events are considered in the assessments referred to above and as part of any other relevant assessment within the ES. The assessment of risk resulting from pollution should be cross referenced in the ES chapter on Major Accidents and Disasters to other ES chapters as necessary.
3.16.18	Tables 22-3 and 22-5	Fire	The Scoping Report states that risk of major accidents is reduced to as low as reasonably practicable through existing regulatory requirements and standards; this risk would be managed via existing health and safety legislation and standard practices and fire safety measures would be included as appropriate, informed by risk assessments. The Inspectorate agrees that this matter can be scoped out from further assessment on this basis.
3.16.19	Tables 22-3 and 22-5	Earthquake	The Scoping Report states that this risk is managed via the Reservoirs Act 1975 and standards, and FMI process which accounts for seismic risk in the design process and the risk of major accidents is reduced to as low as reasonably practicable through existing regulatory requirements and standards.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			On this basis and considering the likelihood of the potential impact, the Inspectorate agrees to scope this matter out.
3.16.20	Tables 22-3 and 22-5	Flooding – vulnerability of the Proposed Development to external sources of flooding; and sourced from footprint and normal operation of the Proposed Development	The Scoping Report states that these matters will be addressed in the ES Chapter 10: Water Resources and Flood Risk, therefore, it is proposed to exclude it from the major accidents and disasters assessment to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.
3.16.21	Tables 22-3 and 22-5	Extreme temperature (heatwave, cold snap)	The Scoping Report states that vulnerability to extreme temperatures and weather events will be assessed in the Climate Resilience ES Chapter, therefore, it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that this matter can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.
3.16.22	Tables 22-3 and 22-5	Ground subsidence	The Scoping Report states that the risk of major accidents is reduced to as low as reasonably practicable through existing regulatory requirements and standards. Scoping Report paragraph 14.6.7 states that intense rainfall can led to an increased risk of subsidence and Scoping Report Table 17-2 identifies potential for ground subsidence due to

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			lower groundwater levels in peat and clay soils. Mass land movement could also adversely affect flood storage and flood flow routes, increasing flood risk. On this basis, the Inspectorate does not agree to scope this matter out. The ES should provide an assessment of effects where they are likely to be significant. The ES should identify and secure appropriate mitigation measures and provide evidence of agreement with consultation bodies where relevant.
3.16.23	Tables 22-3 and 22-5	Storm surge	The Scoping Report states that flood risk will be addressed in ES Chapter 10: Water Resources and Flood Risk and therefore, it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.
3.16.24	Tables 22-3 and 22-5	Insect/animal infestation	The Scoping Report states that the assessment of human health addresses likely significant effects on health from insect/animal sources and therefore, it is proposed to exclude it from major accidents and disasters. The Inspectorate agrees that this matter can be scoped out from further assessment on this basis.
3.16.25	Tables 22-3 and 22-5	High winds/storms – large waves within the reservoir; and damage to construction site and built structures, leading to flying	The Scoping Report states that storm related damage is scoped into the assessment of climate resilience and therefore it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		debris and falling objects	
3.16.26	Tables 22-3 and 22-5	Wildfire	The Scoping Report states that increased risk of wildfire linked to seasonally hotter/drier summers is included in the scope of the assessment of climate resilience and therefore it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.
3.16.27	Tables 22-3 and 22-5	Drought	The Scoping Report states that drought risks linked to seasonally hotter/drier summers is included in the scope of the assessment of climate resilience and therefore it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.
3.16.28	Tables 22-3 and 22-5	Biological hazard – algal blooms; and epidemic, pandemic	The Scoping Report states that risk of disaster is reduced to as low as reasonably practicable through existing regulatory requirements and standards and the assessment of human health addresses health risks from zoonoses and vector-borne disease, and therefore it is proposed to exclude it from major accidents and disasters to avoid duplication. The Inspectorate agrees that these matters can be excluded from the ES chapter on Major Accidents and Disasters, although the assessment of this should be signposted within the ES to the relevant chapter and supporting evidence.

ID	Ref	Description	Inspectorate's comments
3.16.29	Paragraphs 22.10.1-22.10.2	Mitigation measures	The Scoping Report states that the ES will set out the status of mitigation proposals and the process of securing the level of safety mitigation required prior to issue of the preliminary certificate (e.g. through the proposed flood plan). While acknowledging that full emergency planning details for an uncontrolled or controlled release of reservoir water may not be made publicly available in line with the NPS for Water Resources Infrastructure, the Inspectorate advises that a description of mitigation measures necessary to address potential adverse significant effects and how these would be secured through the DCO process should be provided in the ES.

3.17 Cumulative Effects

(Scoping Report Section 23)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.17.1	Paragraph 23.8.2	Intra-project cumulative effects – matters scoped out in other relevant chapters	The Scoping Report proposes to scope out those matters previously scoped out in the aspect matters of the Scoping Report. The Inspectorate does not agree with this approach on the basis that matters that are determined not to be significant can then act cumulatively to become significant. The Inspectorate considers that matters scoped out in other relevant chapters should be scoped in where there is pathway for effect.
3.17.2	Paragraph 23.8.3	Construction and operation – Inter-project cumulative effects – carbon and greenhouse gases	The Inspectorate agrees that this matter can be scoped out on the basis that the assessment method proposed in the Scoping Report is inherently cumulative. Any significant cumulative effects should be reported in the Carbon and Greenhouse Gas Chapter of the ES.
3.17.3	Paragraph 23.8.3	Construction and operation – Inter-project cumulative effects – climate resilience	The Inspectorate agrees that this matter can be scoped out of the Cumulative Effects Chapter on the basis that any cumulative scenario will be assessed in the relevant aspect Chapter of the ES. The ES should clearly identify where any cumulative effects in relation to climate resilience are assessed.
3.17.4	Paragraph 23.8.3	Construction and operation – Inter-project cumulative effects – Material assets and waste	The Scoping Report identifies in paragraph 13.6.5 that 2 to 3 million tonnes of aggregate material would be required for the Proposed Development and that this would be sourced locally and regionally. It is unclear from Scoping Report paragraph 23.8.3 why this would be scoped out of cumulative assessment on the basis that it would be compared against national, regional and sub regional targets.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			On this basis the Inspectorate does not agree to scope this matter out. The ES should assess significant cumulative effects in relation to material assets and waste where they are likely to occur.
3.17.5	Paragraph 23.8.3	Construction and operation – Inter-project cumulative effects – major accidents and disasters	The Inspectorate agrees that this matter can be scoped out of the Cumulative Effects Chapter on the basis that any cumulative scenario will be assessed in the relevant aspect chapter of the ES. The ES should clearly identify where any cumulative effects in relation to major accidents and disasters are assessed.
3.17.6	Paragraph 23.8.3	Operation – Inter-project cumulative effects – traffic and transport	The Inspectorate agrees that this matter can be scoped out on the basis that the assessment method proposed in the Scoping Report is inherently cumulative. Any significant cumulative effects should be reported in the Traffic and Transport Chapter of the ES.

ID	Ref	Description	Inspectorate's comments
3.17.7	Paragraph 23.9.6	Temporal scope	Scoping Report paragraph 23.9.6 states that the construction and operation phase of the Proposed Development are not expected to act cumulatively with one another. However, impacts can continue to occur across multiple phases of the Proposed Development. Therefore, cumulative effects continuing across multiple phases of the Proposed Development should be assessed where they are likely to occur.
3.17.8	Table 23-2	Study area	It is not clear why arbitrary distances have been applied to determine the study areas in Scoping Report Table 23-2. The ES should define the study area based on the appropriate zones of influence of both the Proposed Development and any other cumulative development.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Holbeach Parish Council
	Crowland Parish Council
	Fleet Parish Council
	Whaplode Parish Council
	Gedney Hill Parish Council
	Sutton St. Edmund parish council
	Castor Parish Council
	Thorney Parish Council
	Newborough Parish Council
	Orton Waterville Parish Council
	Bretton Parish Council
	Glinton Parish Council
	Eye Parish Council
	Orton Longueville Parish Council
	Hampton Hargate and Vale Parish Council
	Marholm Parish Council
	Peakirk Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Welney Parish Council
	Hilgay Parish Council
	Upwell Parish Council
	Nordelph Parish Council
	Outwell Parish Council
	Fordham Parish Council
	West Dereham Parish Council
	Stow Bardolph Parish Council
	Crimplesham Parish Council
	Northstowe Parish Council
	Elm Parish Council
	Whittlesey Parish Council
	Chatteris Parish Council
	Doddington Parish Council
	Manea Parish Council
	Wimblington Parish Council
	March Parish Council
	Christchurch Parish Council
	Wisbech St. Mary Parish Council
	Benwick Parish Council
	Parson Drove Parish Council
	Denver Parish Council
	Downham West Parish Council
	Bourn Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Caldecote Parish Council
	Downham Market Parish Council
	Papworth Everard Parish Council
	Elsworth Parish Council
	Conington Parish Council
	Fen Drayton Parish Council
	Harlton Parish Council
	Barton Parish Council
	Comberton Parish Council
	Dry Drayton Parish Council
	Wimbotsham Parish Council
	Madingley Parish Council
	Girton Parish Council
	Swavesey Parish Council
	Oakington and Westwick Parish Council
	Longstanton Parish Council
	Over Parish Council
	Willingham Parish Council
	Cambourne Parish Council
	Little Eversden Parish Council
	Toft Parish Council
	Hardwick Parish Council
	Coton Parish Council
	Bar Hill Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Sutton Parish Council
	Downham Parish Council
	Littleport Parish Council
	Mepal Parish Council
	Witcham Parish Council
	Coveney Parish Council
	Yaxley Parish Council
	Ramsey Parish Council
	Somersham Parish Council
	Warboys Parish Council
	Hilton Parish Council
	Fenstanton Parish Council
	St. Ives Parish Council
	Bluntisham Parish Council
	Alwalton Parish Council
	Old Hurst Parish Council
	Pidley cum Fenton Parish Council
	Farcet Parish Council
	Colne Parish Council
	Earith Parish Council
	Holywell-cum-Needingworth Parish Council
	Woodhurst Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Forestry Commission	Forestry Commission
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant internal drainage board*	Middle Fen and Mere Internal Drainage Board
	Burnt Fen Internal Drainage Board
	Cawdle Fen Internal Drainage Board
	Littleport and Downham Internal Drainage Board
	Old West Internal Drainage Board
	Over and Willingham Internal Drainage Board
	Padnal and Waterden Internal Drainage Board
	Benwick Internal Drainage Board
	Bluntisham Internal Drainage Board
	Churchfield and Plawfield Internal Drainage Board
	Conington and Holme Internal Drainage Board
	Curf and Wimblington Combined
	Euximoor Internal Drainage Board
	Haddenham Level Drainage Commissioners
	Hundred Foot Washes Internal Drainage Board
	Hundred of Wisbech Internal Drainage Board
	Manea and Weney District Drainage Commissioners
	March East Internal Drainage Board
	March Fifth District Drainage Commissioners
	March Sixth Internal District Drainage Commissioners

SCHEDULE 1 DESCRIPTION	ORGANISATION
	March Third Internal District Drainage Commissioners
	March West and White Fen
	Middle Level Commissioners
	Needham and Laddus Internal Drainage Board
	Nightlayers Internal Drainage Board
	Nordelph Internal Drainage Board
	Over and Willingham Internal Drainage Board
	Ramsey First Internal Drainage Board
	Ramsey Fourth Internal Drainage Board
	Ramsey Upwood and Great Raveley Internal Drainage Board
	Ransonmoor District Drainage Commissioners
	Swatry Internal Drainage Board
	Sutton and Mepal Internal Drainage Board
	Swavesey Internal Drainage Board
	Upwell Internal Drainage Board
	Waldersey Internal Drainage Board
	Warboys Somersham and Pidley Internal Drainage Board
	Feldale Internal Drainage Board
	Holmewood and District Internal Drainage Board
	Whittlesey and District Internal Drainage Board
	Alconbury and Ellington Internal Drainage Board
	North Level Internal Drainage Board
	Ramsey Internal Drainage Board

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Kings Lynn Internal Drainage Board
	Welland and Deepings Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
The relevant Highways Authority	Cambridgeshire County Highways
	Norfolk County Highways
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
NHS England	NHS England
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Norfolk Police and Crime Commissioner
	Cambridgeshire Police and Crime Commissioner
The relevant ambulance service	East Midlands Ambulance Service
The relevant fire and rescue authority	Norfolk Fire and Rescue Authority
	Cambridgeshire Fire and Rescue Authority

*due to a technical glitch, the following Internal Drainage Boards were not consulted: Downham and Stow Bardolph, East of the Ouse Polver and Nar, Northwold, Southery and District, Stoke Ferry and Stringside: these are all part of the Downham Market Group

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

'Statutory Undertaker' is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Cambridgeshire and Peterborough Integrated Care Board
	NHS Lincolnshire Integrated Care Board
	NHS Norfolk and Waveney Integrated Care Board
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant water and sewage undertaker	Anglian Water
	Cambridge Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Indigo Pipelines Limited

STATUTORY UNDERTAKER	ORGANISATION
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Stark Works
	National Gas
The relevant electricity distributor with CPO Powers	National Grid Electricity Distribution (West Midlands) Limited
	Advanced Electricity Networks Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Stark Infra-Electricity Ltd
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	UK Power Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Fenland District Council
South Cambridgeshire District Council
East Cambridgeshire District Council
Huntingdonshire District Council
Cambridge City Council
Braintree District Council
North Hertfordshire District Council
South Holland District Council
Kings Lynn and West Norfolk Borough Council
North Norfolk District Council
South Kesteven District Council
West Suffolk Council
Breckland District Council
Uttlesford District Council
North Northamptonshire Council
Central Bedfordshire Council
Bedford Borough Council
Peterborough City Council
Cambridgeshire County Council

LOCAL AUTHORITY
Lincolnshire County Council
Broads Authority
Essex County Council
Suffolk County Council
Hertfordshire County Council

TABLE A5: THE MARINE MANAGEMENT ORGANISATION

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

ORGANISATION
The Marine Management Organisation

TABLE A6:: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Cambridgeshire and Peterborough Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Bluntisham Parish Council
Boston Borough Council
Breckland Council
Cambridgeshire County Council
Chatteris Town Council
Christchurch Parish Council
Crowland Parish Council
Earith Parish Council
East Cambridgeshire District Council
Environment Agency
Fenland District Council
Fenstanton Parish Council
Forestry Commission
Gedney Hill Parish Council
Health and Safety Executive
Hilton Parish Council
Historic England
Holbeach Parish Council
Huntingdonshire District Council
Kings Lynn Internal Drainage Board
Longstanton Parish Council
Middle Level Commissioner Internal Drainage Board including: Benwick, Churchfield & Plawfield, Conington & Holme, Curf & Wimblington Combined, Euximoor, March East,

March Fifth, March Sixth, March Third, March West & White Fen, Needham & Laddus, Nightlayers, Nordelph, Ramsey First (Hollow), Ramsey Fourth (Middlemoor), Ramsey Upwood & Great Raveley, Ransonmoor, Sawtry, Upwell, Warboys Somersham & Pidley, Manea & Welney, Sutton & Mepal, Bluntisham, Hundred Foot Washes, Swavesey
Ministry of Defence
National Highways
Natural England
Newborough and Borough Fen Parish Council
Norfolk County Council
North Herts Council
Orton Longueville Parish Council
Orton Waterville Parish Council
Peterborough City Council
Royal Mail
Somersham Parish Council
South Cambridgeshire District Council
South Kesteven District Council
St Ives Town Council
Swavesey Parish Council
UK Power Networks
Warboys Parish Council
West Norfolk Borough Council
Willingham Parish Council

9 Bramley Grove
Bluntisham
Huntingdon
Cambs
PE28 3XG

Tel: [redacted]
Mob: [redacted]
Email: [redacted]bluntishamparishcouncil.org

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Reference: WA010004 – Application by Anglian Water & Cambridge Water for an order granting Development Consent for the Fens Reservoir

11th November 2024

Dear Sir/Madam

On behalf of Bluntisham Parish Council I would like to raise the following concerns with this application.

Taking into consideration the whole scheme B – Bluntisham Parish Council feel the scale of the infrastructure along with the impact to the listed buildings close by would severely impact on the amenity of the village.

The loss of habitat and impact on the SSSI would harm the environment.

The scale of the infrastructure required to pipe & pump the water to the facilities is out of character with the rural setting and would provide a blot on the landscape.

Bluntisham Parish Council would favour the whole scheme option A, which has performed better across the assessment criteria.

Should you require any further information from the parish council at this stage then please do not hesitate to contact me.

Yours Sincerely

[redacted]

Mrs Tracey Hope
Bluntisham Parish Clerk

Dear/Sir/Madam,

Thank you for consulting South Holland District Council upon the scoping opinion for the Environmental Impact Assessment relating to the Fens Reservoir Project.

The Environmental Impact Assessment appears to cover the subjects expected by an EIA supporting a large project. The Reservoir and the related infrastructure do not impact directly onto South Holland District and so we are unable to comment on the adequacy or suitability of the supporting information and conclusions drawn regarding scoping in or out particular issues.

Peter Udy
Forward Planning Officer
Boston Borough Council

Dear Planning Inspectorate,

Thank you for your correspondence of the 24th October with regards to the above Nationally Significant Infrastructure Project (NSIP).

Having reviewed the project information and particulars we can confirm that Breckland Council do not have any further comments to make on the project.

I trust the above clarifies the Council's position.

Kind Regards,

Chris Hobson

Principal D M Planner
Breckland Council

Cambridgeshire County Council

My ref: FR.EIAS.201124
PINS ref: WA010004
Date: 20th November 2024
Contact: Alice Tithecott
Email: NSIPs@cambridgeshire.gov.uk

Frank Jordan, Executive Director
Place and Sustainability
Environment, Planning and Economy

Consents Team
PO Box 761
ALC2660
Huntingdon
Cambridgeshire
PE29 9QR

Sent via email to:
FensReservoir@planninginspectorate.gov.uk

Dear PINS

Environmental Impact Assessment (EIA) Scoping consultation by Anglian Water ("the Applicant") for Fens Reservoir Development Consent Order (DCO) proposals

I am writing on behalf of Cambridgeshire County Council (the Council) in response to your request dated 24th October 2024 regarding the Applicant's EIA Scoping Report for the Fens Reservoir proposals.

The Council understands that the Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008, and that the Applicant has sought a Scoping Opinion from the Planning Inspectorate (PINS), on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Council acknowledges that it has been identified by PINS as a consultation body to inform the Scoping Opinion. Attached to this letter is a table containing the Council's views on this matter.

If you have any queries regarding this submission or require any further information, please contact NSIPs@cambridgeshire.gov.uk.

Yours faithfully

Frank Jordan
Executive Director
Place and Sustainability

Fens Reservoir: Comments on the Applicant's EIA Scoping Report

This document sets out the comments by Cambridgeshire County Council (the Council) regarding Anglian Water's EIA Scoping Report for the Fens Reservoir proposals.

The following table contains comments across a number of technical specialisms.

Specialism	Proposal aspect referred to	Comments
Air Quality		The Council is not the statutory consultee for this subject area and so would expect PINS to consult Fenland District Council, Huntingdonshire District Council, and South Cambridgeshire District Council on this matter regarding the site and any associated infrastructure that falls within their boundary. The Council would defer to Fenland District Council, Huntingdonshire District Council, and South Cambridgeshire District Council for a detailed response.
Noise		The Council is not the statutory consultee for this subject area and so would expect PINS to consult Fenland District Council, Huntingdonshire District Council, and South Cambridgeshire District Council on this matter regarding the site and any associated infrastructure that falls within their boundary. The Council would defer to Fenland District Council, Huntingdonshire District Council, and South Cambridgeshire District Council for a detailed response.
Climate Resilience and Carbon and Greenhouse Gases (GHG)	16.1.2 16.3.4	Whilst paragraph 16.1.2 correctly names the receptor for GHG emissions as the global climate, the impacts of climate change are severe and will certainly be felt locally as well as globally. Further exploration of the potential to generate renewable electricity within the scoping boundary should be pursued as part of the scope of the proposed development and the procurement of offsite renewable energy should be pursued. Further engagement to offset residual emissions should be explored and

Specialism	Proposal aspect referred to	Comments
		included with the EIA, though carbon offsetting should only be used as a last resort if further GHG reductions are not possible.
	Table 16.2	The Council would welcome further discussions with Cambridge Water/Anglian Water on this basis.
	16.6	The Council agree that, for the purpose of the GHG assessment, it is reasonable to assume that the baseline GHG emissions for the site, without the proposed development, would be zero. In addition, the inclusion of GHG emissions from land use change will be important considering the high concentrations of peatland in the Fenland District Council boundary.
	16.8.3	The Council supports the scoping out of downstream emissions as we agree that the proposed development will not encourage households to increase their water consumption.
	16.9.6	It is not clear why multiple sources have been referenced to quantify the carbon emission factors used to calculate carbon associated with the Proposed Development. The Council would like to see the justification behind this, to ensure the most appropriate and robust methodology for carbon assessments is being used.
	16.9.9	It is not stated whether the Applicant will take into account the predicted future decarbonisation of the UK electricity grid over the years that the proposed development would be operational. Predictions of the carbon intensity of the UK electricity grid by year are readily available, published by the Department for Energy Security and Net Zero (DESNZ). A good estimate of the operational emissions must be one that takes into account projected future decarbonisation over the years, as this must be regarded as the most likely scenario.
	16.9.15	Clarification is needed on what is meant by, and what the difference is between, "national trajectories" and "regional carbon intensity". This is because it is not satisfactory to only compare the project emissions to the UK carbon budget, since almost no single project would ever be judged as significant on that basis – instead (or as well), the estimated emissions from the project should be put into a local (eg Cambridgeshire or the District(s) area) and sectoral (eg transport) share of the carbon budget, for more relevant context. In addition, the regional boundary for carbon assessments should be specified (eg East of England, Cambridgeshire or District area).

Specialism	Proposal aspect referred to	Comments
	17.5.1 Table 17.3	The Council agrees that the Applicant should adhere to IEMA guidance and use the high-emissions scenario for future climate projections. Whilst MET Office guidance states winters are not anticipated to get colder than historic lower temperatures, it is important to account for the potential increased frequency of cold snaps, which could affect the construction programme and cause damage to assets once operational.
Socio-economic and Community Skills, Employment,	20.4.8 20.7.5	The Council note the reference here should be to Fenland District not Fenland Borough. The Council suggests that examples of good practice could include building aspirations, supporting NEET (not in education, employment or training) young people and links with local training providers, for example College of West Anglia and Cambridgeshire Skills.
Public Access and Amenity	19.4.8 19.7.3 19.7.5	The Council notes the reference here should be to Fenland District not Fenland Borough Given the higher level of recorded disability, the Council would ask the Applicant to consider whether there should be reference to this in this section to make it more explicit. The Council is pleased to see inclusivity mentioned.
Human Health	Human Health Chapter 21 (pages 532 - 558) 21.6.10	The Council's Public Health team welcomes the inclusion of a dedicated chapter on health assessment and the adherence to relevant guidance, IEMA's *Effective Scoping of Human Health in Environmental Impact Assessment* and *Determining Significance for Human Health in Environmental Impact Assessment* (November 2022), as well as the International Association of Impact Assessment's best practice principles for Health Impact Assessment. The Scoping Report's explicit reference to mental health and wellbeing, and the use of the Mental Wellbeing Impact Assessment Toolkit, is also welcomed. "*For reasons of proportionality, only the health profile of Fenland is reported in this chapter….The baseline health indicator data used to establish Fenland's health profile are set out in tables 21-4 and 21-5".* This paragraph in full is a valid and reasonable assumption. However, greater emphasis needs to be given to the positive impact of the development in terms of employment of Fenland residents over the 9-year construction period and potentially as part of the long-term operation team. This is particularly important in the Fenland area and the scoping document and other supporting documents should set out clearly the

Specialism	Proposal aspect referred to	Comments
		methodology for encouraging local recruitment and training in an area of Cambridgeshire which currently has one of the highest levels of unemployment and only limited public transport to access employment. "*Fenland is the most deprived district in Cambridgeshire with 14.1% of its population being income deprived, compared with 8.0% for Cambridgeshire and 12.1% for England, overall*. This paragraph is further evidence to support the above point regarding local employment.
	21.6.1	The Council supports further review of Per- and polyfluoroalkyl substances (PFAS).
	21.6.50	Colleagues at Public Health Norfolk have previously raised concerns regarding the water quality of abstraction sources, and therefore the resulting quality of the receiving water body, and the consequent potential health impacts for those using the reservoir.
	2.5.26	The Council notes the reference to the Water Framework Directive's requirement that *'transfers of water do not cause a deterioration in the receiving watercourse or prevent it from achieving good chemical status in the future.'* To safeguard public health against potential risks associated with poor water quality when using the water body in a recreational capacity, the Council would advise that Anglian Water report on both the biological and chemical water quality for the water retained in the Fens Reservoir, and to make this information available to reservoir users.
	21.6.58	The Council welcome the forthcoming EqIA and its consideration of potential health inequalities and that subpopulations such as Gypsy, Traveller, Showmen and boater communities will be addressed within the assessment.
	21.6.64	Chapter 23 usefully sets out the Intra and Inter-project cumulative effects and the methodology that will be used to assess these effects. The applicant must explore the broader cumulative effects on health of the development in the context of current and forthcoming local development. In particular, during construction phase against the backdrop of local development for example in Wimblington parish (ie a steady increase of industrial businesses on the Eastwood End Light Industrial Estate and associated potential health/ mental health impacts).
	21.9.6-21.9.8	In addition to the collection of further data regarding the biophysical hazards, such as light pollution, air pollutants, climate change, water quality and flood risks, contaminated land and environmental noise level, alongside data from Traffic and transport (Chapter 14) Public access and amenity (Chapter 19), and Socio-

Specialism	Proposal aspect referred to	Comments
		economics and community (Chapter 20), the Council welcomes that this chapter also includes confirmation that further data will provide information relating to social and economic determinants, such as housing, open space, recreational and community assets, land use, access and connectivity, active travel, traffic flows, community severance, education, local employment and income.
	21.9.10	Approach and Proportionality – the Council welcome and support a proportionate Health Impact Assessment (HIA) and described methodology. In 21.9.11 and engagement in 21.9.12/.13
	2.5.140	*"In addition to the infrastructure required to operate the reservoir, the emerging design for the Proposed Development incorporates recreational facilities for the public to use. These will include recreational facilities provided as part of the Proposed Development and consented via the DCO (embedded recreational facilities). The Proposed Development may also facilitate further recreational uses, which may be consented, funded and delivered separately from the Proposed Development at a later date (additional recreational facilities). Where information on the proposals for additional recreational facilities is available, for example as part of a planning application, the combined effects alongside the Proposed Development would be considered as part of the cumulative effects assessment, to be presented in the ES as part of the DCO application. This is discussed in Chapter 23: Cumulative effects"* The Council wish to acknowledge that a community fund for the local community would be appropriate as part of long-term mitigation measures.
Biodiversity	EIA Scoping Report – Chapter 8	The approach is broadly welcomed, and the Council would ask that we be involved in discussions regarding further detailed survey work and mitigation/compensation design.
	Table 8.4	Local Sites should also cover Local Geological Sites and candidate Local Geological Sites in Cambridgeshire (please consult Cambridgeshire and Peterborough Environmental Records Centre (CPERC)). The Cambridgeshire Geological Society are undertaking a number of site assessments and therefore, the Council would suggest they are consulted to confirm if assessment is planned for any sites which are located within the study area.
	Table 8-4 (last row)	Detailed water vole surveys should also be undertaken to inform detailed design and avoid impact (eg adjust alignment to avoid burrows along pipeline routes or identify location for horizontal directional drilling).

Specialism	Proposal aspect referred to	Comments
	8.4.9	The Council notes that the scope for terrestrial invertebrate surveys is yet to be determined. Madingley Service Reservoir, along with other sites are likely to require terrestrial invertebrate surveys. The Council recommend this is agreed with Local Planning Authorities.
	8.4.10	It is considered unlikely that Hazel Dormouse surveys will be required, given the scheme is well removed from the only known population in Cambridgeshire (Brampton Woods, Huntingdonshire).
	8.5.2	The Council request that the applicant make sure Local Geological Sites/candidate Local Geological Sites in Cambridgeshire have been considered.
	8.5.3	It is unclear what background bird data has been used. The Council would expect bird data from the British Trust for Ornithology (BTO). There was also mention elsewhere about data collected by the Royal Society for the Protection of Birds (RSPB).
	8.5.4	The Council also suggest Middle Level Commissioners are consulted to see if they hold any additional data for the catchment.
	8.7.4	It will be important that Biodiversity Net Gain (BNG) covers both temporary and permanent works. Any impact to Sites of Special Scientific Interest (SSSIs) or irreplaceable habitat will need to be addressed separately through bespoke mitigation/compensation. It will be important that proposed habitat creation is realistic to what can be achieved on intensive agricultural land and managed for lifetime of the scheme.
	Table 8-11 (p195)	Operation: Disturbance and displacement of fauna sensitive to lighting resulting in indirect loss of foraging and commuting habitat or resting or breeding sites – Light spill may also affect the fauna/flora of adjacent County Wildlife Sites, including Forty Foot Drain (East) & Wimblington Common Gravel Pits.
	Table 8-12 (p199)	Operation: Mortality and injury of species - Justification for scoping out is only focused on pipeline routes, therefore impact to main site should still be scoped in. For example, it remains unclear at this stage whether wind turbines will be included in the design (included at the last consultation), which could potentially result in injury of birds/bats that would need to be considered in the EIA.
	EIA Scoping Report – Chapter 9	The approach is generally welcomed by the Council.

Specialism	Proposal aspect referred to	Comments
	9.5.3 Table 9-12 Figure 8.2 Figures 8.4	The desktop assessment should also reference the 'Life on the Old West' Ditch Surveys project, as well as the Botanical Society of Britain & Ireland (BSBI) Fenland flora project, that has mapped flora across the Fens – largely focusing on ditches/waterbodies. Although some surveys have been completed, more targeted surveys are scheduled for 2025 and therefore, it is difficult to agree with any 'scoped out' ecological features until all survey work is completed. Non statutory sites should also include Local Geological Sites. Labelling and symbols need to be clearer to show where some site cover more than 1 category, such as Wildlife Trust Reserve and County Wildlife Site. It would also be helpful if labels were moved to the side of the sites. Habitat mapping should be extended to all scoping area. Consideration must be given to how BNG can reflect movement of water through the drainage network, particularly if this impact quality of the water.
Archaeology and Historic Environment	Scoping Report ch.11 and Appendices 11.1 & 11.2	The Applicant has proposed that impact on the Historic Environment be scoped into the proposed EIA. The Council agrees – the proposed development has the potential to impact greatly on known and as yet unknown archaeological assets of up to national or greater significance. This is due to the sheer scale of the project in terms of earth movement, but also the archaeological potential of both the reservoir site itself and those areas proposed for transfers. Below ground conditions exist, particularly within the reservoir site, that allow for unique preservation of archaeological remains that do not normally survive. The great depth at which some assets might be buried makes evaluating the proposed development area, and mitigating any impact, extremely complex. The Applicant has provided two Historic Environment baseline reports as appendices, one for the reservoir itself and one for the transfers and associated infrastructure (AI). These inform a condensed archaeological baseline within the Scoping Report itself (section 11.6). Both, particularly the former, provide an authoritative (early) baseline for the archaeological potential of all periods, using diverse sources. That baseline will change as more archaeological data becomes available following field surveys and evaluation. Field survey, including trial trenching, is currently underway on the reservoir site itself, with Phase 1 surveys complete. The Council is in broad agreement with proposals for further survey and evaluation proposed in paragraphs 11.9.3 to 11.9.5 of the Scoping Report. These propose geophysical surveys, geoarchaeological investigations and trial trenching evaluations over both the reservoir site itself and the

Specialism	Proposal aspect referred to	Comments
		areas of transfers and AI. A complete picture of the archaeological potential of areas of impact should be presented in the ES chapter accompanying the DCO application, which will allow detailed mitigation measures to be proposed. It should be noted, however, that considerable uncertainty remains at this stage over the scale and significance of any archaeological remains that may be present, and potential remains high for nationally significant archaeology to be encountered.
Water Resources and Flood Risk	10.7.3	The Council notes that much of the Flood Risk associated with the reservoir would be managed by Internal Drainage Boards and the Environment Agency and that continued engagement with those authorities will be critical. The Council consider it important to assess the impacts of structural failure on Flood Risk, whilst a significantly low likelihood of occurrence the mapping and preparation of this risk is considered for other reservoirs in the region. Whilst reasonably practicable steps are expected to be taken to keep likelihood low, the potential impact would be considerable, as described for the drawdown process. 10.7.3 notes 'consideration of sustainable drainage systems' (SuDS) for managing locally generated runoff. A presumption in favour of SuDS for managing that runoff has the potential for providing additional environmental benefits and cleaner water to the local environment. The risk management authority for local flood risk, the Lead Local Flood Authority at the Council, would welcome the opportunity to be consulted on any works managing surface water or affecting ordinary watercourses that are not within the remit of the Internal Drainage Boards or Environment Agency. This includes temporary or permanent drainage requirements, culverting or pipeline crossings. There does not appear to be consideration of the structures or affected areas downstream of the reservoir that may be impacted during a drawdown event. Are the existing structures capable of managing those increased flows, or do they require any improvements to cope with such an incident? In addition, given the flat nature of the landscape, can the Applicant confirm the extent of impact from the drawdown process on connected watercourses, including if those watercourses were already close to capacity during the drawdown period? The identification of the extent of impact would assist in preparedness for emergency response. It is anticipated that this impact would not be linear.

Specialism	Proposal aspect referred to	Comments
		The transfer routes have the potential to provide new hydraulic connections between different pumped catchments. Changes to risk in those catchments should be identified, especially if it results in connections between Internal Drainage Board (IDB) and non-IDB managed catchments.
	Table 10-12	In table 10-12, dry drainage ditches are scoped out. Consideration could be given to whether changes in the surrounding drainage network may mean alter the characteristics of these ditches in future and in turn the habitat/receptor type. The Applicant should be aware of national research (FD2739 and FD2742) which is underway and due to be published shortly looking at new hazard classifications for reservoirs and costs and benefits for onsite emergency plans.
Traffic and Transport	14.1.6	Paragraph 14.1.6 states that: *"The potential for transportation of bulk materials by rail and water is under consideration".* However, from the Technical Working Group presentation delivered by the Applicant on 22nd October 2024, the options to transport materials by water appeared to have been ruled out already. If so, this statement would be misleading.
	Table 14.1	Table 14.1 should include a row for LTN 1/20. Any application made should be supported by a transport assessment (TA), the TA should be in accordance with Cambridgeshire Transport Assessment Requirements. The TA should show what impact the proposed development would have on the highway network.
	14	This section does not mention those wheeling or using mobility aids. This should be included. The CO^2 impact of transport does not appear to have been considered, and this should be. The mental health and the wider health and wellbeing impact of transport and potential additional trips do not appear to have been considered. For example, any increase in HGV movements during construction could have negative impacts on residents and their wellbeing.
	14.4.7	This section does not consider the rail network for freight.
Public Rights of Way (PROW)	LVIA (Chapter 7) and Public	In order to better understand the impact of the proposals on users of the surrounding PROW network, the Council would welcome provision of a map showing the location of each representative viewpoint to be used in the LVIA. The development will lead to a permanent and significant new feature in the landscape

Specialism	Proposal aspect referred to	Comments
	Access (Chapter 19)	and understanding how this change to the landscape could affect users' enjoyment of the PROW network is an important part of our consideration of the application. The Council is keen to ensure that the representative viewpoints sufficiently cover the PROW and other NMU routes that might be impacted by the development. The Council considers it important that any detrimental impacts on the visual amenity of PROW affected by the proposed development are appropriately mitigated. The Council anticipates that the applicant will seek to offer enhancements to PROW in the wider locality of the development, in line with National Planning Policy Framework (NPPF) paragraph 104, and we welcome opportunities for engagement on this subject. Regarding table 19-3, can the Applicant confirm it has used the Cambridgeshire Definitive Map and Statement as its reference document for the existence of Public Rights of Way? Can the applicant advise whether it has consulted the register of Town and Village Greens or the register of Common Land in reference to public open spaces?
Major Accidents and Disasters	Vol 1 Table 22.3.2	The Council notes that Cambridgeshire and Peterborough Local Resilience Forum (CPLRF) will be consulted on emergency planning arrangements going forward. As a member of this Forum, the Council will participate actively in this consultation. In addition, the Council will be directly involved in the emergency preparations for the facility within responsibilities as prescribed by the Reservoirs Act 1975.
Minerals and Waste	12. Geology, soils, agriculture and land quality	The Council, in its role as Minerals and Waste Planning Authority (MWPA) has concerns regarding Chapter 13 Material assets and waste management. In this chapter it is set out that the project is expected to use two to three million (2,000,000 – 3,000,000) tonnes of aggregate material (¶13.6.5) and that most of this material is to be procured from within 50km of the Scoping boundary (¶13.4.4). This is later clarified, stating that scour protection material, if not available regionally may be required to be sourced outside the region and the study area would need to be refined (¶13.6.12). From earlier in the document the scour protection material proposed appears to be granite or similar hard rock, although this is not explicitly specified (¶2.5.60). Additionally, in the description of development it is that that aggregate material used for the construction of the temporary haul routes and hardstanding would be removed and either reused on another site or recycled at a suitable waste facility (¶2.6.60), the quantity of material to be recycled is not specified. It is estimated that 59,000 cubic metres (103.000 tonnes) of inert material will require disposal to land (¶13.6.34).

Specialism	Proposal aspect referred to	Comments
		Given the nature of the aggregate required, and the adjacent proximity to a Block Fen quarry complex, sand and gravel will be sourced from Block Fen or must travel from other quarries. Assuming the quarries from which material is to be source can produce the aggregate at the required rate, it is likely that this will place a demand on those quarries. As set out in the Scoping report (table 13-4) the sand and gravel sales average for Cambridgeshire and Peterborough is 2.9 million tonnes. The Assessment should consider the effect of this requirement, and the likely distortion to the local market, and should demonstrate that the quarries can accommodate the required rise in production to meet all demand. The quantity of aggregate to be recycled should be quantified. The quantity of hard rock should also be quantified, and the source of that material identified. The specification of rock will determine from which quarries it can be sourced, and which other projects that will be competing for that material. This section should also include consideration of the effect of the proposed development on existing and allocated mineral sites. As public recreation is proposed as part of the development, the effect of recreation in proximity to an active and proposed quarry should be considered, and an entry should be added to Table 13-8 Likely significant effects under operational effects. The effect and any mitigation required will depend on the proposed design but should not be scoped out.
	23. Cumulative Effects	The Council also has concerns regarding 23, Cumulative Effects. The Council disagrees with the approach (as set out in table 23-2 Study area for inter-project Cumulative Effects Assessment (CEA) to use a 20km in respect of Nationally Significant Infrastructure Projects (NSIPs) likely to be affected by or affect this project. The Council believes that this should be based on receptors affected, specifically, in respect of materials and hard rock, the NSIPs sourcing the same material as required for this project. Likewise, as this project is likely to place a large demand on a small number of quarries, that effect should be quantified and the likely indirect effects of other projects having to source material from elsewhere, if the quarries cannot meet demand. This project, and other NSIPs, place unusual and forecast demand onto mineral resources. Recognition of unusually high demand, in combination with other NSIPs, should be reflected in any assessment. The Council also disagrees with the conclusion that “material assets and waste (construction and operation) – the assessment reported in Chapter 13: Material assets and waste management of this EIA

Specialism	Proposal aspect referred to	Comments
		Scoping Report, considers the influence of constructing the Proposed Development on national material recovery targets, regional recycled aggregate targets, sub-regional minerals sterilisation and regional landfill capacity. Therefore, this aspect does not require further assessment in the CEA.” as stated in paragraph 23.8.3 bullet point 2, for the reasons set out in the paragraph above.

Dear Sir/Madam

With regards to your letter Ref: WA010004

As an identified consultation body on the Fens Reservoir Scoping Opinion, Chatteris Town Council wishes to make the following observation:
Under the description of the project (being put forward by Anglian Water and Cambridge Water) most of the aspects which should be covered by the Scoping Opinion are outlined. However the Town Council believes the Scoping Opinion should also look at the impact on existing roads and the need for improvements, the provision of an underpass from Chatteris to the site and landscaping.

Yours sincerely
Joanna Melton

The Parish Council has engaged with Anglian Water throughout the initial stages of this project and, having studied the available documentation, has **No Comments** to make regarding the Scoping Report.

Dave Gibbs
Clerk
Christchurch Parish Council

Hi Emily

The below was discussed and members of the Parish Council agreed that as part of the development, provision should be made to allow future leisure activities on the reservoir.

Thank you and kind regards

Tina

Tina Croxford (AInstAM (Dip) OCR)
Deputy Clerk for Crowland Parish Council

Please consider the environment and whether you need to print this e-mail

Dear Emily,
Thank you for contacting Earith Parish Council about this Consultation. Earith Parish Council discussed this item at the meeting held on 7th November and they have asked me to comment that they are very disappointed to note that Earith Village was not mentioned on any of the publicity materials that have been delivered to households within the area despite Earith playing a major part in this application. Earith is to act as an abstraction point for the development. Also, the Old Bedford River is incorrectly noted in the Consultation as the River Delph. The River Delph stops at Welney and does not continue into Earith. Earith is surrounded by three rivers. The Old Bedford River which runs alongside the Recreation Field and Vermuyden, the New Bedford River which runs along the Willingham Road and The Great Ouse which runs adjacent to the High Street. The River Delph does not affect Earith Village.
The proposed development includes the associated water infrastructure required to transfer available water from watercourses to the reservoir for storage and includes The River Great Ouse at Earith as one of these sources. However, the EIA Scoping Report and accompanying maps do not give any indication as to where this infrastructure would be located. Any infrastructure must take into account that much of Earith sits on a flood plain and that the bridge river crossing, which is already under pressure, could be seriously compromised during the development and must be given careful consideration as how to mitigate against this.
Earith Village already experiences problems with flooding. A new river crossing is needed. So, The Parish Council have concerns regarding infrastructure at the siting of the abstraction plant, build traffic within the Village, placing of pipework for the abstraction site and notification of the actual site area. Where is it proposed that this site will be within Earith? More detail must be provided to the residents of Earith about this proposal. Hiding all mention of Earith in a major document does not appear to be a fair representation of the significance of this development upon the Village.
It is hoped that the Planning Inspector will consider these comments when they make their decision.

Regards
Mandy Pink
Chief Executive and RFO

East Cambridgeshire District Council

www.eastcambs.gov.uk
ContactUs@eastcambs.gov.uk
01353 665555

Environmental Services
Operations Group 3
Temple Quay House
2 The Square Bristol
BS1 6PN

By email
fensreservoir@planninginspectorate.gov.uk

This matter is being dealt with by:
Catherine Looper

Email:
[redacted]astcambs.gov.uk

Phone: [redacted]
My reference: EXT/00011/24
Your reference: WA010004

Date: 18 November 2024

If you require this letter in large format, please email ContactUs@eastcambs.gov.uk

Dear Ms Park,

Re: Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development)

Thank you for your letter dated 24 October 2024 inviting the opportunity to inform the Scoping Opinion.

On behalf of East Cambridgeshire District Council, I can confirm that we do not have any comments to make, save for the assumption that transport impacts would be considered, and would defer to Fenland District Council to comment as the application site falls within their jurisdiction.

Yours sincerely

Catherine Looper
Major Projects Planning Officer

creating a better place
for people and wildlife

Environment Agency

The Planning Inspectorate

[Via email:
Fensreservoir@planninginspectorate.gov.uk]

Our ref: XA/2024/100190/01-L01
Your ref: WA010004

Date: 21 November 2024

Dear Sir/Madam

PLANNING ACT 2008 (AS AMENDED) AND THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (THE EIA REGULATIONS) – REGULATIONS 10 AND 11

APPLICATION BY ANGLIAN WATER AND CAMBRIDGE WATER (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE FENS RESERVOIR (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION AND NOTIFICATION OF THE APPLICANT'S CONTACT DETAILS AND DUTY TO MAKE AVAILABLE INFORMATION TO THE APPLICANT IF REQUESTED

Thank you for referring the above consultation which was received on 24 October 2024.

We have reviewed the submitted Fens Reservoir Environmental Impact Assessment Scoping Report, Volumes 1-3, (Revision C01, dated October 2024), insofar as it relates to our remit, and we have the following comments set out below.

Table 24-1: Proposed scope of assessment provides a high-level description of what is proposed to be scoped in and out of the Environmental Impact Assessment (EIA), and we broadly agree with this. However, we request that the following issues are scoped in whether they are proposed to be scoped out, or not referenced:

- Reservoir embankment collapse/dam failure impact on flood risk.
- Wave overtopping impacts impact on flood risk associated with embankment collapse
- Severe weather impact on flood risk associated with embankment collapse.
- Impacts climate change on sea level rise in relation to flood risk.

- Consideration of flood risk assets as a sensitive receptor to vibration during the construction phase of the development.
- The loss of ecological connectivity by the operation of open channel transfers regarding fish
- Operation of open channel transfers changes regarding impact on flow regime and water levels in relation to geomorphology.
- The proposed water transfer from the Counter Drain (via River Nene) to the reservoir via the Middle Level system should be included within the Scoping boundary, to consider the impact on fish.
- Impact of landscaping and reinstatement on aquatic habitats and associated flora and fauna in regard to spined loach
- Impact of abstraction of water from Middle Level System, Ouse Washes or River Great Ouse and Counter Drain (Nene) in relation to spined loach.
- Introduction and/or spread of invasive and non-native species during operational abstraction activities, and in relation to open channel transfer and operation of the reservoir.
- Impacts on controlled waters from land contamination, unless it can be demonstrated that the risks have been adequately evaluated and the risks will be suitably managed.
- In the absence of further detail, the impact on controlled waters of leaks and spills of potentially contaminative materials used in construction and operation.

Please see Appendix 1 for further detailed comments and advice, and Appendix 2 for licencing/permitting requirements.

It is acknowledged in paragraph 3.5.31 that there is a preference for Whole Scheme Option A at this stage. We look forward to further engagement with the project team and partners before a final determination is reached.

If you have any queries, please do not hesitate to contact me.

Yours faithfully,

Mr Alex Hazel
Planning Specialist – National Infrastructure Team
Team mailbox: NITeam@environment-agency.gov.uk

Appendix 1 – Detailed comments
Appendix 2 – Licencing/permitting requirements

Appendix 1 – Detailed comments

Flood risk

We have reviewed the submitted EIA Scoping Report in relation to flood risk issues within our remit (fluvial/tidal flooding). Comments are presented in relation to Chapter 2 Project Description, Chapter 10 Water Resources and Flood Risk, Chapter 17 Climate Resilience, Chapter 22 Major Accidents and Disasters, and Chapter 24 Summary.

In general, we are satisfied with the proposed scope for environment impact assessment regarding flood risk. However, there are several topics that we request to be scoped into the EIA, which have been currently scoped out in the Scoping Report. In summary, these are as follows, in regard to flood risk and the operation of the reservoir:

- Reservoir embankment collapse/dam failure.
- Wave overtopping impacts.
- Severe weather impacts.

For avoidance of doubt, the impacts of climate change on sea level rise and its impacts on the local environment and proposed scheme must be scoped into the EIA.

Additionally, flood assets should be considered as a sensitive receptor during the construction phase of the development, and therefore included in the assessment of noise and vibration.

Further detail on the above scoping topics is provided below.

There are also a number of matters for which further consideration will be required.

We have the following detailed comments.

Flood Map for Planning – Flood Zones

With regard to the Flood Map for Planning, the site is located with large parts of the proposals within Flood Zone 2 and 3, land assessed as having between a 1% (1 in 100) and 0.1% (1 in 1,000) annual probability, and land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), in any given year. Other parts are located within Flood Zone 1, which is land defined as having a less than 0.1% (1 in 1,000) annual probability of river or sea flooding, in any given year.

We therefore welcome flood risk being scoped into the EIA, with a flood risk assessment (FRA) being submitted as an appendix to the Environmental Statement (ES).

Flood risk assessment requirements

The FRA should include:

- Assessment of all sources of current and future flood risk to the reservoir. The assessment should also include any residual risks associated with the failure and exceedance of any flood defence infrastructure which the reservoir will benefit from.
- Assessment of the reservoir's impact on flood risk elsewhere in the event of normal operation (including during construction), emergency drawdown, and dam failure.
- Clarity on the mitigation measures proposed to address identified risks (these will need to specify which of the measures can be secured through the Reservoirs Act regulation).
- Assessment of the potential impacts of climate change on flood risk, including in relation to credible maximum scenarios.
- Details of flood storage compensation, which will be required for structures, or changes in ground level, within the design flood plus climate change flood extent. During construction and operation phases, compensation may require hydrological and hydraulic modelling to help manage flood risk.
- Demonstration of how essential access will be maintained during a flood event, including depth and velocity analysis for the critical 1 % annual probability plus climate change event.
- Confirmation of finished floor level (FFL) for sensitive equipment within the Order Limits. These should be 600mm above the design flood plus climate change flood level.

Impacts on floodplain and flood storage compensation

The footprint of the reservoir, pumping stations and compounds, access roads and all associated infrastructure may result in floodplain losses. Therefore, all proposals which result in a loss of floodplain up to 1 % annual probability plus climate change undefended scenario, or where applicable, show flooding in a 1 % annual probability plus climate change defended scenario, must compensate or mitigate, as agreed with us, and ensure no loss or changes of flood flow paths (for example, due to access roads across floodplains) and no increased flood risk elsewhere.

Flood storage compensation will be required for structures, or changes in ground level, within the design flood plus climate change flood extent. Dependent on location this may include:

- Level-for-level.

- Volume-for-volume.
- Localised and the compensation within the same hydrological catchment as the loss
- Shown to achieve net gain where possible.
- Demonstrated to not inhibit flood flow routes and behaves in the same way as existing (timing and flow route) for all flood events up to and including the design flood.

Emergency drawdown

We note that Emergency Drawdown will be scoped in, however we would expect to see this fully considered and modelled within the FRA as well. Failure for this to fully be assessed in the FRA will result in the FRA being deemed unacceptable.

Paragraph 10.8.4 describes how the flood risk associated with emergency drawdown will be scoped into the assessment, which is welcomed.

Please note, for clarity the flood risks associated with Emergency Drawdown should be modelled and fully considered within the Flood Risk Assessment. Chapter 2, paragraph 2.5.73 notes that the emergency drawdown waters would flow into the Forty Foot Drain, into the Middle Level System, and onwards to the sea. It is important to note that the Middle Level Commissioners system is a fully pumped catchment. The pumps at St Germans are critical for moving water out of this system into the tidal River Ouse. The addition of Emergency Drawdown Waters could result in an increase in flood risk to both the Middle Level Commissioners catchment and the Tidal River Ouse and hence the impact of Emergency Drawdown on the entire system required to convey this water to the sea must be scoped into the assessment.

In terms of water levels and flows within receiving watercourses when modelling emergency drawdown waters, the guidance on drawdown capacity for reservoir safety and emergency planning (SC130001 Volume 1 – available online) section 5.2 (page 29) provides some information on inflow pass through rate. Whilst this does not explicitly mention the magnitude of flow for any receiving watercourses it does describe the assumptions around inflows to a reservoir when assessing drawdown capacity and describes the use of a Q50 flow for impounding reservoirs. We appreciate that the Fens reservoir is not an impounding reservoir, however, emergency drawdown must be considered with a range of water level scenarios for the receiving watercourses. Careful consideration must also be given to pump capacity at St Germans pumping station.

We would strongly recommend the applicant produces a method statement for the Emergency Drawdown modelling which can be shared with the Environment Agency and Middle Level Commissioners for review prior to undertaking the modelling.

Emergency drawdown disposal route

Paragraph 3.5.22 describes an options appraisal process for identifying the preferred emergency drawdown route. The Environment Agency has not seen the options appraisal for Emergency Draw Down. We would like to see what alternative options were explored as there could be significant impacts for the Middle Level Commissioners system with managing Emergency Drawdown and also downstream for the tidal River Ouse. Please present the alternative options that were considered for Emergency Drawdown.

Emergency Drawdown model data

The Environment Agency has recently commissioned a study within our Tidal River model on tidal conditions and our assets. This further modelling should be available in early 2025, but it will be in draft form and subject to limitations. This further modelling may be of use to the applicant as part of assessing the impacts from the Emergency Drawdown.

Watercourse crossings

Paragraph 10.4.4 describes how the flood risk assessment will cover at least 70 ordinary watercourse crossings for the downstream treated water transfers which do not have existing models.

Please note, for pipeline crossings localised flood modelling may be required to inform flood risk, particularly during the construction phase. For fluvial watercourse crossings detailed modelling should be undertaken so that crossing soffit levels can be set above either the 1% (1 in 100) annual probability plus climate change water level with an allowance for freeboard if fluvial, or the 0.5% (1 in 200) annual probability plus climate change water level if tidal.

Age of flood models

Paragraph 10.5.3 describes how full hydraulic model reviews were carried out for existing flood models, which is welcomed. This section then goes onto describe how age of survey, flood defence conditions, and climate change allowances will be considered to identify areas of model updates.

Please note, it is also important to consider the age and methods used for the design flood hydrology which has been used in Environment Agency hydraulic models. The applied hydrology used in hydraulic models should reflect the most up to date methods and datasets. Where older hydrological calculations are being used, clear justification and evidence should be provided.

The guidance on using modelling for flood risk assessment available online at Using modelling for flood risk assessments - GOV.UK provides some useful information and should be consulted.

Use of Risk of Flooding from Surface Water mapping

Paragraph 10.6.6 notes that the Risk of Flooding from Surface Water (RoFSW) mapping indicates that the downstream treated water transfer area crossed over 70 ordinary watercourses that are in Flood Zone 1. Please note for clarity, the RoFSW mapping is not used to define the Flood Map for Planning. The RoFSW and Flood Map for Planning are two separate products. If the RoFSW outputs are being used as a proxy for fluvial flood risk, then clear justification should be provided as why this is suitable, noting that this product does not consider the effects of climate change.

Residual risk of failure of existing flood management assets

Paragraph 10.6.8 describes how the residual risk of failure of existing flood management assets across the catchments has the potential to increase flood risk to the reservoir and associated infrastructure. The impact of failure of raised flood embankments on the development should be assessed through breach modelling.

The Environment Agency's breach of defences guidance [LIT 56413] is a useful starting point regarding breach model parameters, however, many of the assets in the vicinity of the reservoir are isolated so it is important to use realistic closure times for breaches in flood defence assets.

Furthermore, a breach width of 40 metres (which is specified within the breach guidance) for earth embankments on fluvial watercourses is quite narrow, considering the size of some of the embankments in this area. It would be sensible to investigate the sensitivities of embankment width on breach results, considering a larger width. Environment Agency and Internal Drainage Board local knowledge should be sought with regards to closure times for breaches in flood defence assets.

Coastline flood defence breach mapping

Paragraph 10.6.9 describes how flood defence breach maps of the Wash coastline indicate that the reservoir site is not at risk from any potential breaches of the coastal flood defences. This is correct, although please note that the breach modelling undertaken for the coastal defences in the vicinity of the Wash is quite old and uses now superseded coastal boundary condition data. It would be sensible to check that the coastal risk picture has not changed based on the latest Coastal Flood Boundary (CFB) 2018 dataset when compared to the boundary conditions used in previous coastal modelling.

Level and flow gauge data

Paragraph 10.6.15 describes how there are several level and flow gauges within the zone of interest. Whilst the Offord ultrasonic gauge is the closest flow gauge to Earith, there a several level gauges in between Offord and Earith, most notably Brampton, Godmanchester, Hemingford, St Ives, and Earith. Whilst the hydrometric data explorer available online at Hydrology Data Explorer - Explore is a useful reference and source for gauge data, the aforementioned level gauges are not shown on the hydrometric data explorer. Please contact us at enquiries_eastanglia@environment-agency.gov.uk if you require further hydrometric data.

Magnitude and spatial extent of impact

With regards to impact magnitude as described within Table 3.71 within the Design Manual for Roads and Bridges (DMRB), which is presented in Table 10-14: Magnitude of impact of the Scoping Report, change in flood levels within 10 millimetres of the baseline are described as negligible. Please note that the classification presented within this table is slightly at odds with the National Planning Policy Framework (NPPF), which details that there should be no increases to flood risk elsewhere as a result of new development.

Any impacts to flood risk will need to be reviewed on a case-by-case basis, as the spatial extent of any increase is also an important consideration not just the magnitude of any increase in peak water levels.

Furthermore, considerations around modelling precision may also influence what is classed as an observable increase or impact versus what might be attributable to model precision limitations and instability. There is a section on the impacts on off-site flood risk within the guidance on undertaking modelling for flood risk assessments which should be consulted and provides some useful considerations. This is available online at Using modelling for flood risk assessments - GOV.UK.

Flood risk to and from the reservoir

Paragraph 10.9.7 describes how flood modelling will be undertaken to establish risk to the proposed reservoir. Please note, modelling should also be undertaken to determine flood risk from the proposed reservoir. This would incorporate aspects such as the Emergency Drawdown and reservoir failure, but also the loss of floodplain storage as a result of the reservoir footprint.

The Middle Level Barrier Bank and the Ouse washes are key considerations for flood risk to the scheme, however, there are other local watercourses within the

vicinity of the scheme such as the Cranbrook Counter Drain, re-wetting of the Forty Foot, and other Middle Level Commissioners drains which may be a risk to the site. We welcome further investigation within the flood risk assessment on this.

Flood risk from dam failure / breach of reservoir embankments

Chapter 10 paragraph 10.8.3 and Chapter 22 Major accidents and disasters Table 22-3 describe how based on the existing regulatory regime under the Reservoirs Act 1975, flood risk from embankment failure has been scoped out. We disagree with this. The residual flood risk associated with embankment failure should be scoped into the assessment.

The proposed reservoir will introduce a substantial hazard not currently present within this landscape. In the event of dam failure there would be several clear pathways between this hazard and a large number of receptors, which could result in significant long-lasting effects to human health, welfare and/or the environment that would require the use of resources beyond those of the applicant to manage. Such impacts may also stretch beyond the current scoping boundary.

Whilst we accept that regulation of the reservoir under the Reservoir Act 1975 will reduce the likelihood of dam failure to a low level, planning is uniquely placed to make additional contributions to reducing risks through:

- The primary mitigation of the site selection process, by ensuring that the significant effects that would result in the event of dam failure have been considered when selecting the preferred site (NPPF, December 2023: paragraph 165, paragraph 168, paragraph 170b, paragraph 173 d; NPS for Water Resources Infrastructure; April 2023: paragraphs 4.7.6, 4.7.7, 4.7.8, 4.7.15, 4.7.17).
- Considering the need for additional secondary mitigation measures that could further reduce risks in ways not controlled through the tertiary mitigation of regulation under the Reservoir Act 1975.
- Enabling relevant receptors to be made aware of the potential risks and to make representations on them.

The Reservoir Act 1975 exercises no control over the site selection process for a new ‘large raised reservoir’ based on the consequences of dam failure. Furthermore, the Reservoir Act 1975 cannot require off-site mitigation measures to contain and reduce the consequences of dam failure.

Whilst relevant local authorities will be responsible for co-ordinating off-site plans for what the emergency services will do if a dam were to fail, such plans only address warning, informing, evacuation, shelter and recovery. They play no role in improving the resilience of sensitive receptors or delivering other structural measures for reducing risks (e.g. eliminating or controlling pathways). It must be acknowledged

that in the event of an unanticipated dam failure, for some receptors there is likely to be little or no prospect of warning or evacuation before the onset of hazardous flooding.

Further consideration is needed of the potential for a reservoir dam failure to cause major accidents or hazards. This should consider the number and type of receptors that could lie within the area potentially affected, including things like homes, businesses, infrastructure such as roads, railways, airfields, pipelines, electricity infrastructure, and industrial sites such as Control of Major Accident Hazards (COMAH) facilities. Doing so enables consideration of the measures required to avoid or mitigate the impacts associated with dam failure.

Reservoir embankment / dam collapse could adversely affect or be affected by the following environmental matters / incidents:

- Water supply affected (various factors).
- Critical infrastructure failure / utilities failure not associated with the project.
- Critical failure of the existing electrical supply.
- Industrial sites - Control of Major Accident and Hazards (COMAH) / Major Accident Control Regulations (MACR).
- Terrorist attack on people (bomb, chemical, vehicle, malicious drone incident).
- Aviation accident.

Without an initial assessment of the flood risk that would result in the event of dam failure, it is difficult to see how these potential effects have been robustly considered and scoped out.

Given the nature of the reservoir construction and the relatively flat surrounding land, consideration may need to be given to dam failure at several different failure points, to ensure an appropriate envelope of impacts is identified. For the different pathways available, the assessment will need to identify the extent of potential flooding and should include sufficient detail to allow identification of significant effects.

For the purposes of informing the site selection process, we are comfortable that a less detailed agreed methodology can be adopted for alternative sites which focuses on the extent of potential flooding and the likely number and vulnerability of receptors involved.

We would expect the developer to consider the worst-case likely scenario regarding reservoir / dam dimensions to inform the breach analysis (Advice Note Nine: Rochdale Envelope 1.2, and 2.3):

For further information, please refer to GOV.UK:

- NPPF: Meeting the challenge of climate change, flooding and coastal change - GOV.UK

- National Policy Statement for Water Resources Infrastructure - GOV.UK
- Nationally Significant Infrastructure Projects - Advice Note Nine: Rochdale Envelope - GOV.UK

In terms of the methodology for undertaking breach assessment this should be done in accordance with the Reservoir Flood Mapping Specification (RFM) [LIT 56607], which is available on request from the Environment Agency.

Reservoir wave overtopping and severe weather

The following comments are provided in relation to Chapter 22 Major accidents and disasters, Table 22-3 Dam breach and wave overtopping.

We note that the effects of wind driven wave overtopping is scoped out of the assessment (Table 22-3, refs. 1 and 27a). We disagree with scoping this out.

High winds can lead to waves within the reservoir which could potentially damage the reservoir and associated infrastructure. The applicant should consider the effects of 'wind waves' caused by strong winds which may lead to overtopping of the embankment. This could lead to erosion on both sides of the earth embankment, increasing the rate of degradation and increasing the probability of failure.

We would recommend consideration of the EurOtop Manual on wave overtopping of sea defences and related structures. The assessment of wind waves can help to inform the crest height and appropriate riprap design, dimensions, and placement. Notably the proposed design considers riprap on the internal edge of the embankment.

As such, wave overtopping should be scoped into the assessment.

With regards to reservoir breach assessment, please see comments on this in the flood risk chapter (10) above. We disagree that this should be scoped out of the assessment - it should be scoped in.

Severe weather

Further to the above, severe weather should also be scoped in.

Chapter 22 Major Accidents and Disasters refers to Chapter 17 Climate Resilience to deal with severe weather events (heatwaves, drought, rain, low temperatures, heavy snow, hail, lightning, high winds and tornado), rain and high winds. Chapter 17 then refers back to Chapter 10. However, Chapter 10 does not set out how these will be dealt with in the construction phase or indeed fully in operational stage.

Climate resilience and climate change allowances

The following comments are provided in relation to Chapter 17 Climate Resilience and Chapter 6 EIA Approach and Methodology Chapter 6 (section 6.3).

Owing to the complex and sensitive nature of the Fens, a Fens Climate Change Risk Assessment (CCRA) has recently been commissioned as part of the Future Fens: Integrated Adaptation (FF:IA), of which Environment Agency and Anglian Water are key partners. The Fens is highly sensitive to climate change and taking account to mitigate it is an important part of flood risk management, and therefore the flood risk assessment and Environmental Statement. It is expected that flood risk management assets will be called upon more often, which will impact opportunities for maintenance, increased operational costs, and investment pressures. The Fens CCRA, which is due to be published imminently, should form an important part of the EIA to ensure a sustainable and adaptive scheme be proposed in this sensitive landscape.

Regarding climate change adaptation, paragraph 17.2.3, we look forward to continuing to work with the applicant and other partners, as set out in the FF:IA Manifesto. The Fens Reservoir presents a potential opportunity to demonstrate integrated water management at a landscape scale.

Throughout Chapter 10 of the Scoping Report, reference is made to the Fens 2100+ study. This study will have some outputs in 2025 and we are happy to share these outputs with you once they become available. A robust flood risk assessment still needs to be undertaken which considered many scenarios given the fragility of the Fens landscape over the lifetime of the scheme. The reliance on existing flood risk management assets cannot be assumed for the lifetime of the scheme. We recommend continued engagement with the Environment Agency, Middle Level Commissioners, and Lead Local Flood Authority to ensure a set of sensible scenarios are developed when considering management of the system into the future. The Fens 2100+ study will form as a useful validation check to demonstrate that the assumptions made within the flood risk assessment are reasonable and/or precautionary with regards to flood risk.

The applicant will need to consider the future flood extent of the design flood plus climate change scenario when assessing the proposal. Climate change projections will be influenced by the proposed design life of the development.

In Chapter 17 Climate Resilience, paragraph 17.7.2 Design notes that use of the 50th percentile relative concentration pathway (RCP) 8.5 will be used to inform the DCO design and assessment. It is important to note that the 50th percentile represents the central estimate for climate change. If the development is classed as essential infrastructure, then from a fluvial flood risk perspective the higher central

climate change allowance should be used (70th percentile). A sensitivity test for the credible maximum scenario, which in this case would be the upper climate change allowance for fluvial flows (95th percentile) and the H++ scenario for tidal flood risk, should also be completed.

The applicant must incorporate an allowance for future climate change. It is unclear what design life is proposed for the development. Paragraph 2.8.1 suggests 150 years, but within the Chapter 10, paragraph 10.9.9 states 100 years, as that is the furthest climate change epoch available.

The applicant should assess any updates to flood zones with consideration of climate change during the construction and operation phases.

Please refer to the guidance on GOV.UK: Flood risk assessments: climate change allowances - GOV.UK.

Climate change impact on sea level rise

In Table 24-1: Proposed scope of assessment, the section on Chapter 17 Climate Resilience has scoped out sea level rise and changes to the effect on local environment and communities, stating this is dealt with in Chapter 10 Water resources and flood risk. However, further up this table in Chapter 10 section, there is no mention of climate change consideration. This is mentioned in the actual Chapter 10, but we do want it recognised that the impacts of climate change on sea level rise and its impacts on local environment and communities must be fully scoped into the EIA.

Construction phase and temporary works

As the construction phase will last 5 years, effects from climate change during this period (2030 to 2040) are considered relevant. Climate change should be applied for the relevant epoch in line with guidance on climate change for flood risk assessments available at: Flood risk assessments: climate change allowances - GOV.UK.

The temporary works flood risk assessment will include a climate change allowance, in paragraph 10.9.19, and we would like to discuss and agree the appropriate allowances. We also must add that whilst a 1 in 20 year scenario may seem an appropriate flood event to use during the construction phase, this catchment has experienced three large, wide-scale flood events in the last four years: 2020/2021, winter 2023/2024 and autumn 2024.

We therefore consider it would be prudent to include a larger magnitude event to ensure that flood risk will not be increased elsewhere because of construction

material placement and activities, and in addition, that construction activities will be resilient to flooding.

Noise and vibration

We are pleased that noise and vibration will be scoped in for the construction phase. However, there is a risk that flood assets could be impacted by construction, therefore flood assets should be considered as a sensitive receptor during the construction phase of the development. An assessment of the impacts of vibration on such assets should be carried out, in addition to the setting of a safe vibration-limit (during the construction phase) for works likely to cause vibration (e.g. piling and tunnelling) near flood assets to ensure no adverse effects.

Construction settlement

Consideration should be given to settlement, especially near flood assets. Surveying should be undertaken pre- and post-construction works to identify any defects that will need to be remediated.

Groundwater flood risk

Groundwater flood risk may be an issue in some areas where the proposed development has the potential to impact the hydrogeological environment in terms of groundwater levels and flows. Consideration of both superficial geology and bedrock should be undertaken to adequately justify that groundwater flood risk is limited to the superficial aquifers.

We have highlighted this as part of our strategic overview role on all forms of flood risk, however the Lead Local Flood Authority (LLFA) lead on groundwater flood risk. Therefore, we advise that the applicant discusses this further with the LLFA.

Flood risk activity permits

Given the site's location within the floodplain and in proximity to statutory main rivers and/or Environment Agency flood defences, it is likely multiple flood risk activity permits (FRAPs) will be required in addition to the above.

If any of the works are likely to require a FRAP under the Environmental Permitting Regulations 2016, we recommend that the applicant informs the Environment Agency whether they are seeking disapplication at the earliest opportunity.

Please refer to Appendix 2 for further information.

Flood modelling information

Model review

Any fluvial flood risk modelling which is developed to inform the baseline, future baseline, construction, and with development proposals should be reviewed by the Environment Agency. Given the complexity of the system which is being modelled and the various sources of flood risk, it is recommended that modelling methodologies are agreed with the Environment Agency prior to undertaking detailed modelling work. This will help to limit abortive modelling work.

If modelling is used to support an application, then it will need to be reviewed and confirmed as meeting the required standards.

Please be aware that:

- Environment Agency models are not designed to assess third-party developments. The applicant should not assume that the model is suitable for assessing the flood risk associated with the proposed development.
- It is the applicant's responsibility to assess the suitability of a model for the project.
- The applicant should provide evidence of any modelling checks and subsequent updates and document these in the flood risk assessment model reporting.

Model and data limitations

It is important to note that our model data may not be representative of existing conditions and may need updating. It is always important to check that any model data you use uses the best available methods and datasets.

The guidance on undertaking modelling for flood risk assessment available online at Using modelling for flood risk assessments - GOV.UK (www.gov.uk) is a useful reference when developing hydraulic models for new development and should be considered.

With regards to the Flood Map for Planning, there are locations where there may be no associated flood zones due to the small size of the respective catchment. Typically, a catchment area of 3km^2 was used as the threshold for flood zones where no detailed hydraulic modelling exists. Please bear this in mind when assessing flood risk from smaller ordinary watercourses as there may be flood risk associated with such watercourses which has not been modelled or included within the flood zones.

As-built scenario

Please note, for any “as-built” changes to the floodplain are a result of the proposed reservoir we would require the applicant to submit new modelling which takes account of the proposed “as-built” development within 6 months of the reservoir being operational. This is to ensure the Flood Map for Planning can be updated, taking into account the new reservoir development.

Timescales

The timescales between planning, detailed design, and construction can be long. It is important to remember that updates to the methods regarding design flood flow estimation and modelling methods might change. It is important to build in quality assurance checks to consider the currency of any modelling evidence which is used in later stages of the project development such as the detailed design and construction phases.

National planning policy and guidance

Flood risk vulnerability classification

Annex 3 of the National Planning Policy Framework (NPPF) does not specifically describe water supply reservoirs. However, it is likely to be appropriate to consider a ‘large raised reservoir’ to be ‘Essential Infrastructure’ such that it should remain operational during times of flood (please see notes to Table 2 of national Planning Practice Guidance (NPPG)). Please see GOV.UK for further information:

- NPPF Annex 3: Flood risk vulnerability classification - Guidance - GOV.UK
- NPPG: Table 2 - Flood risk and coastal change - GOV.UK

It is also a requirement of National Planning Statement (NPS) for Water Resources Infrastructure, section 4.7 Flood risk (paragraph 4.7.7), that the development should remain operational during the design flood plus climate change flood (where the lifetime of the development is agreed). These matters should be further explored within the detailed FRA. For further details please refer to the National Policy Statement for Water Resources Infrastructure - GOV.UK.

Sequential Test

In accordance with NPPF, the Sequential Test (paragraph 168) should be applied to ensure a sequential, risk-based approach to the location of development. In light of this, if there are any opportunities for development to be located outside of Flood Zones 2 and 3 and into Flood Zone 1, this should be prioritised. We welcome confirmation that this proposal will be supported by a sequential test.

The spirit of the sequential approach to managing flood risk is to steer development to locations which would result in the lowest flood risk. The Sequential Test will need to consider all sources of current and future flood risk to the proposed development. Given the residual flood risk the proposed development will introduce, consideration should be given to expanding the scope of the Sequential Test to account for the flood risk that would result in the event of dam failure.

It may be appropriate for the assessment to consider the new reservoir's potential impact on existing planned development, for example sites allocated in an adopted or emerging local plan. A new reservoir may have implications for other new development (e.g. residential or commercial development) in terms of their ability to satisfy the Sequential Test and whether the development can be made safe, especially in relation to whether residual risks can be safely managed. In addition, if new development would result in additional regulatory burden on the owner of the new reservoir, which the proponent of the new development is required to pay for, it may render that development unviable. We could encourage relevant Local Planning Authorities to address these impacts in their Local Impact Reports.

A sequential approach should then be applied to the layout of infrastructure within the Order Limits, positioning the most vulnerable components to the areas of lowest flood risk. This should include consideration of vulnerable components of linked water infrastructure projects such as pipework, valves, treatment plants and pumping stations, and construction phase positioning of compounds, stockpiles, etc.

Please refer to the NPPF and national PPG for further information:

- NPPF: Meeting the challenge of climate change, flooding and coastal change - GOV.UK
- NPPG: Sequential Test - Flood risk and coastal change - GOV.UK

Exception Test

In line with Table 2: Flood Risk Vulnerability and Flood Zone Compatibility within the NPPG, the Exception Test will also be required for proposed Essential Infrastructure located within areas of Flood Zone 3. For any development within Flood Zone 3b (functional floodplain), that has passed both the sequential and exception tests, it must be demonstrated that the scheme is designed and constructed to:

- Remain operational and safe for users in times of flood.
- Result in no net loss of floodplain storage.
- Not impede water flows and not increase flood risk elsewhere.

Please refer to the NPPF and national PPG for further information:

- NPPF: Meeting the challenge of climate change, flooding and coastal change - GOV.UK
- NPPG: Exception Test - Flood risk and coastal change - GOV.UK

Fisheries

We have reviewed the EIA Scoping Report in relation to our fisheries remit, focusing on, but not limited to, Chapter 9 - Aquatic biodiversity and the relevant appendices.

In general, we are satisfied with the topics to be scoped in and scoped out of the environmental impact assessment, in regard to fisheries. However, we consider the following the following topics should be scoped in:

- The loss of ecological connectivity by the operation of open channel transfers has been scoped out for fish. We disagree and consider it should be scoped in.
- The proposed water transfer from the Counter Drain (via River Nene) to the reservoir via the Middle Level system should be included within the Scoping boundary, to consider the impact on fish.

While the following activities are scoped into the assessment for aquatic habitats and associated flora and fauna, this should be done in consideration of spined loach:

- Landscaping and reinstatement
- Abstraction of water from Middle Level System, Ouse Washes or River Great Ouse and Counter Drain (Nene)

Please see below for further information.

Operational impact of open channel transfers on fish - loss of ecological connectivity

In Table 9-12: Potential effects to be scoped out of the aquatic biodiversity assessment, the loss of ecological connectivity by the operation of open channel transfers is to be scoped out for fish. We disagree that this is scoped out, as there is the potential for habitat fragmentation which may impact on fish species.

Impact pathways are likely to be:

- Increase in flow leading to washout of juvenile fish.
- Fish becoming attracted to any new flows at outlets or with open channels, and thus become exposed to increase predation and not seeking or dispersing to other available habitat.
- Changes in water level which could lead to a loss of marginal habitat.
- Changes in flow which could change the sediment load and riverbed substrate which in turn may lead to a loss of habitat or change in habitat. This is

particularly important for spined loach (*Cobitis taenia*) which favour a well oxygenated sandy substrate with patches of macrophytes.

Moreover, will the open channel transfers be designed to allow fish to populate, or will fish be excluded and how will this exclusion be managed. Will there be any maintenance dredging of these open channel transfers. Dredging is known to impact fish species, particularly spined loach. Furthermore, the disturbance and subsequent movement of fine sediment downstream is also likely to impact on fish habitat, in particular spined loach.

The general footprint of the reservoir is vast and will result in a loss of a number of drains and ditches associated with the Sixteen Foot Drain and Forty Food Drain, both which have records of European eel, spined loach and bullhead. If fish are excluded from the reservoir due to screening to avoid entrainment into pumps, it is not clear how such habitat loss will be compensated for.

The scoped-out mortality and injury of species from open channel transfer assumes there is no diversion structure, screen or pump that could entrain or impinge fish. It also assumes that no increase in flow will displace fish and increase their likelihood of mortality elsewhere, such as by predation or physical harm at the final intake. It would be prudent to scope this potential impact in until an assessment of this pathway has been made.

Scoping boundary - impact on fish from proposed water transfer

Regarding paragraph 2.3.1 (Chapter 2 - Project description, section 2.3: site and surroundings), further reasoning is required as to why the proposed water transfer from the Counter Drain (via River Nene) to the reservoir via the Middle Level system has not been included within the scoping boundary (as shown in Figure 2.1 in the document).

This proposed transfer will be part of the operation of the scheme and therefore we consider this should be included in the scoping boundary. We appreciate that existing channels within the Middle Level system will be used, however details of the environmental conditions within this system may change as a result of operation. This may lead to a change in habitat regime and water quality conditions, which may impact on fish.

Landscaping and reinstatement - impact on spined loach

Regarding Table 9-11: Likely significant aquatic biodiversity effects, 'landscaping and reinstatement' should be done with the designated sites in mind. The Ouse Washes Special Areas of Conservation (SAC) and Nene Washes SAC are designated for

spined loach, of which associated habitats (i.e. functionally linked) should be improved with the conservation objectives driving any restoration works.

Abstraction of water - impact on spined loach

Regarding, Table 9-11: Likely significant aquatic biodiversity effects, and the 'abstraction of water from Middle Level System, Ouse Washes or River Great Ouse and Counter Drain (Nene)'. This has the potential to affect the genetic integrity of spine loach populations albeit outside of the designated sites, that are effectively isolated. It is suggested that this risk is included within scope at this stage and further investigation carried out to ascertain this risk and inform mitigation.

Screens on intakes

Regarding paragraph 2.5.14, which discusses river intakes and pumping stations, screens at intakes should also be designed to exclude and prevent entrainment of fish.

Baseline conditions for the reservoir site - European eel and coarse fish habitat

In relation paragraph 9.6.29, the habitat is also suitable for European eel (*Anguilla anguilla*) and should be mentioned in this paragraph. Without conducting fish surveys, the quality of habitat alone should not be relied on solely to dictate which fish species are present in smaller drains. Drains and ditches, where connected to larger water courses can provide good habitat for eel. A drain or ditch that does not hold sufficient water at the time of survey does not mean that eels will not frequent them at times when water levels are sufficient.

Shallow drains also provide important nursery habitat and flow refuge for juvenile coarse fish species.

Baseline for sources of supply and upstream water transfers - Bullhead

As detailed in paragraph 9.6.13 regarding fish habitat, it should also be noted that the area is important for bullhead (*Cottus gobio*), which are an Annex II species under the Habitats Directive. Further surveys should also be used to understand bullhead distribution.

Baseline for the water treatment works - fish surveys

Regarding paragraph 9.6.41, we agree that fish surveys should be conducted on any waterbodies within the zone of influence of the water treatment works. There are records of spined loach and European eel in the Forty Foot Drain, which is

connected to waterbodies in the area of the proposed water treatment works. It would be beneficial if the surveys could be conducted to obtain species presence rather than just habitat assessment.

Baseline for downstream treated water transfers - fish surveys

Regarding paragraph 9.6.48, the downstream treated water transfers will cross the River Great Ouse and associated tributaries. The Great Ouse and its tributaries hold a notable population of fish including coarse species, European eel, bullhead and spined loach.

We agree that fish surveys should be conducted to inform the baseline for the downstream treated water transfers.

Given that there are no fish monitoring sites in the study area, it should be clarified as to whether the applicant proposes to undertake surveys to obtain a valuable baseline that would also be beneficial for mitigation, rather than just relying on habitat characteristics.

Ecology survey methodology – spined loach and European eel

Regarding paragraph 5.3.1 in Appendix 8.1, the proportionate approach to field surveys based on habitat sensitivity classes does suggest it will be based on both suitability to support habitats and species of conservation value. It is important to note that spined loach and eel may frequent habitats that may not present as high sensitivity.

Biodiversity net gain (BNG) – aquatic biodiversity

Paragraph 9.7.3 (section 9.7: Design and mitigation) states the following: *Potential enhancements relevant to aquatic biodiversity that have been identified to date include the landscape masterplanning proposals, which aim to provide 10% BNG*.

We consider that 10% should be the minimum, which would align with paragraph 8.7.3 (section 8.7: Design and mitigation).

Mitigation measures – fisheries

The mitigation options presented in paragraph 9.7.7 appear to focus on construction. Mitigation measures should also be included for the operational phase, and should address the impact of the habitat loss/fragmentation, potential spread of INNS, impacts to migration, entrainment and reduction of genetic integrity of fish populations.

Legislation, policy and guidance

Appendix 4.1 - Legislation.

National legislation should include:

- The Environmental Targets (Biodiversity) (England) Regulations 2022

National policy and guidance should include:

- Safe passage for eels: Best Achievable Eel Protection (BAEP) [LIT 66008 (2023)] – available on request from the Environment Agency.
- Screening at intakes- measures to protect eel and elvers [LIT 60516] – available on request from the Environment Agency.
- Environmental Improvement Plan 2023 - GOV.UK

Water-based ecology

We have reviewed the EIA Scoping Report in relation to water-based ecology (species and habitats)within our remit, focusing on, but not limited to, chapters 8 (Terrestrial biodiversity) and 9 (Aquatic biodiversity), and the relevant appendices, and Appendix 10.1 WFD Scoping.

In general, we are satisfied with the topics to be scoped in and scoped out of the environmental impact assessment, in this regard.

However, we consider that the following topics which are currently scoped out should be scoped in regarding the introduction and/or spread of invasive and non-native species:

- during operational abstraction activities;
- in relation to open channel transfer and operation of the reservoir.

Further detail on the above topics is provided below.

We have the following detailed comments.

Water voles (*Arvicola amphibius*)

In relation to Table 8-4: Summary of field survey areas for reservoir site, we note that presence of water voles is assumed in all suitable watercourses within the scoping boundary, and that full surveys will be undertaken in 2027. The applicant should take into account that as well as the reservoir footprint, water vole could be affected by fluctuating water levels along transfer routes and therefore surveys may also be required outside of the scoping boundary. We encourage continued engagement

with stakeholders to agree the details of water vole assessment and proposals for mitigation.

Regarding paragraph 8.6.34, we note the records on mink within the study area and scoping boundary. We would like to see a mink management/eradication plan/programme included in any mitigation for water voles.

Mortality and injury of species is being scoped out for the operation of reservoir, water treatment works, and transfers via pipeline, in relation to Table 8-12: Potential effects to be scoped out of the terrestrial biodiversity assessment. Consideration should be given here to the potential for fluctuating water levels, along the water transfer route, to affect species such as water vole.

Water-dependent habitats

In Table 8-7: Percentage area of habitats recorded in the reservoir site zone Scoping boundary, there are habitats that are listed as not being defined as Habitat of Principal Importance (HPI). For example, f2a Lowland fens, f2d Aquatic marginal vegetation, f2f Other wetlands, r1 Standing open water (excluding watercourses), r1a Eutrophic standing waters, and r1a6 Other eutrophic standing waters. Rivers and Streams are also a HPI. The applicant should review this table and check it against 'Section 41 Habitats of principle importance in England' to ensure habitats are being defined correctly.

As with Table 8-7, the applicant should review the habitats listed in the following tables against the 'Section 41 Habitats of principle importance in England' to ensure habitats are being defined correctly:

- Table 9-7: Percentage area of aquatic habitats recorded in the reservoir site of the Scoping boundary
- Table 9-8: Linear aquatic habitats recorded in the reservoir site zone of the Scoping boundary

Invasive and non-native species (INNS)

Chinese mitten crab (*Eriocheir sinensis*)

Table 8-10: INNS recorded in the reservoir site zone Scoping boundary, only lists species under the Wildlife and Countryside Act (1981). There have been records of Chinese mitten crab within this area, which are listed under the Invasive Alien Species Order (2019). This species should also be included.

INNS study areas

In consideration of Table 9-3: Summary of study areas, the INNS study areas seem restrictive. We would expect to see a larger area due to the distances which INNS can be moved and the connectivity of the watercourses. Fish, for example, are being considered in a 10km radius, so it is unclear why would this not apply to INNS, which include fish species. We would also note here that INNS needs to consider pathway risks, not just species which are already present.

Scoping - introduction and/or spread of INNS during abstraction activities

Table 8-12 lists the potential effects to be scoped out of the terrestrial biodiversity assessment. Regarding the operational activity, *abstraction of water from Middle Level system, Ouse Washes or River Great Ouse and Counter Drain (Nene) and operation of open channel and pipeline transfers*, the introduction and/or spread of invasive species during abstraction activities has been scoped out.

Discussions around INNS are very much still in progress. We consider it is too early to scope this activity out. As such, it should be scoped into the assessment.

Scoping - Proposed scope of assessments - INNS

Regarding Table 9-11: Likely significant aquatic biodiversity effects, and Table 9-12: Potential effects to be scoped out of the aquatic biodiversity assessment, for open channel transfer and operation of the reservoir, INNS must be scoped in due to increased flows, hard infrastructure (which favours INNS), and reconnection of reaches of watercourse which have not been connected for many years.

Water Framework Directive (WFD) assessment scoping - INNS

In Table 5-1 of Appendix 10.1: WFD Scoping (EIA Scoping Report Volume 3), it is not clear if the potential spread and/or introduction of INNS associated with recreational use of the reservoir been considered. This should be clarified and factored in.

WFD Scoping - invertebrate and macrophyte surveys

Regarding paragraph 5.3.16 of section 5.3: Additional baseline information required, we note that invertebrate surveys are planned for 18 sites, and macrophyte surveys are planned for 28 sites. It is not possible to comment on these planned surveys without further information on location and site selection rationale. We would welcome the opportunity to understand this detail.

Biodiversity net gain

We are pleased to see that the 10% minimum biodiversity net gain (BNG) is being considered as part of the project (paragraph 8.7.3 of section 8.7: Design and mitigation). We note that engagement has already started on this, and we look forward to furthering engagement to ensure that the right biodiversity net gains are in the right places, and that a range of objectives can be aligned to deliver multifunctional benefits.

The watercourse metric is an opportunity to deliver watercourse enhancements and should be aligned with River Basin Management Plans (RBMPs), Local Nature Recovery Strategies (LNRSs), WFD objectives/mitigation measures, and Catchment Plans.

We look forward to reviewing the River Condition Reporting Sheet, the Habitat Management and Monitoring Plan, and the River Condition Assesment (RCA) data downloads of condition indicators.

We welcome the fact that consideration will be given to the emerging Local Nature Recovery Strategies and look forward to working with the project team and partners to deliver nature recovery.

The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion;
- improved links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing management for long term enhancement.

For any BNG proposals which affect main rivers, the applicant should consult us at the earliest opportunity.

<u>Legislation and policy - BNG</u>

Regarding Table 2.2: Relevant standards and guidance, of Appendix 4.1: Legislation, Planning Policy and Guidance Summary, we request that the applicant adds 'BS 8683:2021 - Process for designing and implementing Biodiversity Net Gain. Specification'.

BS 8683 is a new British Standard that sets out a process for implementing biodiversity net gain (BNG), which is an approach to development and land management that leaves biodiversity in a measurably better state than before.

River naturalisation and culverted watercourses

There may be opportunities to remove existing ordinary watercourse culverts as part of the proposal. De-culverting and river restoration will provide environmental improvements and contribute to the delivery of BNG, will help deliver WFD improvements and will also reduce the risk of flooding. We strongly recommend you consider all options to remove any culverted sections of watercourses as part of your development proposals, restoring watercourses to their natural state. If de-culverting is not possible we would expect to see adequate evidence for this. Works that affect the main rivers would require a flood risk activity permit; works affecting ordinary watercourses may require the prior consent of the LLFA / IDB.

Geomorphology

We have reviewed the EIA Scoping Report in relation to geomorphology within our remit, focusing on, but not limited to, Chapters 10 Water Resources and Flood Risk and the relevant appendices.

In general, we are satisfied with the proposed scope of the EIA in relation to geomorphology, however the following topic, which is currently scoped out, should be scoped into the assessment:

As mentioned in our Fisheries comments in relation to paragraph 2.3.1, the proposed water transfer using existing channels from Counter Drain to reservoir via Middle level has not been included within the scoping boundary. Even though existing channels are being used, changes in flow regime and water levels may have an effect on the in-channel and bankside morphology. There may also be opportunities to improve the existing channels and achieve biodiversity up-lift, therefore this water transfer pathway should not be discounted and should be included within the scoping boundaries.

We are pleased to see the following topics scoped in:

- Changes in hydromorphology of surface watercourses due to construction/earthworks and pipeline installation [excluding trenchless].
- Operational hydromorphological effects, including changes in flow regimes and water levels.

We also have the following comments:

Sediment modelling

In paragraph 10.9.7, sediment modelling has been proposed to establish effects of abstraction on sediment deposition rates and patterns for the tidal River Great Ouse and tidal River Nene, but it should also consider the potential consequences of less regular flushing operations, due to reduced flow/water levels, to remove sediment deposits from around infrastructure, especially navigation locks, and channels.

Regarding Table 10-11: Likely significant effects to water resources and flood risk receptors, we have the following comments:

- Great Ouse catchment: sedimentation impacts on operation of water transfers, whilst scoped in the impact zone refers to source of supply and upstream transfers. We also need to see the impacts to downstream of the Ouse Washes (knock on impacts with abstraction on downstream water bodies). For example, there could be possible increases in sedimentation in the Tidal River due to abstraction off Ouse Washes. The primary means of sediment removal along the Tidal River is release of stored volumes off the Ouse Washes. So, a reduction in discharge due to abstraction volumes could impact Tidal River siltation.
- Nene catchment: sedimentation impacts on operation of water transfers, whilst scoped in, the impact zone refers to source of supply and upstream transfers. Reduced discharge to Tidal Nene downstream of Dog In A Doublet Sluice increasing sediment in Tidal River as it is not flushed out and therefore a wider area must be considered, similar to above.

Culverting

Regarding Table 10-11: Likely significant effects to water resources and flood risk receptors, we appreciate that the use of culverts for new river crossings is probably included in this table as a worst-case scenario. However, the applicant should be aware that the Environment Agency has a position against culverting and a preference for open span crossings.

Please see additional comments regarding culverting further below.

Legislation and policy

Although it is mentioned, in paragraph 10.1.3, that Water Environment Regulations (WER) / Water Framework Directive (WFD) is being considered, the actual legislation is not mentioned specifically in Table 10-1: UK policy relevant to water resources and flood risk. The UK Marine Policy Statement (Defra, 2020), which does define some aspects of the WFD regulations, is outlined in this table, but since the development is primarily on an inland site, albeit low lying, it would probably be best

to include the WFD regulations within the table rather than being hidden away in appendices 4.1 and 10.1 (WFD assessment).

Groundwater protection and contaminated land

We have reviewed the submitted EIA Scoping Report with particular focus on Chapter 1 Introduction, Chapter 2 Project Description, Chapter 3 Consideration of Alternatives, Chapter 4 Legislation, Planning Policy and Guidance, Chapter 6 Environmental Impact Assessment Approach and Methodology, Chapter 10 Water Resources and Flood Risk, Chapter 12 Geology, Soils, Agriculture and Land Quality, and Chapter 13 Material Assets and Waste Management, and their respective appendices.

We provide the following comments on potential risks to groundwater and contaminated land posed by the proposed development.

In general, we agree with the topics to be scoped in and scoped out of the environmental impact assessment in relation to groundwater protection and impacts on controlled waters from land contamination. This is provided that it can be demonstrated that the risks to controlled waters have been adequately evaluated, and that the proposed good design and construction practices to be employed will be sufficient to manage the risks. Please see below for detailed comments.

Ground Conditions

The description of the geological setting of the site presented in section 12.6 of the Scoping Report appears to be based on 1:50,000 scale British Geological Survey (BGS) map data, BGS Memoir and other regional geological information as presented in Appendix 12.1. However, Volume 2 Figures 12.1 and 12.2 present BGS superficial and bedrock 1:625,000 scale map data, despite being cited as 1:50,000 scale. 1:625,000 scale mapping represents a less accurate account of the geological site setting.

It should be confirmed that the geological setting of the site has been established based on 1:50,000 scale BGS maps and associated memoirs and data sources cited in Appendix 12.1, and figures 12.1 and 12.2 should be updated to show 1:50,000 scale data.

There are also several instances in the report where the geological strata indicated to be present are inconsistent:

Sources of Supply and Upstream Transfer Sites

- Superficial deposits comprising Alluvium, Nordelph Peat, River Terrace Deposits, Tidal Flat Deposits and/or Oadby Member (Diamicton) are listed as present (12.6.4). Secondary A aquifers are listed associated with March Gravels Member and River Terrace Deposits (12.6.7) – these are not mentioned above, and Alluvium is not cited as Secondary A aquifer.
- Bedrock geology is described as a stratigraphic sequence from east to west of: West Walton Formation, Ampthill Clay Formation, Oxford Clay Formation, Kellaways Sand Member, Kellaways Clay Member, Cornbrash Formation, Blisworth Clay Formation, Blisworth Limestone Formation, Rutland Formation, Lower Lincolnshire Limestone Member, Grantham Formation and the Upper Lias (12.6.3). Bedrock geology indicated on 1:50,000 scale BGS maps for these areas of the Proposed Development comprises Oxford Clay Formation, Ampthill Clay Formation and West Walton Formation mudstone only, which is not contradicted by the hydrogeological description (12.6.8).

Reservoir Site

- Superficial deposits are described as comprising Tidal Flat Deposits and March Gravels Member (12.6.29); the 1:50,000 scale BGS map also indicates Tidal River or Creek Deposits and Peat to be locally present. The hydrogeology section also refers to the presence of River Terrace Deposits (12.6.31).
- Bedrock geology is listed as Ampthill Clay Formation underlain by Oxford Clay Formation (12.6.28) and Blisworth Limestone Formation and Cornbrash Formation at depth (12.6.33), however BGS 1:50,000 scale maps indicate the site to be underlain by Ampthill Clay Formation and West Walton Formation mudstone shallow bedrock.

Downstream Treated Water Transfers

- Superficial deposits are described as comprising Alluvium, Nordelph Peat, River Terrace Deposits, Tidal Flat Deposits, Head, Lowestoft Formation and/or Oadby Member (Diamicton) (12.6.66). The hydrogeology section states that these are mostly classified as unproductive strata, with March Gravels Member and River Terrace Deposits classified as Secondary A aquifers (12.6.68). Note that Alluvium and Glaciofluvial Deposits are also locally present and also classified as Secondary A Aquifers, and that Oadby Member and Tidal Flat Deposits are classified as Secondary (Undifferentiated).
- The bedrock geological sequence is described as comprising, outcropping from east to west: West Melbury Marly Chalk Formation, Gault Formation, Woburn Sands Formation, Kimmeridge Clay Formation, West Walton Formation, Ampthill Clay Formation, Oxford Clay Formation, Kellaways Sand Member, Kellaways Clay Member, Cornbrash Formation, Blisworth Clay Formation, Blisworth Limestone Formation, Rutland Formation, Lower

Lincolnshire Limestone Member, Grantham Formation and the Upper Lias (12.6.67). Of these, the Blisworth Limestone Formation is described as classified as a Principal aquifer, the Cornbrash Formation and Kellaways Sand Member as Secondary A aquifers, the Rutland Formation as a Secondary B aquifer, and the Grantham Formation as a Secondary (Undifferentiated) aquifer. BGS 1:50,000 scale mapping shows shallow bedrock geology in the north-eastern part of the Northern transfer to include Roxham Member and Runcton Member Sand, Mintlyn Member Sand, Leziate Member Sand, Carstone Formation Sandstone and Gault Formation Mudstone, all but the latter of which are classified as Principal Aquifers. Along the Southern Downstream Transfer route Woburn Sands Formation Sandstone and West Melbury Marly Chalk Formation Chalk bedrock is indicated to be present on BGS maps.

As such, the geological and hydrogeological setting of the site should be reviewed and confirmed.

No reference to coal mining or non-coal mining is made within the scoping report. However, it is not anticipated that any such features will be present within influencing distance of the site.

Baseline

Table 10-3: Baseline data reviewed, identifies the data reviewed as part of a desk study exercise to establish the baseline condition with respect to water resources and flood risk. Data sources used to establish the baseline condition of the Proposed Development with respect to geology, soils, agriculture and land quality are identified in paragraphs 12.5.4 to 12.5.7.

The applicant has provided a comprehensive overview of the geological setting of the site, including an assessment of current and historical contaminative land uses. The discussion on aquifer designations, Source Protection Zones, and potentially contaminative land uses appears largely to match our records. The report states that intrusive ground investigations have commenced for the proposed reservoir site and have been used to inform the geology and land quality assessments, with further ground investigation, including at associated water infrastructure locations, to be carried out prior to Development Consent Order application. Factual and interpretative records from the intrusive investigations at the proposed reservoir site have not been included within the Scoping Report. We look forward to reviewing the site investigation reporting when this is made available for review.

The report states that the approach to land quality baseline evaluation is informed by Environment Agency guidance document ‘Land Contamination Risk Management’ (LCRM), and refers to a desk study for the site having been carried out as part of the

production of the Scoping Report (paragraph 12.6.22). However, although the information provided in Chapters 10 and 12 do identify potential historic sources of contamination and some sensitive receptors, at present the report does not include an initial Conceptual Site Model outlining the potential contaminant sources, pathways and receptors which may be present at the site, and the potential for unacceptable risk to be posed by any such source-pathway-receptor linkages.

We recommend that a suitable Desk Study, produced in accordance with the requirements of LCRM guidance and BS10175+A2:2017 'Investigation of potentially contaminated sites. Code of practice', should be provided to support the DCO application.

Reference is made to intrusive site investigations having been commenced at the proposed reservoir site (paragraph 12.5.8), and it is indicated in 12.6.27 that this is being carried out in accordance with BS10175+A2:2017. The ground investigation information provided in the Scoping Report is limited to an outline scope of investigation and geochemical groundwater properties listed in Appendix 10.2. In the absence of both a complete Desk Study and factual and interpretative ground investigation reporting it is not possible to ascertain whether the scope of the investigation carried out has been developed to adequately address data gaps in the Desk Study. We look forward to reviewing the findings of the intrusive investigation(s) carried out at the site in future submissions, and request that the investigation rationale is clearly defined to ensure it adequately addresses areas of uncertainty.

Table 10-3 identifies that abstraction and discharge licences have been reviewed to inform the baseline for water resources and flood risk. We are pleased to see that both Environment Agency (licensed) abstractions and Local Authority (unlicenced) abstractions will be considered in the Environmental Statement (ES).

Paragraph 10.6.25 states that no data on unlicensed abstractions have been acquired at the time of reporting for the proposed Sources of Supply and Upstream Water Transfers study area at the time of reporting. We note that this information has been acquired for the Reservoir and Water Treatment Works study area and look forward to reviewing this information once available.

Section 12.6 presents an appraisal of baseline condition with respect to landfill and waste site records and land contamination within the study area. The following potential sources of contamination have been identified:

- Agricultural land use (Sources of Supply and Upstream Transfers, Reservoir, Downstream Treated Water Transfers);
- Historic and active landfill sites (Sources of Supply and Upstream Transfers, Downstream Treated Water Transfers);
- Chatteris Airfield (Reservoir); and

- Historic RAF Downham Market airfield (Downstream Treated Water Transfers).

The report concludes that risks from the identified potential contamination sources for the Sources of Supply and Upstream Transfers and Downstream Treated Water Transfers are expected to be largely insubstantial to the Proposed Development, but that a ground investigation undertaken in line with BS10175:2011+A2:2017 should be carried out in these areas to characterise the site condition and quantify the risks. A full scope is not indicated, however this is indicated in paragraph 10.9.4 to include installation of groundwater monitoring wells with data loggers targeting shallow groundwater bearing strata, and in-situ permeability testing. Further phases of ground investigation are also indicated to be proposed for the Reservoir site (paragraph 11.9.3).

We look forward to reviewing the findings of the proposed ground investigations.

Risk identification and mitigation

Paragraph 10.1.2 includes “groundwater features, such as aquifers, springs, groundwater-dependent terrestrial ecosystems and abstractions, with associated Source Protection Zones” as one of the key receptors for water resources and flood risk. Table 10-11 lists groundwater receptors as variably including ‘superficial aquifers, abstractions within the study area, GWDTE, watercourses, NVZ, bedrock aquifers, scheduled monuments and archaeological features, and Huntington River Gravels’. We assume the inclusion of scheduled monuments and archaeological features under groundwater is erroneous and suggest it should be made clear that groundwater receptors considered include private and public abstractions, and recommend that the receptors are referenced consistently between the report text and table. We would also like to see these specified receptors included in Table 24-1 for completeness.

Paragraph 12.1.3 includes “Aquifers in the bedrock and superficial geology” as one of the key receptors for geology and land quality. We are pleased to see this inclusion, however request that the controlled water receptors are further defined to include reference to the respective aquifer classifications, Source Protection Zones, public and private water abstractions. We would also like to see these specified as receptors in Table 24-1 for completeness.

Paragraph 12.7.4 establishes that documents presenting the approach to mitigation of effects on soil and land quality will be produced to set out the proposed measures and standards of work to apply throughout the construction period. Examples listed include mitigation or remediation measures for any land contamination and the establishment of a Soil Management Plan. We look forward to seeing further detail of the proposed mitigation measures in due course.

No specific reference to the production of a Remediation Strategy for the site is provided in the Scoping Report, however paragraph 12.7.5 refers to the production of documentation presenting the approach to mitigation measures and standards of work, listed examples of which include potential mitigation or remediation measures for land contamination and the production of a Soil Management Plan (SMP) for the site. We support the inclusion of these plans and direct the applicant to the risk management process established in Land contamination risk management (LCRM): https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm.

Dewatering

Paragraph 2.6.52 states: "Dewatering and surface water management would be required to divert water away from working areas and to avoid the temporary works having a detrimental flooding impact to the surrounding areas." Paragraph 10.7.7 also refers to dewatering from excavations requiring management, and Paragraph 10.10.1 states that "Dewatering will be required along the entirety of the pipeline trenches during construction; however, it is possible that shallow groundwater is not resent at some locations, and for these, dewatering may not be required."

If dewatering is required, we recommend that a Dewatering Management Plan should be developed as part of the CEMP (or equivalent) to ensure that groundwater abstracted during the construction phase will be appropriately managed. We have provided an informative about dewatering at the end of this response.

No reference is currently made in the Scoping Report to the provision of a contamination watching brief and discovery protocol during the construction phase. We anticipate that this will be included as part of the CEMP (or equivalent). This protocol would provide a structure and process that the developer can follow in the event of such findings. Any remediation, either during construction or operation, will require a strategy and method statement, and to be agreed with the relevant authorities prior to commencement. Remedial works are anticipated to include removal of contaminated soils; as such, we have provided an informative about waste at the end of this response.

Please refer to Appendix 2 in relation to permitting and licensing requirements.

Drainage

A Drainage Strategy, ensuring that surface water run-off is managed appropriately, has not been provided at this stage. This is acknowledged as to be produced for the sources of supply and upstream water transfer, reservoir and water treatment works areas in paragraphs 10.9.4 and 10.9.5. Paragraph 10.9.17 further states that site-

specific drainage strategies will be developed as part of the design to limit runoff to greenfield runoff rates, following good practice in prioritising Sustainable Drainage Systems (SuDS) and taking into account the local Strategic Flood Risk Assessment and Internal Drainage Board (IDB) requirements. We welcome further detail on drainage proposals when the development proposals have been further confirmed.

Sustainable drainage systems

The Government's expectation is that sustainable drainage systems (SuDS) will be provided in new developments wherever this is appropriate. The Environment Agency supports this expectation. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Governments non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the National Planning Policy Framework and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply. See the Environment Agency's approach to groundwater protection, position statement G13: Groundwater protection position statements - GOV.UK.

Scoping

Section 10.8 and Table 10-11 list the potential significant impacts to water resources and flood risk which are to be considered further in the ES, i.e. which have been 'Scoped In'. The 'Scoped In' impacts to groundwater comprise the following:

Construction Phase

- Construction of structures, excavation and earthworks and installation of pipelines resulting in the potential for residual contamination (agricultural contamination and contamination from urban areas) within shallow soils to be remobilised into groundwater or other water receptors during dewatering and excavation works (all proposed development zones);
- Construction of structures, excavation and earthworks and installation of pipelines resulting in temporary reductions in groundwater flows and levels in shallow aquifers due to construction dewatering, and potential reductions in baseflow to nearby watercourses (all proposed development zones); and

- Construction of trenchless crossings have the potential to form preferential flow pathways for shallow contamination to deeper aquifers, especially if they puncture through lower permeability shallow deposits, potentially affecting superficial aquifers, watercourses, Huntington River Gravels and NVZ (Sources of Supply and Upstream Water Transfers and Downstream Treated Water Transfers Zones).

Operation Phase

- Presence of the reservoir and embankments could lead to a reduction in groundwater recharge to shallow aquifers underlying and adjacent to the reservoir footprint; and
- Foundations for service reservoirs impacting on shallow groundwater resources and flows, affecting shallow aquifers, bedrock aquifers and water courses, scheduled monuments and archaeological features.

The following aspects of groundwater have been 'Scoped Out' of the water resources and flood risk assessment (Table 10-12):

- Effects of construction activities on bedrock aquifers (including Kellaways Sand Member, Cornbrash Formation, Blisworth Limestone and Lincolnshire Limestone Formation – Secondary A and Principal aquifers) at the proposed reservoir and water treatment works site have been scoped out on the basis that there are approximately 70m of low permeability clay formations overlying the bedrock aquifers at the reservoir site, rendering impact on these resources unlikely;
- Contamination and sedimentation from stockpile runoff associated with excavation and earthworks activities impacting on surface watercourses, superficial aquifers, bedrock aquifers and unlicenced groundwater abstractions have been scoped out on the basis that good construction and operational practices will prevent these impacts from occurring;
- Leaks and spills of potentially contaminative materials used in construction and operation impacting surface watercourses, superficial aquifers and bedrock aquifers, watercourses, Nene Washes, Whittesley (GWDTE), Ouse Washes (River Delph) (GWDTE), Huntingdon River Gravel NVZ have been scoped out on the basis that good construction and operational practices will prevent these impacts from occurring;
- Permanent minor changes in flows between groundwater and surface water to minor ditches, due to the presence of the below ground pipeline at pipeline crossings impacting surface watercourses and groundwater on the basis that implementation of good design practice will mitigate impacts (for example materials, size and depths of pipelines and excavations will be informed based on groundwater risk assessment outcomes);
- Permanent minor changes in flows between groundwater and surface water to Main Rivers and smaller watercourses not in a groundwater body due to the presence of the below ground pipeline, on the basis that the pipeline would

cross at least 1.5m below the watercourse bed and the same height would be maintained for at least 5m beyond each bank top, with impacts mitigated by good design practice; and

- The formation of preferential flow pathways flow along pipeline routes, facilitating lateral migration of potential contaminants as a result of the installation of pipelines and operation of transfers via the upstream and downstream treated water transfer pipelines, impacting superficial aquifers, watercourses, potential groundwater abstractions within study area, Huntingdon River Gravels (groundwater NVZ) have been scoped out on the basis of good construction practice.

The third construction phase effect listed in Table 10-11 with respect to groundwater, related to the potential for preferential flow pathways for shallow contamination to deeper aquifers, only includes superficial aquifers, watercourses and the Huntington River Gravels NVZ as possible receptors. This list should include deeper aquifers.

We agree that the above 'Scoped Out' effects can be scoped out provided it can be demonstrated that these risks have been adequately evaluated and that the proposed good design and construction practices to be employed will be sufficient to manage these risks.

Section 12.8 and Table 12-3 list the potential significant impacts to geology, soils, agriculture and land quality which are to be considered further in the ES, i.e. which have been 'Scoped In'. The 'Scoped In' impacts to land quality comprise the following:

<u>Construction Phase</u>

- Pollution of controlled waters from all construction activities (all zones of the Proposed Development).

The following aspects have been 'Scoped Out' of the land quality assessment (Table 12-4):

- Pollution of controlled waters from all operational activities (all zones of the Proposed Development). The rationale for scoping out is that the Proposed Development will include systems in place to prevent any contamination during operation, and that any existing contamination will be managed during the construction phase to negate any risks from existing contamination impacting human health or the environment during construction.

We consider this approach to be acceptable on the provision that risks to controlled waters will be adequately managed by the design of potentially polluting aspects of the Proposed Development and controlled by the requirements of the Environmental Permit(s) applied to the operational site. Confirmation is sought that the risks posed by the operational site can be adequately managed by the proposed systems.

The intention is that the Project will be operated, within its operational parameters, indefinitely. It is, therefore, proposed to scope decommissioning out of the assessment. Maintenance and replacement of equipment is included in the operational aspects. This appears acceptable, providing that any maintenance works which involve excavation in the superficial soils (especially areas of Principal and Secondary A aquifer) are to be completed under the same controls as construction works.

Paragraph 2.6.49 states that the majority of proposed new pipelines would be installed using open cut techniques, but that trenchless methods would be used at locations where open cut methods would cause significant disruption to existing features or services such as main roads, railways, main rivers major utilities and sensitive areas. If trenchless installation is to be used in a Principal Aquifer, we expect this to be supported by a Hydrogeological Risk Assessment to identify any potential risks to groundwater resources and provide detailed mitigation strategies for any part of the works where there is a risk to the aquifer. We also consider that Hydrogeological Risk Assessments should also be produced for any proposed activities or subsurface structures likely to impact local or regional groundwater flow, including any trenchless crossing methods or deep foundation works including piling activities within the on-site aquifers. See also the Environment Agency's approach to groundwater protection, position statement N7: https://www.gov.uk/government/publications/groundwater-protection-position-statements. Note that any chemicals used, including in concrete, foundations and piles, must not have the potential to cause damage to the aquifers and SPZs.

The raw water transfer pipelines from the Ouse Washes (River Delph) and River Great Ouse are proposed to be constructed primarily via open cut techniques with a minimum of 1.2m cover from top of pipe to ground level, and a maximum depth of 6.0m (paragraph 2.5.31 and 2.5.35). The Ouse Washes (River Delph) pipeline would include a pipe crossing of the Counter Drain (Ouse) watercourse, either via trenchless techniques or construction of a pipe bridge. No estimate of the maximum depth of trenchless technique application is provided, and the anticipated thickness of low permeability strata in this area is not indicated. Confirmation of the site of the proposed Counter Drain (Ouse) crossing, and any other proposed trenchless crossings that may be required, is requested to confirm whether the site(s) where these techniques are proposed are underlain by superficial deposits designated as Secondary A aquifer or unproductive strata.

Confirmation is also requested that the maximum depth to which infrastructure including foundations and transfer infrastructure are proposed would not impact on the underlying Blisworth Limestone Formation and Cornbrash Formation. Table 10-12 states that all potential effects on bedrock aquifers at the proposed reservoir and water treatment works site have been Scoped Out on the basis of the presence of

approximately 70m of low permeability clay formations overlying the bedrock aquifers at the reservoir site. Further information is requested to support this assumption.

Land contamination assessments

We expect land contamination assessments to follow the tiered approach laid out in our Land Contamination Risk Management (LCRM) guidance. The preliminary risk assessment (PRA) should include historical plans of the site, an appraisal of the environmental setting (including geology, hydrogeology, groundwater and surface water receptors, potential contaminants of concern and source areas), an initial conceptual site model (CSM) describing possible pollutant linkages for controlled waters, and identification of potentially unacceptable risks. Land contamination investigations should be undertaken by suitably qualified and experienced professionals and in accordance with BS 5930: Code of practice for ground investigations and BS 10175: Investigation of potentially contaminated sites – code of practice. Soil and water analysis should be fully MCERTS accredited. Investigation, demolition, remediation, or construction works must not create new pathways or linkages to controlled waters. Clean drilling techniques may be required for boreholes that penetrate contaminated ground.

Legislation, Policy and Guidance

Chapter 4 lists the relevant legislation, policy and guidance that will be used for the overall EIA, and paragraph 12.5.7 lists the guidance documents and data sources consulted to form the land quality baseline. This appears to include most documents we would expect to see with respect to groundwater and contaminated land.

We recommend the 'The Environment Agency's approach to Groundwater Protection' position statements should be added to this list: https://www.gov.uk/government/publications/groundwater-protection-position-statements.

Water quality

We have reviewed the EIA Scoping Report in relation to water quality, focusing on Chapters 2 and 10, and the relevant appendices, primarily Appendix 10.1 WFD Scoping.

In general, we are satisfied with the topics to be scoped in and scoped out of the environmental impact assessment, in relation to surface water quality.

We also have the following comments:

The Scoping Report has identified the significant effects of the scheme on the environment that need to be taken into consideration, and has referenced WFD and HRA assessments.

The Scoping Report emphasises the need for comprehensive monitoring and mitigation strategies to protect water quality and manage emerging substances effectively (e.g. paragraph 2.5.96, page 38), and on page 261, further data collection is proposed to address the baseline surface water quality data gaps. The implementation of best management practices, erosion and sediment control measures, are also proposed.

Hazardous substances

In paragraph 2.5.26 (Chapter 2 - Project Description), regarding inter-catchment water treatment, the following is stated: *The WFD requires that transfers of water do not cause either a deterioration in the receiving watercourse or prevent the receiving watercourse from achieving good chemical status at a future date. The WFD chemical status covers a number of priority substances and includes a subset that are characterised as ubiquitous, persistent, bioaccumulative and toxic*.

It should be take into account that not all hazardous substances are listed under the WFD chemical status. A list of hazardous pollutants would have been useful. It is unclear which ones will be monitored and assessed.

Reservoir bottom outlet valve and pipework testing

In paragraph 2.7.12 (Chapter 2 - Project Description) regarding the operation and maintenance of the reservoir site, the following activity is proposed: *There would also be testing of the bottom outlet valve and pipework, every 6 to 12 months, where the water would be discharged into the outlet valve test pond. From the test pond it is envisaged that after each test, a small pump would return the water released during the test back into the main reservoir.*

We would highlight that this may require an environmental permit. The applicant may wish to consider the permitting arrangements for other similar operational sites in this regard.

Water treatment works

Paragraph 2.7.15 (Chapter 2 - Project Description) states that wastewater from water treatment works and facilities at the reservoir would be transferred to Chatteris Water Recycling Centre (WRC). Anglian Water will need to confirm there is sufficient capacity at Chatteris WRC to take on the extra flow.

Anglian Water reported 84 spills for a total duration of 973.8 hours from the storm tank to the environment at Chatteris WRC in 2023.

Surface water quality baseline monitoring

In regard to the surface water quality baseline for the reservoir site and water treatment works, paragraph 10.6.38 states the following: *The Applicant has established a monitoring programme, in agreement with the Environment Agency, to understand the baseline conditions within watercourses that have the potential to be impacted by the Proposed Development. Those in the sources of supply and upstream water transfers study area are shown in Figure 10.5: The Applicant's water quality monitoring stations, within the water bodies intersected by the upstream infrastructure. These monitoring stations aim to collect water quality data until the completion of the Proposed Development. Determinands monitored at these sites will include: ammoniacal nitrogen, BOD, DO, pH, phosphate and temperature*.

Our understanding is that the water quality monitoring programme has not yet been developed, therefore it has not yet been agreed by the Environment Agency, as stated here.

Water Framework Directive (WFD)

The comments below are provided in relation to Appendix 10.1 WFD Scoping - EIA Scoping Report Volume 3, Part 3.

<u>WFD baseline conditions - river water bodies</u>

Section 2.1: WFD river water bodies. Despite each waterbody "not requiring assessment" for priority substances, priority hazardous substances and other pollutants, as listed in the 2019 and 2022 Cycle 3 WFD assessment, monitoring will still be required at each abstraction point.

<u>Water quality monitoring</u>

Regarding paragraph 2.3.1, it would have been useful to know when further water quality monitoring will be carried out to supplement the monitoring programme, to provide sufficient data to characterise the baseline water quality of the water bodies potentially affected by the proposed development will be available.

<u>Baseline WFD water body status</u>

Regarding section 3, Baseline Conditions, it should be noted that the baseline for the 2019 or 2022 WFD Cycle 3 status is based on the overall status of a waterbody. Water quality element and monitoring sites within a waterbody may alter in quality

compared to the overall status. Each site should be assessed on its on status to prevent deterioration.

Potential risks to WFD compliance

Regarding Table 5.1: Potential risks to WFD compliance, groundwater dewatering to surface water has the potential to be contaminated with pesticides and other hazardous pollutants. Monitoring will be required to control the risk.

Baseline water quality within the reservoir

Regarding section 5.3 (Aquatic Ecology, Field Surveys), further modelling work should be undertaken to determine the anticipated baseline water quality within the reservoir (based on the sources proposed), and to allow mitigation measures (e.g. operational controls) to manage/maintain water quality to be considered.

Surface water quality monitoring - additional baseline information required

Paragraph 5.3.4 states the following: *Monitoring is proposed at 14 additional sites within the reservoir site and water treatment works WFD study area and 14 sites in the sources of supply and upstream water transfers study area to address spatial and temporal gaps in monitoring coverage. The results will support the assessment of physico-chemical elements for WFD compliance.*

This should also include hazardous pollutants.

Saline intrusion

In Chapter 10: Water resources and flood risk, saline intrusion does not appear to have been considered in relation to sea-level rise, which will move the tidal limit upstream (further landwards). This may affect water quality at abstraction sites in the future. Due consideration should be given to this risk and discussed, possibly in the water environment and/or climate change chapters.

Water resources

We have reviewed the EIA Scoping Report in relation to water resources, with focus on Chapter 10, and the relevant appendices.

In general, we are satisfied with the topics to be scoped in and scoped out of the environmental impact assessment, in relation to water resources.

However, without further details, we are unable to agree that leaks and spills of potentially contaminative materials used in construction and operation should be scoped out of assessment based on implementation of good practice.

We have the following detailed comments.

Abstraction

The Scoping Report acknowledges the requirement for abstraction licences for each source of supply to the reservoir. It also recognises the restrictions likely to be imposed which relate to flow or level conditions set by the CAMS method. Additionally, the determination of licences will also look at the impacts of changes in flow dynamics, habitat availability and migration corridors for fish and eels in proximity to intake or transfer infrastructure for which, any mitigation identified by further assessment may also inform licence conditions.

The report identifies various options and also presents a hierarchy of preferred sources of supply. The primary source is preferred to be the Middle Level (being from the Sixteen Foot and Forty Foot drains). We agree that this source may have better availability during the winter season than the other sources and would also carry the benefit of an overall reduction in the Middle Level Commissioners and other Internal Drainage Boards (IDBs) pumping regimes to the Main Drain out to St Germans pumping station. We are also supportive of having the operational flexibility provided by multiple sources.

The Delph waterbody is a component of the Ouse Washes which can be considered to have multiple functions, including flood storage, but is also a designated Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar for the unique habitats and ecology it supports. Complex water quality issues exist in this waterbody which affect all of its functions and introducing abstraction will require a detailed assessment of both impacts and potential for benefits also. A Habitat Regulations Assessment (HRA) will be required for the abstraction and associated infrastructure in order to inform the abstraction licence determination.

(Future) Baseline

Whilst the Scoping Report does cover the impacts of climate change on reduced availability and increased agricultural demand, it does not provide a detailed conceptualisation of the Middle Level as a resource for other sectors such as these. The Middle Level system and wider Fenland region is a nationally important source of food production often referred to as the Bread basket of Britain. In addition to cereals, extensive farming is present for more water dependent crops such as potatoes, leeks and onions. Many growers hold commercial contracts which depend

on yield and high quality standards, making access to water extremely important to their business and for food supply in the UK.

The current resource assessment in this catchment is that water is not available in the summer and water is available in the winter. This means that for new abstraction and for existing business to grow, winter storage is the only option available to other sectors. The volumes of water proposed to be abstracted for the filling of the reservoir during the winter period will significantly deplete the resource availability for future access to water. We recommend that assessments of volumes required and remaining water availability are made clear and that this impact is understood well. We would also encourage consideration for multisector use of the reservoir to benefit the fine balance of water supply and demand in such a strategically important location.

Topics scoped in

We agree with the activities which have been scoped into the assessment and make special reference to the following effects to surface water and groundwater receptors:

There are many activities during construction listed which have the potential to affect surface water features or groundwater baseflow. The Middle Level is a sensitive level based system where reductions in the volume of water in low level drains can affect critical demands for agricultural use (predominantly irrigation) during the summer. The resource available in the summer season is extremely finely balanced between upper and lower retention levels set for ecological benefit and navigation. The small difference between these levels is what remains available for summer irrigation demand. Most summers require widespread cessations based on a level set at Bodsey bridge, preventing access to water and periods of prolonged dry weather and drought can severely impact on growers yields and crop quality.

The sensitivity of any effects which might reduce water availability in drains should not be underestimated. Construction activities such as de-watering and other excavation and earthworks should include monitoring for effects to surface water levels in surrounding drains and be prepared to cease if they are shown to be impacting upon water availability during the summer season. De-watering activity also requires an abstraction licence, if the activity can be shown to be non-consumptive, this will increase the likelihood of a licence being granted and we would encourage engagement with the Environment Agency and the Middle Level Commissioners and IDBs about suitable discharge locations to support and enhance local resource where possible during the summer.

Topics scoped out

We note that drainage ditches, which are dry for some of the year and are dominated by terrestrial ecology, have been scoped out from water quality and hydromorphological impacts. However, as per the comments above, the water in these ditches during the summer may still be a valuable resource for irrigation in parts of the IDB which are potentially difficult to supply if they are perennially dry. We recommend ongoing engagement with the IDBs to establish sensitivity of any drains impacted upon with regards to quantity.

We note that leaks and spills of potentially contaminative materials used in construction and operation have been scoped out of assessment based on implementation of good practice. Without further details, we are unable to agree that this should be scoped out. Many construction elements are in proximity of sensitive receptors. For example, the trenchless technique adopted for the construction of the pipeline beneath the Counter drain (part of a SAC with spined loach populations present) poses a risk of bentonite break out if horizontal directional drilling (HDD) is to be adopted. Details of good practice should be outlined in the Construction Environment Management Plan (CEMP) to be submitted as part of the DCO.

Water usage during construction

The Scoping Report makes reference to the establishment of utility connections. It could be assumed that this includes mains water supply and that Anglian Water and/or Cambridge water intends to supply all water demands during the construction phase. It is understood, however, that both water companies have restricted ability to supply non-domestic supplies of water at present.

The description of the construction phase of the reservoir includes activities which may require a water supply or pumping exceeding 20m^3 per day, for which an abstraction licence may be required. These may include, but are not limited to:

- Dust suppression
- Machinery/Wheel wash down
- Bentonite clay mixing for HDD
- Concrete production/batching
- De-watering

Timescales stated indicate that construction will commence within 12 months of the DCO decision. Access to water supply for these purposes and the time required for abstraction licence applications required should not be underestimated and we would welcome a basic water supply strategy which indicates potential sources of supply for these activities if not from the water companies. This will help to problem solve any obstacles, will help to plan construction phase requirements and may expedite any licence applications planned for post-DCO decision.

Associated water sources infrastructure

Regarding paragraph 2.2.12, if any optionality remains regarding the transfer sizes from the Middle Level and Ouse sources this should be stated, with the maximum reasonably foreseeable transfer sizes taken forward for assessment.

Paragraph 2.2.13: The scoping document clearly sets out the remaining optionality regarding the Ouse source. For the Nene, a single option (compensating the fluvial Nene for the proposed abstraction at Stanground with treated effluent from the Counter Drain) is presented. The Environment Agency has had extensive engagement with the applicant regarding an alternative configuration of the Nene source which would not compensate the fluvial Nene with treated effluent. In our view the alternative option is likely to be more sensitive environmentally (due to the net loss of flow to the fluvial Nene) and is not encompassed by the "impact envelope" of the option presented, even though it has a smaller infrastructure footprint. If the applicant wishes to retain the option of progressing the alternative proposal in future, it should be clearly presented in the scoping document and a clear commitment made to assess any impacts which are unique to it, as well as those which are common to both options. In addition to likely lower environmental risk, we note that the Nene option included in the report could have a range of wider benefits not shared by the alternative proposal, for example, an expedited improvement of water quality in the Nene Counter Drain.

River Nene and its Counter Drain source

Regarding paragraph 2.5.21, the remaining optionality regarding the location of the abstraction from the Counter Drain and subsequent discharge to the fluvial Nene may not be neutral environmentally. We recommend that the assessments explicitly consider both options to determine if one is preferable.

The description of the Nene/Counter Drain source in paragraphs 2.5.21 and 2.5.22 does not appear to cover the infrastructure required to treat Counter Drain water prior to discharge to the Nene.

Sources of supply and upstream water transfers

In relation to river intakes and pipelines, paragraphs 2.7.6 and 2.7.7, respectively, the Scoping Report does not mention any requirement for a continuous 'sweetening flow' through the abstraction infrastructure, therefore we assume that this is not required. If it were, sourcing the water for a continuous flow would be challenging, as none of the sources of supply have continuous availability.

WFD – inter-catchment water treatment

Regarding paragraph 2.5.26 and the inter-catchment water treatment, the requirement of WFD referred to is to not prevent waterbodies from reaching Good Status (or Potential), not just Good *chemical* status. Physico-chemical elements and specific pollutants (for example) are not part of chemical status and biological elements could also be affected by changes to water quality/chemistry.

WFD – groundwater baseline

Regarding Table 5-4: Impact scoring system for WFD assessments, in Appendix 10.2 Groundwater baseline, while it does not change their absolute magnitude, *within class* WFD deteriorations can be highly significant in the WFD assessment context for elements already in their lowest status class.

Waste management

We have reviewed the EIA Scoping Report in relation to waste management, focusing on, but not limited to, Chapter 13 Material assets and waste management, and the relevant appendices. In general, we are satisfied with the topics to be scoped in and scoped out of the environmental impact assessment, in this regard.

The Scoping Report outlines the need to consider material and waste produced throughout the project, as well as waste that may be needed to be imported or exported from the project site(s).

Paragraph 13.4.3 confirms that the scoping boundary constitutes the area within which construction materials would be consumed (used, reused and recycled) and waste would be generated, which we agree with.

We advise that a waste management strategy is prepared as part of this project and that we are consulted on this prior to DCO submission.

We would refer the applicant to our waste management informative comments and regulatory requirements in Appendix 2.

Waterways navigation

Provided below are our detailed comments in relation to Welches Dam Lock and the Horseway Arm (Forty Ft Drain) statutory navigation.

Welches Dam Lock is located on the Horseway Arm of the Forty Foot Drain to the east of Chatteris. Horseway Lock is owned by the Middle Level Commissioners. A boat leaving Horseway lock would travel 3.5km along the Horseway Arm before reaching Welches Dam Lock which is owned by the EA.

The Horseway Arm and the Old Bedford waterways represent 22.7km or 3.5% of our statutory navigation in Anglian. Usage of this system has always been relatively low due to a number of factors including tidal siltation at Old Bedford Sluice, weed growth in the summer and in recent years the closure of Welches Dam Lock.

Access along Horseway Arm (between the 2 locks) has always been limited because the channel suffers from extensive leakage and the navigation level cannot easily be maintained. Prior to the closure of Welches Dam Lock , navigation along the Horseway Arm was only possible, on specified weekends, by artificially ‘flooding’ the channel. Leakage meant the channel lost level a few days later. Leakage can lead to local land flooding, and a serious loss of water: a particularly concern during summer and low flow periods.

In the summer of 2006, the lock gates on Welches Dam Lock failed resulting in leakage from the Old Bedford river into the Horseway Arm and an uncontrollable drop in the Old Bedford river level. Plastic sheeting was placed over of the face of the upstream gates to minimise the leakage – which closed the lock to navigation.

Legal Consideration

In summary the legal position is that we do not have any specific legal duty to maintain the lock. We do have a general duty to "take such steps as are reasonably practicable to ensure a recreational waterway is put to the best use for the purpose of recreation and the occupation of leisure" however this is not specific enough to impose duties in relation to Welches Dam Lock. In any event we do not consider it to be 'reasonably practicable' given the cost of repair and impact on the waterways budget as a whole.

Proposed way forward

The benefits of repairing the lock, at this time, do not justify the level of expenditure required which would amount to a significant proportion of our capital budget for a relatively low level of usage. In addition, If leakage of the Horseway Arm is not resolved at the same time as repairs to the lock, the overall benefits gained by repairing the lock are limited.

This does not mean that we do not have the ambition to improve this system and work to increase its use. There are 2 longer term (15-20 year) strategies that could have implications to the future of navigation on this system (Boston to Peterborough

Wetland Corridor and the Cranbrook/Old Bedford/Counterdrain Flood Storage Plan). Our intention is to input into these strategies and look for opportunities to improve the whole system strategically in the longer term.

We will continue to prioritise our capital and maintenance budgets to the most important assets on our navigation, to maintain safe boating access and transit.

Additional comments and advice

Culverting and remove of culverts

We are opposed to the culverting of any watercourse because of the adverse ecological, flood risk, geomorphological, human safety and aesthetic impacts. Watercourses are important linear features of the landscape and should be maintained as continuous corridors to maximise their benefits to society.

Culverting works against the natural processes of watercourses. It can exacerbate the risk of flooding and increase maintenance cost and complexity. It can also destroy wildlife habitats, hinder fish passage, reduce amenity value, interrupt the continuity of the linear corridor of a watercourse and can affect channel stability. It can also significantly reduce resilience to the effects of drought, floods and pollution. We will therefore take this into account in our decision making.

Detrimental effects of culverting watercourses can include:

- increased likelihood of flooding due to their limited capacity and propensity for blockage, both of which can result in obstructions to flow, and loss of floodwater storage;
- exacerbating the nature of flooding by increasing flow velocities and speed of onset;
- loss of and adverse effects on morphology, fisheries and wildlife habitat including substrate;
- if present, adverse effects on protected species;
- the creation of barriers to fish passage through increased water velocities, behavioural deterrent, shallow depths, darkness, oxygen depletion and eroded culvert entrances;
- increased geomorphological risk including changes to channel stability, river bank and bed erosion and increased deposition around the culverted sections;
- greater difficulties in providing for drainage connections;
- increased liabilities and costs due to the need to maintain, repair and replace culverts or to manage upstream and downstream risks;

- increased health and safety hazards, notably for workers clearing blockages and for children in urban areas;
- locally reduced groundwater recharge;
- increased difficulty in detecting the origins of pollution and in monitoring water quality;
- reduced resilience for communities and wildlife to the effects of extreme weather events, climate change and acute pollution.

In addition to avoiding the detrimental effects of new culverting listed above, the restoration of river corridors by removing or opening sections of existing culverting and restoring natural river beds and banks can have wider benefits, including:

- providing habitat for wildlife and improving its connectivity;
- providing additional flood storage capacity and slowing flows;
- ameliorating the urban heat island effect;
- providing areas for recreational use;
- improving amenity, health and educational opportunities;
- increasing property prices and their desirability;
- reducing maintenance costs and improving safety.

Environment Agency registered land

The Environment Agency has land interests which fall within the site boundary. It is unclear at this stage whether this land will be affected by the proposals. Please contact our Estates Team directly regarding this matter: EstatesLandEnq@environment-agency.gov.uk.

Environmental management plans

At this stage, the applicant has made no reference to a Construction Environmental Management Plan (CEMP) or Operations Environmental Management Plan (OEMP). We recommend that these, or similar, plans are put in place. Other documents mentioned in this scoping report could potentially be incorporated within, or used instead of, these plans.

Control of emissions from non-road going mobile machinery (NRMM)

The applicant should be aware of the following in relation NRMM:

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the

machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority. The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document.

The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

End of Appendix 1

Appendix 2 – Licencing/permitting requirements

A number of permits and licenses will be required to facilitate this scheme.

Should you wish to disapply any element of these proposals and bring within the scope of the Development Consent Order (DCO) details of this should be provided to the Environment Agency a minimum of 6 months prior to DCO submission.

We will require a Consenting Strategy document is submitted in support of the proposals which outlines a programme of managing the various consents and permits, and confirmation of whether this will be subsumed within the DCO process or as standalone permits.

We recommend early engagement with our National Permitting Service (NPS) and full use of their enhanced pre-application advice service to ensure the permitting requirements and implications are fully understood and addressed in good time to inform the Planning Inspectorate (PINS) decision making process. Twin tracking is recommended for those applications considered fundamental to the DCO.

Please refer to PINS Annex D advice note for further information on how the Environment Agency's planning and permitting process can be best aligned within DCOs: Nationally Significant Infrastructure Projects - Advice on working with public bodies in the infrastructure planning process, Annex D: Environment Agency - GOV.UK.

Permitting pre-application advice: https://www.gov.uk/guidance/get-advice-before-you-apply-for-an-environmental-permit.

Flood risk activity permits

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- On or within 8 metres of a main river (16 metres if tidal)
- On or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- On or within 16 metres of a sea defence
- Involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once a Development Consent Order has been granted, and we advise them to consult us at the earliest opportunity.

If any of the works are likely to require a FRAP under the Environmental Permitting Regulations 2016, we recommend that the applicant informs the Environment Agency whether they are seeking disapplication at the earliest opportunity.

Dewatering

If dewatering is required, the applicant may require an abstraction licence if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.

If the applicant does not meet the exemption and requires a full abstraction licence, they should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found on our website: Abstraction licensing strategies (CAMS process) - GOV.UK (www.gov.uk) and Apply for a water abstraction or impounding licence - GOV.UK (www.gov.uk)

Please note that the typical timescale to process a licence application is 9-12 months. The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.
Temporary dewatering of wholly or mainly rainwater that has accumulated in an excavation may be exempt from an Environmental Permit for a Water Discharge Activity. More information can be found on our website: Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK. Note that this does not permit discharge of groundwater from a passive or active dewatering activity, or permit the abstraction of groundwater.

Discharge of water

Where it is not possible to connect foul drainage to the main sewer, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. If the developer identifies the need to discharge to surface water during construction, then a permit may also be required. More information can be found here: https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits

A permit does not mean they can deteriorate the watercourse and may not be granted. Only clean, uncontaminated water should be discharged to surface water or groundwater and any permits need to be planned for well in advance of construction.

Discharging run-off to watercourses has the potential to transport pollutants such as herbicides/ pesticides/ nitrates/ phosphates and silt and should be a last resort with mitigation in place to reduce the impact.

The use of drilling muds for the directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Land Remediation

Any remediation of land contamination may require site permits and mobile treatment licence

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- Position statement on the Definition of Waste: Development Industry Code of Practice
- our website at https://www.gov.uk/government/organisations/environment-agency

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to our website at www.gov.uk/government/organisations/environment-agency for more information.

Waste management

The recycling, storing, treating or disposing and use of waste is an activity that will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016, unless a waste exemption applies or compliance with a Quality Protocol or Code of Practise can be demonstrated, for example Definition of Waste: Development Industry Code of Practice ('DoWCoP') published by CL:AIRE. Further information about permitting is available on GOV.UK: Environmental permits - GOV.UK.

Where the applicant intends to use the Definition of Waste: Development Industry Code of Practice ('DoWCoP') for the re-use of excavated materials on site, this should be followed in full. Materials not used in accordance with the DoWCoP process in full may be deemed waste and will require a relevant permit for deposit. A formal Declaration must be submitted by a QP before any use of materials on site or transfer is permitted. Declarations deal with the re-use of materials. The receipt of a declaration does not remove the need for an environmental permit where treatment is required prior to re-use.

The applicant should note that granting of planning permission is independent of a permit determination, and a permit application considers factors such as operator competence and operating techniques which have not been considered here.

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here: Waste duty of care code of practice - GOV.UK If you need to register as a carrier of waste, please follow the instructions here: Register or renew as a waste carrier, broker or dealer - GOV.UK

In order to meet the applicant's objectives for the waste hierarchy and obligations under the duty of care, it is important that waste is properly classified. Proper classification of the waste both ensures compliance and enables the correct onward handling and treatment to be applied. More information on this can be found here: https://www.gov.uk/how-to-classify-different-types-of-waste.

End of Appendix 2

Fens Reservoir – EIA Scoping Report
Fenland District Council Response

Thank you for inviting Fenland District Council (FDC) to provide feedback on the emerging Environmental Impact Assessment (EIA) Scoping Report for the Fens Reservoir. We welcome the opportunity to provide comments to the Planning Inspectorate at this stage as we recognise the role such a document will play in terms of assessing the potential impact of the development on ourselves as a host authority and for adjacent authorities too.

Fens Reservoir is a sizeable National Significant Infrastructure Project. FDC recognises the potential role a scheme such as this can play in terms of boosting water supply provision in East Anglia and Cambridge which will in turn unlock future growth across the sub-region. However, this wider benefit needs to be carefully balanced against the need to ensure that the project responds positively to its setting and fully mitigates against potential impacts during both construction phase and when the reservoir and water recycling centre is operational.

If developed in the right way FDC believes that the Fens Reservoir scheme has the potential to act as a catalyst for transforming key areas within the district improving the life and health outcomes of our residents and encouraging more investment in better placemaking, environmental improvements, high quality housing and business floorspace, and supporting infrastructure. FDC want to ensure that the Fens Reservoir scheme creates a net betterment for local communities, businesses and the wider environment.

FDC believes that the EIA Scoping Report is an important opportunity and tool to help ensure that the scheme delivers lasting benefits to the district and beyond. Our comments on the EIA Scoping Opinion are as follows:

General Comments

FDC are concerned that the EIA Scoping makes little to no reference to **access and connectivity** – the chosen location for the reservoir is a relatively isolated/rural location- ensuring that the Fens Reservoir scheme is accessible by a variety of modes is an essential aspect of ensuring that all employees, residents, contractors and tourists can get to the site whether this is during the construction or operational phase. Consideration of and proposed methodologies for the impacts of traffic and transport are listed throughout the report, but there is limited focus for access without a car and no mention of how to get to the proposed main reservoir site or the water recycling centre without a car. As mentioned, previously we believe that the Fens Reservoir scheme has potential to help improve life/health outcomes for our residents – in the local area, across the district and potentially beyond. To realise this the scheme must consider all the different ways the site can be accessed to make sure that the reservoir is an inclusive destination fully accessible to people who don't drive or are not able to.

FDC has attended several Traffic and Transport Technical Working Group meetings alongside other workshops and sessions to support this project. During these sessions and in writing through consultation responses we have made clear the importance of engaging with ourselves and Cambridgeshire County Council (CCC) as the Local Highway Authority as early as possible. In these meetings, CCC colleagues have also indicated the importance of early conversations with them. Reviewing this report, we can see that a significant amount of work has been undertaken by the scheme promoters (Anglian Water and Cambridge Water) to develop both this Scoping Report and other key aspects of the reservoir proposal. However, we do not feel

that an appropriate level of engagement has been undertaken and this is extremely disappointing. Early comprehensive engagement between the Fens Reservoir team, CCC, FDC and other statutory/non-statutory transport bodies would help to reduce risk and uncertainty. Transport support for the relevant methodologies, data gathering and survey locations, along with other transport proposals is essential if the project is to achieve support. The transport implications of this project are significant and joint working/guidance is essential at all stages.

Chapter 2 – Project Description

Scoping Boundary

Section 2.1.4 – Conversations with the scheme promoters have noted that the final DCO boundary is still subject to change, it is also unclear which enabling and legacy elements associated with the proposal will be included within the DCO. The present boundaries for the main site use the arbitrary limits of the A141 to the west, the A142 to the south and the Sixteen Foot Drain to the east. These boundaries effectively sever the main reservoir site from the surrounding area and settlements.

We recommend that the EIA Scoping Boundary for the main site as shown in Figure 2.1 (and described in Section 2.3) should be extended up to the edge of surrounding settlements including March, Manea, Chatteris, Doddington and Wimblington. This will provide additional flexibility in terms of defining the DCO boundary and enable the impacts of the development to be assessed in a more meaningful/beneficial way - for instance, assessing broader accessibility issues and opportunities for private vehicles as well as sustainable transport links and non-motorised methods.

Overview of the proposed development

Section 2.2 – The project description lacks detail about the associated infrastructure required for the proposed development. The schematic diagrams do not offer clarity on what will need to be installed and where. More detail would be useful as to what will be physically happening and left in situ during operation. Without additional detail it is difficult to fully appreciate the extent of assessment that needs to be included within the landscape chapter of the subsequent EIA.

2.2.15 – To combat changes in climate the EIA should consider the implications of additional connection points being made available along the downstream pipelines from the main reservoir site to supply raw (untreated) water for local farm reservoirs.

FDC suggested in its CON2 response that the three proposed supply routes to Downham Market, Bluntisham and Cambridge, could provide opportunities to distribute water more locally with branches coming off the main pipeline routes to directly supply local (new or existing) farm reservoirs where such a need arises. This would enable local farmers in the vicinity of the supply routes to benefit directly from the reservoir. It is acknowledged that raw rather than cleaned water would normally be used for irrigation purposes. The EIA should therefore consider how raw water might be taken directly from the reservoir and distributed in separate pipes to local farms through utilising the proposed network routes. This would help to mitigate potential future effects of climate change with hotter drier summers predicted.

2.3.4 – The EIA should also consider how new active travel connections can be made available to the main reservoir site from surrounding settlements.

Section 2.4 – The EIA for the reservoir needs to take into account recent government guidance published on the 23rd October 2024 for National Infrastructure Projects: Advice on Good Design and for the proponents to develop their scheme in accordance with that advice. Nationally Significant Infrastructure Projects: Advice on Good Design - GOV.UK

Section 2.4 – The application of the Rochdale Envelope approach to assessment is welcomed. Considering the amount of design information currently unknown, this should ensure the maximum extent of effects are accounted for.

2.5.34 – The EIA should consider known seepage risks from the adjoining Block Fen mineral workings area and how this might impact water levels in the 40 Foot Drain and/or the mineral working area, and potentially contamination of raw water supplies.

2.5.72 – With its flat terrain the adjacent Middle Level drainage system is recognised as being like a giant 'pond'. Whilst water is removed from the ML system at St German's pumping station in the northeast there are no obvious speedy flow routes. In the event of a breach and/or an emergency drawdown there is therefore no guarantee that water will flow in a north-easterly direction along the Sixteen Foot Drain as has been suggested. It is possible that it will move in all directions along existing water courses in the first instance including to the south, west and east. This has flood risk and safety implications and needs to be explored in the EIA.

2.5.83 - Consideration also needs to be given to upgrading the existing junction of the A141 with the B1093. The latest information from the proponents incorporates land to the east of the A141 into the scheme (which is larger than the current Scoping Boundary) making the upgrade of this junction for vehicular access to the main reservoir site a worthwhile consideration.

2.5.86 – The creation of new active travel access routes to the site from surrounding settlements also needs to be scoped into the EIA. These are essential for the reservoir to become a sustainable location and leave a lasting legacy for local people. Potential routes have been previously put forward by the proponents, and others suggested by FDC. The location of these and their implications need to be considered in the EIA.

2.5.89 - A new route from Manea also needs to be considered in addition to the four local settlements mentioned (March, Chatteris, Wimblington and Doddington). The EIA should also scope in how people from further afield might access the reservoir by cycling, walking and horse riding. For instance, from Benwick, Warboys, Sutton and Mepal and how existing connections can be utilised and upgraded.

2.5.94 – The implications for the Chatteris Water Recycling Centre (WRC) and likely increased discharges into the Forty Foot Drain also needs to be scoped into the EIA.

2.5.139 – The recent CON2 consultation proposed wind turbines to the south of and running parallel with the Forty Foot Drain (see Image 2.4 on page 30) as part of the reservoir proposal but these do not figure in the EIA Scoping Report. If wind turbines are proposed, then they need to be scoped into the EIA.

2.5.142 – To enable a holistic approach liaison with planning authorities is also needed.

2.6.16 – Once firm proposals for options for construction routes and transport have been identified these need to be scoped into the EIA.

2.6.40 – How peat deposits are to be dealt with throughout the entire construction and operation phases of the reservoir needs to be scoped into the EIA.

2.6.61 – It is disappointing that the scheme promoters appear to have accepted that only a few construction jobs will be available for local people. Measures and resources should be

put in place to help encourage and attract local young people and people who are currently out of work to consider career opportunities in construction and other fields relevant to the operation of the reservoir. It should also be noted that a high reliance on bringing in construction workers from elsewhere will potentially place pressure on existing housing stock and linked social infrastructure such as community and health facilities.

2.7.15 – As stated above in 2.5.94, the implications for the Chatteris Water Recycling Centre (WRC) and likely increased discharges into the Forty Foot Drain also needs to be scoped into the EIA.

2.7.29 – The implications of a breach in the reservoir where the drawdown plan cannot be implemented and how waters may flow randomly into the Middle Level system leading to increased safety and flood risk implications needs to be scoped into the EIA.

Chapter 4 – Legislation, planning policy and guidance

4.2.12 and 4.2.14 - With its flat terrain the adjacent Middle Level drainage system is recognised as being like a giant 'pond'. Whilst water is removed from the ML system at St German's pumping station in the northeast there are no obvious speedy flow routes. In the event of a breach and/or an emergency drawdown there is therefore no guarantee that water will flow in a north-easterly direction along the Sixteen Foot Drain as has been suggested. It is possible that it will move in all directions along existing water courses in the first instance including to the south, west and east. This has flood risk and safety implications and needs to be explored in the EIA. Furthermore, the implications of a breach in the reservoir where the drawdown plan cannot be implemented and how waters may flow randomly into the Middle Level system needs to be scoped into the EIA.

4.4.4 – Consideration needs to take into account the government guidance published on the 23rd October 2024 for National Infrastructure Projects: Advice on Good Design and for the proponents to develop their scheme in accordance with that advice. Nationally Significant Infrastructure Projects: Advice on Good Design - GOV.UK

Chapter 5 – Consultation and engagement

5.2.7 – The list needs to acknowledge the sizeable number of concerns relating to access to the reservoir by non-motorised means.

5.3 – Whilst there has been engagement on the master planning of the main reservoir site which FDC has welcomed there has been no/little discussion about the options for the shape of the reservoir's actual footprint and design which FDC considers to be crucial for the long-term success of the reservoir.

6.3.9 – As specified earlier (see comment at Section 2.1.4) the Scoping Boundary in Figure 2.1 needs to be enlarged.

Chapter 6 – EIA Approach and Methodology

It is important that the EIA appropriately considers cumulative impacts of other developments happening with the locality including but not necessarily limited to permitted and allocated development sites (residential and commercial), other emerging NSIP projects, and future developments linked to the Fens Reservoir scheme that may fall outside of the DCO process including things like sensitivity testing the need to expand the WRC, linked employment opportunities or looking at the impact of additional leisure facilities/activities in the area and the role that may place on visitor numbers/potential catchment areas.

6.3.16 - As specified earlier (see comment at Section 2.1.4 & 6.3.9) the Scoping Boundary in Figure 2.1 needs to be enlarged. Without this the safe crossing of major roads, and non-

motorised links to settlement and places further afield will not be able to be properly considered.

6.3.22 and 6.3.23– A five-tiered approach to the criteria for assessing value and sensitivity, as well as magnitude of impact, is welcomed.

6.3.29 – The significance matrix shown in Image 6.1 is useful.

6.5.3 – How the reservoir will impact on the flood risk status of surrounding land and settlements also needs to be considered in the EIA.

6.5.7 – Charging for car parking is likely to discourage poorer people to visit the reservoir which potentially has many health and well-being benefits for local people and where there is an identified need for significant improvement. There is a high reliance on private vehicles in Fenland and alternative forms of transport are very limited. Appropriate and comprehensive measures will need to be put in place to ensure this does not happen.

6.6.3 – as stated in 2.5.139, the CON2 consultation proposed wind turbines to the south of and running parallel with the Forty Foot Drain (see Image 2.4 on page 30) as part of the reservoir proposal but these do not figure in the EIA Scoping Report. If wind turbines are proposed, they need to be scoped into the EIA.

Chapter 7 - Landscape and Visual

Methodology

The report correctly references the use of GLVIA3 and associated technical guidance notes to guide their methodology which is welcomed.

Section 7.4 – The study area described in this chapter and shown in Figure 7.2 is appropriately extensive. Some elements are shown with a surrounding 2km area (pipelines and open channel components), other elements with 3km (above ground components), and the main reservoir area with a 10km preliminary/5km detailed study area. Considering the flat topography of the area, this is welcomed. The report states that an initial Zone of Theoretical Visibility (ZTV) was used to determine the study area. This represents good practice. The use of a 'bare earth' scenario for the ZTV is a conservative approach, representing potential visibility without existing intervening features such as vegetation or buildings. This will allow for the worst-case scenario to be considered.

The document outlines the process for identifying representative viewpoints, with viewpoints focusing on views where receptors are likely to experience significant effects. This is an appropriate proportionate approach. We reserve the right to provide further detailed comments on proposed viewpoints following a site visit. Future agreement on the location and type of photomontages would also be advised.

7.5.2 – The report references a comprehensive list of existing studies that will be used to inform the baseline study for the LVIA. This includes all the appropriate documents.

Figure 7.1 (sheets 1-5) are useful for understanding the existing Landscape Character Areas identified within various relevant studies. The relevant character areas within the Fenland District are all referenced. It would though also be beneficial to assess the scheme against the relevant criteria in the National Landscape Character Area 46 – The Fens and for this to be scoped into the EIA.

Section 7.6 – Many constituent elements of baseline landscape character are referenced within this section of the report. However, there is no specific mention of landscape value and how this will be assessed within the baseline study. More feedback on this is given below.

Section 7.6 – The list of potential visual receptors is divided into four sub-areas, with each being acceptable. We would expect the EIA to expand the list where necessary if other receptors become apparent during subsequent fieldwork.

Section 7.6 – We note and welcome that representative viewpoints will be agreed in advance. A preliminary list is illustrated on Figure 7.3 (sheets 1-5). Upon first inspection this appears to be comprehensive and proportionate to a study of this scale. Site visits will allow us to formally agree all viewpoints.

7.6.137 – We welcome the inclusion of cumulative effects within the scoping. However, we would expect to see a list of developments that are intended to be scoped into the report. This should be provided for agreement.

Section 7.8 – Table 7-3 proposes to scope in a considerable amount of potential landscape and visual effects. Although the list is currently quite generic at this stage, it includes reference to the necessary points.

Table 7-4 – The report proposes to scope out landscape and visual effects within 'LCA located on the periphery of the study area'. Due to the large study area proposed, this is acceptable.

7.9.4 – We agree with the proposed assessment timeframes for effects; during construction, at Year 1 of operation (winter), and at Year 15 of operation (summer). This is in line with standard practice.

Appendix 7.1 – Scoping landscape and visual methodology

Section 1.2 – The list of guidance used to inform the methodology is useful and contains most expected documents. We would, however, expect the study to also make use of TGN 02/21: Assessing Landscape Value Outside National Designations. This is the latest Landscape Institute guidance relating to landscape value and is particularly relevant considering the lack of national designations within the study area. A detailed consideration of baseline landscape value is imperative to build a strong foundation for predicting potential landscape effects.

Section 2.3 – The more detailed methodology given for producing the ZTV is acceptable.

Section 2.9.4 – This paragraph mentions TGN 02/21, but it is not clear how this will be incorporated within the process. We require more information to determine if this is acceptable or not.

Table 2-1 provides criteria for determining landscape value and susceptibility. Although displayed together on the same line within each section of the table, we would expect a consideration of each to be made separately. This comment also applies for Table 2-3 in relation to visual value and susceptibility.

Table 2-2 provides landscape sensitivity criteria. Whilst it is accepted that landscape sensitivity requires a consideration of value and susceptibility combined, the criteria given for sensitivity is very brief. We would expect any summative judgements to be accompanied by detailed text narrative to justify decisions made. This comment also applies for Table 2-4 in relation to visual sensitivity.

The methodology outlines how considerations of landscape and visual effects will both rely on predictions of size/scale, geographical extent, as well as duration and reversibility. This is standard practice and accords with GLVIA3. The stated criteria for magnitude of effects are acceptable for both landscape and visual matters.

Section 2.11 – The methodology for assessing the significance of effects is also acceptable.

Section 3 outlines the methodology for assessing night-time effects. Whilst the process is considerably more streamlined than the day-time methodology, it should be proficient to

assessing night-time change. More information about night-time photography would be useful to understand how the assessment is going to be illustrated.

Chapter 10 – Water Resources and Flood Risk

Water Resources

FDC can confirm that there is no risk assessed private water supplies in the development area within the district council boundaries.

Water quality needs to be considered in the EIA as the proponents have suggested (and welcomed by FDC) opportunities for open water swimming in the lagoon area and we would want to make sure that this is safe, and the leisure potential of the asset is fully realised.

For future proofing raw water supply to the reservoir and based on the uncertainties of the impact of a warming climate, we would suggest that a precautionary approach is taken, and the scheme promoters consider the future potential of extracting water from the Great River Ouse near Denver Sluices. Due to being downstream of the confluences of several rivers (Rivers Wissey, Little Ouse, Lark, Cam and Soham Lode) the potential supply at this point is likely to be one of the highest in the region. To provide for this, the downstream supply pipeline to the Bexwell service reservoir could be utilised by incorporating upstream pipework within the pipe 'chamber' which could be brought into operation in the future if needed. This would allow for a guaranteed supply to be available sometime in the future without the need for major infrastructure intervention.

Flood Risk

A major concern is the potential detrimental impacts on the surrounding ground water flows and levels. It is possible that the construction of a reservoir of this size could increase soil moisture by raising the ground water levels in the surrounding area. This in turn could impact on drainage systems causing additional infiltration or by reducing the effectiveness of Suds systems, soakaways and storage features.

FDC would therefore need to ensure that Anglian Water and Cambridge Water make provision for an extensive ground water monitoring system, both prior and post construction should the feasibility works demonstrate the suitability of the site for the proposed reservoir. Any additional ground water entering existing drainage features caused by the physical formation of the reservoir would also ultimately impact on the amount of water entering the MLC system.

The implications of how this might also affect any archaeological remains also needs to be considered.

In addition, any implications for the flood risk status of surrounding land and settlements by the construction of the reservoir needs to be included in the EIA.

10.4.1 – The Scoping Boundary needs to be widened as stated earlier in this response to consider the full implications on flood risk on surrounding land and settlements following construction of the reservoir.

10.8 - With its flat terrain the adjacent Middle Level drainage system is recognised as being like a giant 'pond'. Whilst water is removed from the ML system at St German's pumping station in the northeast there are no obvious speedy flow routes. In the event of a breach and/or an emergency drawdown there is therefore no guarantee that water will flow in a north-easterly direction along the Sixteen Foot Drain as has been suggested. It is possible that it will move in all directions along existing water courses in the first instance including to the south, west and east. This has flood risk and safety implications and needs to be explored in the EIA. Furthermore, the implications of a breach in the reservoir where the drawdown plan cannot be implemented and how waters may flow randomly into the Middle Level system needs to be scoped into the EIA.

10.9.17 – Should also consider the Fenland Level 1 SFRA (June 2022) Fenland Level 1 Strategic Flood Risk Assessment

Chapter 11 - Historic Environment

The EIA Scoping Report sections pertaining to matters of above ground heritage – listed buildings and conservation areas (both designated and non-designated) are considered to be generally well detailed and comprehensive.

Cambridgeshire County Archaeology will respond to matters pertaining to relating to such. Archaeology matters will not be covered in the following comments.

11.4 - It is considered that the study area and its boundary is sufficient for the purposes of assessing the impacts on heritage assets (designated and non-designated) within the Fenland District area.

In general the baseline and future baseline conditions appear to have been informed by a thorough assessment of assets within the study area.

11.4.3 There is agreement that the study area will be guided by the level of designation of the asset in question as well as the operational zone types.

Most, if not all of the impacts on designated and non-designated heritage assets will be impacts on their setting. Setting should be specifically mentioned as a 'key characteristic' in the EIA.

Due to the proximity to the main site boundary study area and corridor for the proposed downstream pipeline to the north (and potential haul roads in the vicinity) the setting of Stonea Camp SAM needs full consideration in the EIA.

11.8 There is agreement with the proposed scope of assessments and what level of designation and in what construction zone as outlined in this section.

Additionally, the assets outlined are a true and consistent reflection of those within the Fenland Authority Area and are deemed appropriate to assess as part of the process.

Overall, the scope and methodology described in the documents correctly take into account the expected designated heritage assets, i.e. Listed Buildings, Conservation Areas, Scheduled Monuments, Registered Parks and Gardens.

11.8.3 There is agreement that with the proposed scoping out of certain considerations in relation to world heritage sites, battlefields and wrecks owing to them not existing in the area of study.

11.9.14 The methods of Assessment of Heritage Value are agreed with as well as the value levels ascribed within the matrices.

The EIA scoping report, subject to the inclusion of consideration on the setting of Stonea Camp, is considered to meet the requirements of this stage of the process in relation to above ground heritage assets and areas.

Chapter 12 – Geology, soils, agriculture and land quality

12.8.4 - The implications for peat during the construction and operational phases needs to be considered in the EIA.

Contaminated Land

The location of development is free from areas declared as contaminated land or identified for detailed assessment under part 2A of the Environmental Protection Act 90. The report has identified potential sources of pollutants that is suspected to be encountered through demolition and site clearance.

In addition, we would also like to see the report investigate the usage and existence of substances containing PFAS at the airfield within the boundary of the development site.

The application identifies that claimed materials will be used for the majority of this development. Where construction and demolition waste or potentially contaminated materials are used, a sampling strategy should be agreed in advance.

The scoping report also identifies that some materials and aggregates will be imported. Where materials are imported the environmental impact assessment should identify the process for the materials to be sampled prior to importation or to be stored whilst sampling can be undertaken.

Importation of aggregate including the usage of waste derived aggregates should be risk assessed. FDC has raised concerns over the use of Incinerator Bottom Ash Aggregate especially in close proximity to water sources.

Chapter 13 – Material assets and waste management

13.9.7 - The materials for construction, where sourced, and methods of transport to the site need to be included in the EIA.

Chapter 14 - Traffic and Transport

14.1.2 and 14.1.4 – It is acknowledged that the traffic and transport impacts that are to be assessed are in accordance with the Guidelines for the Environmental Assessment of Traffic and Movement (IEMA) 2023. The specific groups and geographical locations that are sensitivity receptors are also noted. It is though suggested that the 16% of all households within Fenland District that do not have access to a car should be included as part of any assessment. Whilst it is understood that this chapter will focus on the traffic and transport implications of the proposed reservoir, access and connectivity are just as important but not really identified in this chapter of the scoping report. The significant numbers of people who live within Fenland that are unlikely to be able to make use of the operational facility without new non-car transport must also be considered.

Section 14.1.17 – A travel plan for the construction phase of the project is welcomed. However, it is suggested that associated transport infrastructure is likely to be needed to make this realistic and achievable. Examples might be to bring forward the construction of footpaths and cycle ways earlier in the scheme built that would make such sustainable travel choices realistic. The proposed reservoir site is an isolated location with limited transport options, supporting measures to make a travel plan achieve must be considered as part of the planning.

Section 14.3.2 and **Table 14-2** refer to engagement with stakeholders. The Council would like to see engagement with FDC Transport Team included within this section. Members of the team were involved in the TWG meetings referred to in the table. We also want to ensure that appropriate engagement with the team is undertaken going forward. FDC has a range of transport plans and proposals that are relevant to this project, we also have extensive local knowledge of the transport network and a significant transport evidence base informed by local surveys and engagement. Our information is more specific to Fenland and is in addition to any information that is held by the higher tier authorities with statutory responsibilities for Transport. It is essential that you engage with us about transport for these reasons.

Section 14.4 including 14.4.4 – Is a study area focused on the four identified zones enough? The report states that the emerging approach for transport of construction materials is at present focused on the reservoir site and water treatment zones. There is acknowledgement that the approach will be broadened to all zones moving forward in line with further details

about associated infrastructure, the information in section 14.4.5 is also helpful to understand how transport will be considered. This approach is supported.

14.4.8 – Potential new NMU access routes from surrounding settlements also need to be assessed in the EIA.

14.5.5 and 14.5.6 - are welcomed in that they set the transport principles and clarify the roads that are likely to be affected by the proposed reservoir project. FDC had expected to see a more comprehensive approach with respect to roads. The A1 junction with A141 is mentioned but not the A1 junction with A47, we would suggest that this is equally important. The most recent routes for construction materials included possible links from Wisbech Port or Whitemoor Marshalling Yard. However, A1101 Wisbech, and Hostmoor Avenue, March are not mentioned. B1093 is mentioned all the way through to Whittlesey but the A605 as a more major road is not covered. We would like to see these routes incorporated into the proposal. It is essential that all these principles and locations are discussed and agreed with CCC highways and other statutory transport bodies at the earliest opportunity. FDC wants to ensure that defining baseline information and principles are formally agreed from an early stage in the project.

14.5.2 and Table 14-3 are noted and that count information from DfT has been used to establish a baseline. It is suggested that conversations take place with Cambridgeshire County Council who also have count data for some of these locations. Details from a range of sources will provide a stronger evidence base.

The information in sections 14.5.5 and 14.5.6 about the transport baseline data and counts that were undertaken are welcomed and noted. However, as stated above it is disappointing that CCC as the Local Highway Authority have not been engaged with or consulted upon about the locations and timings of this evidence work. The information in paragraph 14.5.7 that the highway authority will be consulted prior to surveys in Spring 2025 is positive news, but formal discussions and agreement on any transport evidence approach could and should have been more formally approved earlier in the project.

14.6.3 and Table 14.4 including A141 between A1 and A47. This table lists the A141 as 'comprising of both dual and single carriageway'. Whilst this is correct, there should be an acknowledgement that the entire stretch of A141 from Guyhirn to Huntingdon is single carriageway.

14.6.3 and Table 14.4 including A47 between Peterborough and Kings Lynn. We are extremely surprised that in respect of sensitivity receptors this is listed as low-medium and that there is no reference to road safety and accidents along with significant section or road. We would draw your attention to National Highways East of England Route Strategy evidence in support of Roads Investment Strategy 3. This refers to road safety and accidents being key concerns on this section of A47. Further information is available from on their website from the link below:

Route Strategies

Like the above and referenced in Table 14.4, the B1098 between Chatteris and A1101 and B1093 between Whittlesey and Manea are also roads with poor accident records. The sensitivity information seems to reflect links to public rights of way. Whilst this is important road condition, fenland soils and accidents more generally are also key sensitive receptors. The B1098 and B1093 whilst being more minor roads are significant for local travel and journeys. Please refer to the accident information on the County Council website that you can access from the link below:

Cambridgeshire & Peterborough Insight – Roads, Transport and Active Travel – Road Safety – Road Traffic Collision Data

It is noted that in paragraph 14.6.5 there is an intention to use the DfT trip end model (TEMPro) for future traffic growth forecasting. This needs to be discussed with Cambridgeshire County Council as Highway Authority and National Highways for the strategic road network. It is essential that the use of any model and the approach are agreed with the relevant statutory authorities at an early stage.

FDC welcomes the comment that other existing and/or major developments will be discussed with the highway authority in respect of the cumulative effect as set out in section 14.6.6.

FDC welcomes the principle of the proposed Construction Traffic Management Plan referred to in section 14.7.4. However, we need to understand the specific details of this plan to assess the ability to mitigate concerns. We welcome an opportunity to comment on the detail in future and we assume that this will be aligned to the information in paragraph 14.7.5. In respect of proposed mitigation around active travel and bus services etc it is important that this is discussed with FDC's transport and planning teams and aligned with our earlier comments about needing supporting infrastructure upfront.

FDC notes in paragraph 14.8.2 the need to mitigate the transport and traffic affects in several areas. As with our comments from section 14.1, access and connectivity are also significant and especially for the large numbers of people who do not have access to a car. It is essential that any operational reservoir project is available for all. A transport and connectivity impact is ensuring that the proposed development is available to all.

Table 14-5 – Needs to include consideration of potential new routes, not just the existing highway network.

Table 14-7 - The criteria also needs to consider the speed of traffic and how this might impact people's safety and perception of intimidation.

The construction traffic for this proposed development whether by HGV, railway or waterway will be significant. As stated in paragraph 14.8.6, we welcome that a range of transport modes are being considered. Given the significant and large-scale transport proposal needed for construction traffic it is essential that FDC reviews any evidence and supporting information as soon as it becomes available. The likely significant traffic and transport effects are set out in Table 14-5 and are noted. We suggest that as highlighted, road safety and especially safety for vulnerable road users is a significant matter requiring consideration.

Whilst we are aware that railway and barge are not set out in Guidelines for Environmental Assessment of Traffic and movement (IEMA) 2023, FDC suggests that references are needed in this respect in the environmental assessment. The assessment needs to show there is a holistic approach and it is unclear how this can be achieved if key transport information is not provided. We understand the reference in paragraph 14.8.10 and its relationship to the guidance, it is our opinion that this should be considered further to ensure the holistic approach is fully documented.

It is helpful to understand from section 14.9 the proposed assessment methodology. As stated, several times in these comments, it is essential that this approach is discussed and agreed with the statutory transport organisations as early in the process as possible. It is disappointing that a large amount of detail has been provided in this section and that this does not seem to have had the necessary consultation with those authorities prior to the publication of the report. We appreciate the information referred to relates to guidance that needs to be considered and taken account of, however, we are concerned that significant transport detail is already available for this project that has not had any oversight from the relevant transport authorities. In respect of section 14.9.7 and bullet point 1, assessment parameters should also factor in the rural nature of Fenland and the agricultural sector. Late summer and autumn for the harvest season for example will have an impact with larger than normal levels of agricultural traffic on

the road network. This includes the larger number of tractors and trailers ferrying produce to the Mepal power station digester via the A141 and A142.

Chapter 15 – Air Quality

The scoping report has gathered the appropriate information available to demonstrate that the development area is in a locality of good air quality and compliant with national air quality objectives (AQO).

The scoping report uses nationally published data for air quality. It is worth noting that there is a large gap in monitored data in this locality, and the national maps use assumptions. We would like to highlight that although Fenland has not identified any air quality management areas in this project area, we do maintain a diffusion tube network to annually review the baseline and background levels. Our AQ data is published on our website and should be compared against national calculated data.

We note that the site proposes to use 6 months diffusion tube monitoring. There is a notable seasonal variation in this location, and an annual mean can be significantly impacted depending on which seasons the diffusion tubes are installed for. In addition, the accuracy rate of diffusion tubes deployed over short periods is very low. Therefore, we would request that the tubes should be installed over the autumn and winter seasons for a period of no less than 1 year should be considered for diffusion tube installation. FDC maintain a diffusion tube network across the district, and are currently reviewing our current tube locations, adjustments to monitoring locations being undertaken from January 2025. We would therefore see it prudent to review any additional monitoring locations as early as possible, to reduce duplication of monitoring and effectively share data.

In addition, we would like to see the EIA demonstrate air quality specifically from particulates (dust) will not result in a statutory nuisance to the existing receptors close to the development site. The existence of a statutory nuisance is not measured or justified in the same way as monitoring for an AQO.

We note that 15.7.4 provides examples of dust monitoring and mitigation measures. Due to the complex nature of a development with multiple sources of dust, the duration of the development and the extensive size of this development, we would urge the use of real time sensors to monitor PM10 and PM2.5 during the construction phase especially for those in close proximity to the development site.

Chapter 2 and Chapter 13 make reference to using Environmental Permitted equipment and processes such as crushing or screening of waste and the blending on cement. These activities have inherent risk of dust and therefore require environmental permits. We would request that permitted activities are also considered as part of the assessment for fugitive dust and a schedule of permitting for the use of mobile crushers / screeners and concrete batching is also considered. Details of how to apply for a new or transfer an existing permit or provide notification of equipment movements can be found on the FDC website.

We note that the operational stage will result in the processing of sludge and adding chemicals to the supply. Details of the odour impacts of these, and other sources should be provided within the EIA.

For paragraphs 15.4.3 and 15.4.4 it is helpful to understand how it is proposed to assess the movement of materials and people along with the distances to be assessed adjacent to roads and railways. Should materials be brought in by barge, presumably to Wisbech, the AQMA in the town will need to form part of this assessment.

Further to the above comments. Section 15.8 concerned with the proposed scope of the assessments and Table 15-4 with likely significant air quality effects are also noted. Two locations that should be specifically considered for their air quality impacts related to transport are A141/A142 roundabout at Chatteris and the A1101 through Wisbech linked to traffic from the port.

15.6.11 - It would be important to see all the current AQMAs on proposed main construction routes on, or linking from, national highway routes e.g. A1, A14 and A47.

Chapter 16 – Carbon and Greenhouse Gases

Renewable Energy

Should renewable energy be progressed to include wind turbines, depending on the number of turbines proposed a noise impact methodology should be agreed at the earliest opportunity.

Should any form or incineration, i.e. biomass boilers, be considered as a renewable fuel source, an application under the Environmental Permitting Regulations should be scheduled within the development process.

The proponents' CON2 consultation proposed wind turbines to the south of and running parallel with the Forty Foot Drain (see Image 2.4 on page 30) as part of the reservoir proposal but these do not figure in the EIA Scoping Report. If wind turbines are proposed, then they need to be scoped into the EIA.

Chapter 17 – Climate Resilience

For future proofing raw water supply and based on the uncertainties of the impact of a warming climate, we would suggest that a precautionary approach be taken, and the proponents consider the future potential of extracting water from the Great River Ouse near Denver Sluices. Due to being downstream of the confluences of a number of rivers (Rivers Wissey, Little Ouse, Lark, Cam and Soham Lode) the potential supply at this point is likely to be one of the highest in the region in particular during very dry spells. To provide for this, the downstream supply pipeline to the Bexwell service reservoir could be utilised by incorporating upstream pipework within the pipe 'chamber' which could be brought into operation if needed. This would allow for a guaranteed supply to be available sometime in the future without the need for major infrastructure intervention.

The EIA may want to consider the benefits of the reservoir of providing an alternative water supply to the Cambridge area and the benefits that this could have on the surrounding aquifers of the chalk downlands and on the local chalk streams from an ecological aspect.

17.8.5 – The impacts of tidal surges (as opposed to sea level rises) should be scoped into the EIA, either in Chapters 10 or 17.

Chapter 18 – Noise and Vibration

Engagement through the TWG has been good, and information and invitations to establish baseline data have all been agreed in advance.

We note from Chapter 2 that activities using mobile plant such as piling, boring, crushing, screening and generators may all be used in the construction phase. Should these activities take place on site, the impact of noise and vibration should be considered in more detail in the Environment Impact Assessment.

The mitigation measures already suggested in 18.7.3-6 are welcomed. In addition, a complaint procedure for statutory nuisance, and notification process for late night works applications should form part of the noise mitigation plan.

Tables 18.6, 18.7, 18.12, 18.14, propose the Lowest and Significant Observed Adverse Effect Levels for noise. We accept these levels are in line with guidance, however low background noise levels are typically experienced in this locality, and due to the duration of the development, prior to agreeing these levels we would like to review the background noise levels monitored to consider the impact.

We welcome the approach to consider the impact of noise not solely by its level, but also by the duration of the development, and the approach taken to adopt duration thresholds.

The scoping report has not identified if the proponents intend to apply for prior consent under section 61 of the Control of Pollution Act 1974 as part of their noise and vibration management plan. Should they wish to do so we would urge them to provide the relevant application and information at the earliest opportunity for our consideration.

Chapter 19 – Public Access and Amenity

19.1.4 & 19.1.5 – The EIA should acknowledge that the PRoW network in Fenland (and in the vicinity of the main reservoir site) is currently very poor, and severance issues caused by the A141, A142 and Forty Foot Drain mean that the assessment is commencing from a very low base. From FDC's perspective a major challenge of the development will be to see how these deficiencies can be successfully addressed.

19.4 – The area of the Scoping boundary needs to be expanded up to the edge of the five surrounding settlements of March, Manea, Chatteris, Doddington and Wimblington.

FDC welcomes the additional of several settlements where LSOA boundaries are slightly beyond 1km as set out in section 19.4.6. It is essential that Whittlesey, St Ives, March, Manea Outwell and Upwell should be included. We also welcome the fact that this also achieves a cross-boundary approach to other parts of Cambridgeshire and into Norfolk. It is essential to take account of the linear nature of transport and infrastructure such as roads.

There are various references in paragraph 19.6.5 about different PRoW that could connect with the reservoir project. No details have been provided about these PRoW in terms of their location or relevance. Further information is required so that FDC can more adequately respond on this matter. Information in the Traffic and Transport section lists relevant roads and the railway line as context, so it is clear about the scope. FDC would have expected to see similar information referencing the relevant PRoW.

19.6.8 – FDC welcomes the list of long-distance PRoW route names set out in this section. We would also expect to see inclusion of the National Cycle Network (NCN) and specifically NCN63. Whilst we appreciate this is not PRoW, it is a significant route aimed at walkers and cyclists.

Table 19.6 – The sensitivity of PRoWs should be high, not medium as stated.

19.7.3 – Horse riding routes also need to be considered.

We would also wish to see an assessment of potential new routes from surrounding settlements undertaken in the EIA.

In paragraph 19.9.13, FDC welcomes the commitment to ensuring a consistent approach with the traffic and transport proposals. The ongoing engagement and joint working between teams is essential for achieving a holistic and successful scheme.

Chapter 20 – Socio Economic and Community

FDC welcomes the receptors for socio-economic and community listed in paragraph 20.1.2. However, we would also like to see access and connectivity included within this proposal. Access and transport are essential to achieve the socio-economic and community objectives of this project. The high numbers of people without access to a car, living in Fenland need to be

able to maximise the opportunities this project creates. This will not be possible without access to the reservoir site. Such access is not possible at the present time without a car.

In addition, the list should more accurately refer to people living in /using the various facilities, as well as people out and about, i.e. for leisure, keeping fit, visiting places etc.

Section 20.4 and 20.4.6 – The EIA should take a wider consideration of relevant LSOAs in considering the reservoir proposal as it has the potential to benefit people living some distance from it e.g. in Wisbech.

20.4.16 – Manea, Ramsey and Wisbech should also be included.

20.4.8 refers to Fenland Borough Council, this should be replaced with Fenland District Council

Section **20.6** – When considering the issues in this section, the analysis should focus on the main reservoir site and water treatment works area. Including the upstream and downstream corridors 'skews' the analysis and is not really representative of the current situations faced by local people in Fenland.

Paragraphs **20.6.9 and 20.6.10** refer to the Indices of Multiple Deprivation (IMD) and how this relates to the reservoir site and the surrounding area. Transport, access and connectivity are essential for the many people living in these wards who do not have their own transport. FDC would welcome an approach that seeks to link the deprivation issues with improved access that provides opportunity relating to the reservoir site. This opportunity could include but is not limited to access to employment and education on the site, access to recreation, the ability to travel to a site for health and wellbeing to meet with other people.

20.6.36 – The adopted Fenland Local Plan runs from 2011 to 2031.

Paragraph **20.7.5** sets out good practice and mitigation relating to socio economic matters and community. Whilst the matters set out in the bullet points can be supported, without access to the reservoir site their value is limited for many people living within Fenland. Access and connectivity must be at the centre of the reservoir proposal to maximise its opportunity for the whole community.

Table **20.9** – With an increased workforce there may be impacts on local community facilities such as health, libraries, sports and hospitality so these need to be scoped into the EIA.

Chapter 21 - Human Health

21.6.35 – There are areas of high deprivation in March and Chatteris as well as Wisbech and whilst not immediately adjacent to the site a wider perspective is required in the EIA.

Table **21-9** - The future makeup of the construction workforce is currently not known but is likely to compose of different elements. There may be people seeking social housing to have their families join them, or more likely private rented accommodation which in turn may impact on pressures for social housing from the wider community. Therefore, social hosing does need to be scoped into the EIA.

Should also be mindful to consider the expectations raised about what the reservoir might bring, compared to what actually occurs. A further challenge will be to keep people interested in the project during its construction e.g. by the provision of a temporary visitor centre. Both these issues may impact mental well-being.

Chapter 22 – Major Accidents and Disasters

Table **22-3 – 17c** - Need to scope in a potential breach of the reservoir and the impact of the drawdown procedures with flood waters dispersing along all available channels in the vicinity and the impact on flood risk and safety.

Table 22-4 - With the 'pond' characteristic of the Middle Level system the impacts from any flooding will not necessarily just be downstream. Need to scope in the possibility that the flood waters will go in all directions in the first instance.

Dear Emily,

Fenstanton Parish Council met to discuss the proposed application, but as there is not very much detail currently, it was felt that there was nothing to say at this point. Please ensure we are kept updated as the application progresses.

If I should be sharing these comments elsewhere, could you please advise me where, I couldn't see anything obvious within the links on the letter.

Kind regards

Jo

Jo Perez
Parish Clerk

Thank you for consulting the Forestry Commission on this application.

As a Non-Ministerial Government Department, the Forestry Commission provide no opinion supporting or objecting to an application. Rather we provide advice on the potential impact that the proposed development could have on trees and woodland including ancient woodland.

We note there are two Ancient Semi Natural Woodlands; Overhall Grove and Boxworth Grove, either adjacent to or very close to the downstream water transfer section of the order limits.

Ancient woodlands are an irreplaceable habitat. They have great value because they have a long history of woodland cover, being continuously wooded since at least 1600AD with many features remaining undisturbed.

Paragraph 186 (c) of the National Planning Policy Framework, states:

"Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists"

Whilst Nationally Significant Infrastructure Projects are not subject to the NPPF, it does highlight the significance of these irreplaceable habitats.
We also particularly refer you to further technical information set out in Natural England and Forestry Commission's Standing Advice on Ancient Woodland – plus supporting Assessment Guide and "Keepers of Time" – Ancient and Native Woodland and Trees Policy in England.
The Standing Advice states that proposals should have a buffer zone of **at least** 15m from the boundary of ancient woodlands to avoid root damage which can result in loss or deterioration of the woodland. Where assessment shows impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. The direct and indirect impacts resulting from a project need to be considered. Direct impacts can include, but are not limited to, damaging or compacting soil, damaging functional habitat connections and changing the woodland ecosystem by removing the woodland edge or thinning trees.

There are also several fragmented areas of mixed deciduous woodland within the site. Mixed Deciduous Woodlands are on the National Forest Inventory and the Priority Habitat Inventory (England).

They were recognized under the UK Biodiversity Action Plan as being the most threatened, requiring conservation action. The UK Biodiversity Action Plan has now been superseded but this priority status remains under the Natural Environment & Rural Communities Act 2006. (NERC) Sect 40 "Duty to conserve and enhance biodiversity" and Sect 41 – "List of habitats and species of principle importance in England".

Fragmentation is one of the greatest threats to lowland mixed deciduous woodland. Woodlands can suffer loss or deterioration from nearby development through damage to soils, roots and vegetation and changes to drainage and air pollution from an increase in traffic or dust, particularly during the construction phase of a development.

There are also several areas of woodland both within the order limits and adjacent to it that were either established or managed with the support of public money in the form of the Farm Woodland Premium Scheme. These grants are still in obligation. The landowner is expected to meet all the terms and conditions of the agreement contract. Failure to do so is likely to require the Forestry Commission to seek to recover all of the relevant grant that has been paid.

For any woodland within the development boundary, land required for temporary use or land where rights are required for the diversion of utilities, the Root Protection Zone must be taken into consideration. The Root Protection Zone (as specified in British Standard 5837) is there to protect the roots of trees, which often spread out further than the tree canopy. Protection measures include taking care not to cut tree roots (e.g., by trenching) or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons (e.g., site stored fuel or chemicals) and fencing off these areas to prevent unintended incursions into the root protection zone.

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary and the development of mitigation measures to minimise any risk of net deforestation because of the scheme.

Hedgerows, individual trees and woodlands within a development site should also be considered in terms of their overall connectivity. Perhaps with the creation of some larger woodland blocks and hedgerow/hedgerow trees possibly between the existing woodland blocks on site, to ensure maximum gains to increase habitat connectivity and benefit biodiversity across the whole site.

With the Government aspiration to increase tree and canopy cover to 16.5% of land area in England by 2050. The Forestry Commission is seeking to ensure that tree planting is a consideration in <u>every</u> development not just as compensation for loss. However, there are a number of issues that need to be considered when proposing significant planting schemes:

- Biosecurity of all planting stock needs to be considered.
- Woodlands need to be climate, pest and disease resilient.
- Maximise the ecosystem services benefits of all new woodland wherever possible (flood reduction)
- Planting contributes to a ‘resilient treescape’ by maximising connectivity across the landscape.
- Plans are in place to ensure long term management and maintenance of woodland.

We hope these comments have been useful to you. If you require any further information, please do not hesitate to contact me.

Best wishes

Sandra

Sandra Squire

Local Partnership Advisor
East & East Midlands

Gedney Hill Parish Council
c/o [redacted]

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN
fensresvoir@planninginspectorate.gov.uk

Your Ref: WA01004

20 November 2024

Dear Emily,

Planning Act 2008 (as amended) and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA regulations) – Regulations 10 and 11
Application by Anglian Water and Cambridge (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development)
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

In response to your letter of 24 October 2024 asking Gedney Hill Parish Council as a consultative body to either:

- Inform the Planning Inspectorate of the information the Parish Council considers should be provided in the Environmental Statement (ES); or
- Confirm that the Parish Council does not have any comments.

The Parish Council would like to confirm it does not have any comments.

Yours sincerely,

[redacted]

Vicki Watson
Clerk
Gedney Hill Parish Council

Hi,

Hilton Parish Council does not have any comments at this stage and looks forward to receiving the draft documents.

Kind regards
Nicola

HILTON PARISH COUNCIL

Nicola Webster CertHE PSLCC
Clerk to Hilton Parish Council

Historic England

Planning Inspectorate
Fens Reservoir Team
BY EMAIL ONLY
FensReservoir@planninginspectorate.gov.uk

Our ref: PL00747862
Your ref: FENS RESERVOIR

Telephone 01223 582710

CC Claudia Innes (Anglian Water) & Lorna Napier (Jacobs)
[redacted]

21st November 2025

Dear Sir/Madam

Re: FENS RESERVOIR ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCOPING REPORT

Introduction

Thank you for your letter consulting Historic England with regards to the EIA Scoping for the above site. The scoping position is set out in the **Fens Reservoir Environmental Impact Assessment Scoping Report Volume 1 and Volume 2 Figures** (dated October 2024)

This development is likely to have an impact upon designated heritage assets and their settings. In line with the advice in the National Planning Policy Framework (NPPF), and the appropriate National Policy statement (NPS for Water Resources Infrastructure) we would expect the Environmental Statement to contain a thorough assessment of designated and non-designated heritage and any likely effects upon those assets.

We recommend heritage is scoped into the assessment and broadly support the applicant's approach to heritage assessment as set out in the scoping report (see Chapter 11). The results of this assessment will need to feed into a heritage specific chapter in the Environmental Statement.

We welcome the inclusion of designated and non-designated heritage assets and consider any assessment would need to encompass the main reservoir development site, any development associated with the main reservoir and all offsite infrastructure. Including water transfer options, offsite storage, pumping stations and emergency run off areas. Construction

impacts permanent and temporary effects and offsite impacts from water drawdown and the effects of dewatering will also need to be considered.

We confirm we have been consulted by the applicant during site location, options assessment and pre-application stages. We have commented on the emerging design and offsite development.

Scoping report: Historic England Comments

Chapter 2: Description of the Project

2.5.15 states that the design of the pumping stations will be confirmed at a future design stage. This information will be needed in order to understand the potential impact of these structures on buried archaeological remains. This includes the physical impact of the development on designated heritage assets (including through changes to the water environment) and changes to their setting.

This is particularly important for the pumping station proposed in the area adjacent to the scheduled monument of Flag Fen in order to understand the potential impacts through construction and changes to the local water environment.

2.5.22 states the expected footprint of the pumping station compound for the River Nene at its Counter Drain would be approximately 120 m by 90 m in size. It is also important to understand the below ground impact of the proposed elements so that the potential impact of the construction on heritage can be assessed.

2.5.25 it is stated that the treatment strategy is currently being developed but would include buildings and associated structures. The details of the proposed structures and buildings would be needed, including the below ground impact in order to understand the potential impact on the historic environment.

2.5.65 It is noted that ground investigation work has identified peat deposits within the reservoir site. We confirm that further analysis is needed to determine whether peat deposits would be present in the areas identified for the reservoir water bodies, embankments and/or parts of the reservoir site. Peat is of high archaeological and palaeoenvironmental potential and so the presence of peat is also of interest in the study of climate change and past human environmental interactions.

It is a stated that the additional ground investigations would help identify which peat deposits would be excavated, stored and relocated on-site, and which would remain in situ as part of the proposals. It should be noted that the removal and excavation of peat would significantly damage the archaeological resource by physically disturbing remains and changing the preservation conditions of the material, which could lead to the degradation and loss of archaeological and palaeoenvironmental remains. This approach will mean the loss of all historical and archaeological integrity. It is better to reserve peat in situ if possible, if not then a strategy for archaeological investigation and study would be required.

This would need to be subject of further discussions, noting that these have a high potential for archaeological remains, such as items made of wood, leather or organic environmental remains. Historic England document 'Preserving Archaeological Remains' (2016) would be useful in this context (see https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/).

2.5.130 It is noted that embedded mitigation measures will be employed to avoid or reduce adverse effects. Embedded mitigation for the whole of the Proposed Development has not been determined at this stage and will be further identified and refined as the design development process progresses.

The current provision has however been outlined for habitat creation (2.5.131), landscape earthworks (2.5.134), tree planting (2.5.136), flood mitigation (2.5.137) and renewable energy generation (2.5.138). The impact that the proposed mitigation may have on the historic environment should also be considered in these mitigation measures. For example, the choice of trees used in the proposed planting strategy should be carefully considered, such as the impact of the roots. We would recommend that the report 'Assessing the Impact of Tree Roots on Archaeology (2024)' is considered.

Sections 2.6.46 and 2.6.49, It is noted that both open-cut and trenchless techniques are being considered for the construction of pipelines. The impact of the open-cut technique on the local water environment should be considered, identifying and investigating the areas that may suffer from temporary or permanent changes to groundwater levels and therefore the preservation of nearby archaeological sites.

2.6.49 The potential impact of trenchless techniques also needs to be considered in terms of deeper deposits as well as issues such as bentonite slurry outbreak and the impacts that this may have the preservation of archaeological and palaeoenvironmental remains.

2.6.52 It is noted that the proposed works could include the alteration of the existing drainage network, and that dewatering would be required to divert water away from working areas. It will be important to understand how this work would impact archaeological and palaeoenvironmental remains located in the area by potentially altering the preservation conditions, and how far the impacts of dewatering may be felt in the landscape.

Chapter 3: Alternatives

3.5.27 states that the Middle Level system and the River Nene and its Counter Drain are two of the sources. Historic England have previously outlined our concerns for the construction of elements within the Flag Fen basin, due to the high potential and risks of impacting significant archaeology, such as the nationally significant Scheduled Monument of Flag Fen. There is the potential for previously unknown archaeology in this area which could be of national or even international significance.

Chapter 7 Landscape and visual

This chapter details the proposed scope of assessment relating to Landscape and Visual Impact Assessment (LVIA).

7.1.3 We note the chapter is designed to links with other chapters, including Historic environment, and we support that approach.

7.6.7 the report notes that impacts to the setting of heritage assets will be addressed in the historic environment assessment in Chapter 11: Historic environment, and that the assessment of impacts to the visual amenity of users will be included in the LVIA.

We broadly support this approach, and we recognise generic landscape images can be helpful in a historic environment context. We also recommend that some heritage specific viewpoints are provided to illustrate certain specific circumstances such as designed or key vistas. These would need to be included as either images or montages and will need to be clearly marked within the LVIA.

Viewpoints would need to be agreed with the relevant stakeholders prior to being undertaken and we recommend a heritage specific section within the LVIA chapter that cross references to the historic environment chapter.

Chapter 10: Water Resources and flood risk

10.5.6 It is stated that a Phase 1 Ground Investigation and geoenvironmental investigation of the Proposed Development Has been undertaken across some of the proposed reservoir and

water treatment works zone. The information obtained from this work will also be of value to the archaeological assessments, contributing to the development of a deposit model for parts of the site and helping to understand the potential risks and impacts that the Proposed Development may have to buried archaeological remains.

We would recommend that this information is used to understand the risks to the historic environment, to identify the assets that may be impacted and the potential extent of the impacts.

Table 10-11 outlines the likely significant effects to water resources and flood risk receptors. We are pleased to see that the potential impact on scheduled monuments and archaeological features have been included in this list of possible receptors.

10.9.4 It is stated that further ground investigation works will be carried out across the sources of supply and upstream water transfers study area (10.9.4), the reservoir and water treatment works (10.9.5) and in the Downstream treated water transfers (10.9.6). This information may be useful to understand the potential of the historic environment and the potential impacts of the proposed development.

We recommend that a geoarchaeologist is involved in the design and implementation of this work to ensure that opportunities are maximised to obtain relevant and useful information.

10.9.12 states that the results of the Phase 1 and 2 GI works will be used to estimate the potential radius of influence of construction works on groundwater and to identify the features that could be affected. We are pleased to see that this work will be carried out and recommend that an archaeologist is included in this work. The impact of the proposed development on the local water environment could result in changes to the preservation of nearby archaeological sites. An assessment of the radius of influence will therefore help identify which designated and non-designated assets may be impacted.

Chapter 11: Historic Environment

We note at 11.1.3 and 11.1.4 that designated heritage assets (including Scheduled Monuments, Listed buildings, Registered parks and gardens and Conservation areas will be scoped in to the scheme but World Heritage Sites, registered battlefields and protected wreck sites will be scoped out. We support this approach and confirm those assets can be scoped out of the assessment.

Please also note that at 11.5 (Baseline data collection) the report suggest that the data from relevant sources has already been collected.

We would like to make the applicant aware that a new site has recently been added to the National Heritage List within the study area, this is scheduled monument known as the 'Stanground Wash Bronze Age Barrow Cemetery (LEN 1489858), It does not appear on the maps provided with this report (see Fig 11.2 sheet 1 of 24) and parts of the report are out of date. Updated information will be needed going forward.

11.5.3 It is noted that some Phase 1 surveys have been carried out to date in order to obtain baseline evidence needed to investigate the historic environment. Further surveys have been planned (11.5.4), but it is noted that no surveys have been carried out for the areas of the associated infrastructure. This work is however needed in order to understand the potential of these areas but also the potential impacts of the proposed development.

11.6.7 we are pleased to see that it has been stated that the fen and alluvial deposits have the greatest palaeoenvironmental potential and may preserve waterlogged organic remains of archaeological and palaeoenvironmental interest.

11.7.1 states that the design development process has sought to avoid and reduce potential adverse environmental effects on designated and non-designated heritage through avoidance, which is good to see. It should be noted that there is the potential for previously unknown heritage to be present in the areas of the proposed development.

11.7.2 It is stated that tiered water assessments will be undertaken where appropriate to understand any potential changes to the groundwater that may impact on the value of heritage assets, which is good to see. It will be important to understand where effects such as dewatering, and excavation may be felt in the landscape in order to understand the potential impacts of the proposed development.

11.7.5 It is stated that the mitigation strategy for the historic environment will be produced in due course. We are pleased to see that the historic environment considerations would be used to inform on factors such as the construction methods and components, such as vehicle movement, excavations, earthwork construction, noise and lighting.

11.7.6 We are pleased to see that the management plans will include measures to avoid and reduce potential adverse effects during construction, which may include the use of buffer or exclusion zones. We would recommend that the size of the buffer zone factors in the

potential changes to the water environment to ensure that archaeological remains are not inadvertently affected.

Table 11-4 outlines the likely significant historic environment effects that have been scoped into the assessment. It is noted that permanent changes to the groundwater regimes have been included, which we support.

We would however recommend that temporary changes should also be included. Temporary changes to groundwater levels may result in waterlogged remains being exposed to oxygen, which in turn could result in the degradation of remains. In addition, it may take time for water levels to rebound once the work has been completed, which could leave remains exposed while this occurs.

11.9.3 states that further surveys are proposed to develop the baseline Information at the proposed reservoir site. This includes monitoring ground investigation works and purposive geoarchaeological investigations, geophysical surveys, archaeological trial trenching and Tier 1 and 2 water assessments.

11.9.4 states that work is needed to develop the baseline data for the areas of the associated infrastructure, including the development of a desk-based assessment. Field survey has also been proposed (e.g. geoarchaeological desk-based assessment and deposit model, geophysical survey, site walkover and intrusive archaeological field survey) but that this has not been carried out to date. This information is needed to inform the examination process in order to understand the potential impact of the proposed development.

11.10.2 outlines the key limitations for the historic environment. We would recommend that the issues associated with alluvium and peat masking buried archaeology should also be included as this could make it difficult to identify previously unknown archaeology.

Chapter 12 Geology, soils and agriculture and land quality

Information gained during this assessment may develop information which is of value to assess the historic environment. For example, the geological data could contribute to our understanding of the archaeological potential of an area or the risks that the proposed development may have on any archaeology that is present. The geological information could also contribute to the development of deposit models for key areas.

We would recommend that the information is shared with archaeologists in order to maximise the potential of the data but also to reduce the risk of duplication of effort, and that historic environment matters

Appendix 10.1: WFD scoping

5.3.1 outlines the studies that are being carried out, which includes hydrological modelling to understand the potential impact of the sources of supply and upstream water transfers on water levels at key locations. We would recommend that the modelling is also used to understand the potential impact to the historic environment.

Appendix 10.2: Groundwater Baseline

1.2.3 It is noted that historical GI data has been reviewed for the Downstream treated water transfers study area, and that purposive GI studies for the proposed development have not been carried out at the time of the development of this report.

Appendix 11.1: Historic Environmental baseline report - reservoir

It is clear from the baseline report that the area of the proposed reservoir has high archaeological and palaeoenvironmental potential, providing evidence of settlements, agriculture, religion, transport, industry and the environment and how they changed over time.

The report outlines the work completed to date to inform the baseline evidence of the historic environment. This includes the Phase 1 surveys (geoarchaeology and geophysics), which will inform further seasons of field surveys and archaeological trial trenching.

Appendix 11.2: Historic Environment baseline report – transfers & AI

2.5.1 states that no additional baseline surveys have been undertaken to date for the transfer and AI areas. The report is therefore based on desk-based sources.

2.8.3 It Is good to see that the limitations of the information provided in the HERs has been recognised, as it is reliant on previous archaeological and historic research. There is therefore the potential for previously unknown archaeological remains to be present within the proposed development area. We are also pleased to see that it is acknowledged that the understanding of the historic environment has been limited at this staged due to the lack of desk-based and field-based archaeological surveys (2.8.5).

4.2.2 It is noted that there designated and non-designated heritage assets within the inner study area (4.2.4). It is likely that more, previously unknown non-designated remains are located in the area.

It is noted that there are extensive alluvial deposits present in parts of the study area (4.2.5 and 4.3.6), which can act to mask archaeological remains and make it difficult to identify features and remains using some of the standard evaluation techniques.

The high potential of peat to preserve palaeoenvironmental remains has been acknowledged which is good to see (4.28 & 4.3.9). It is stated that changes to the condition of the peat, such as desiccation should reduce its potential, but no studies have been carried out to date to investigate the peat.

The desk-based assessment of the study area has demonstrated the high archaeological and palaeoenvironmental potential. Some of the archaeological sites that are discussed includes remains of national and international significance, such as Flag Fen and Must Farm located within the local authority boundary of Peterborough City Council (4.2.14). There is the potential for remains of similar value and significance to be present within the study area.

Recommendations

The scoping report is detailed, and we broadly support the approach that will be taken, we are also aware that the surveys and work streams for the historic environment are ongoing.

We have set out some recommendations above that will in our view help to improve the information gathering and the assessment process.

We have however a specific and document concern around the scheduled monument at Flag Fen, and the applicant need to provide additional details at an early stage in order to understand the issues. We recommend there is a focused work stream on this element of the scheme in order to address historic environment concerns.

We have also noted above our concerns with regards to the to the planned peat removal, again this is a strand of work that needs to be brought forward and needs to include historic environment input.

We have also previously noted the opportunities within the project to promote and provide positive mitigation and positive public benefits around the theme of historic environment. This is a strand of work that also needs to be developed further.

Historic England

Mitigation for other topic areas will also require historic environment inputs, specifically offsite mitigation for BNG, peat loss, tree planting proposals and habitat restoration for example

We also recommend that the applicant involve the Conservation Officers of the relevant local authority and the county archaeological service in the development of this assessment. They are best placed to advise on local historic environment issues and how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

If structures of height are being proposed (e.g. wind turbines) with the development then it is likely the development will be visible across a larger area and could, as a result, affect the significance of heritage assets at some distance from this site itself. Any assessment would therefore need to be proportionate to the scale of development. If this is the case, then a wider study area will need to be considered, and the impacts re-scoped.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely

Dr Will Fletcher
Development Advice Team Leader
E-Mail: [redacted]

Good Afternoon

The PPES committee met yesterday and discussed the Fens Reservoir, they all agreed to support the application and no comments were submitted.

Thanks

Becky Brothwell
Deputy Clerk

Health and Safety Executive

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Email – FensReservoir@planninginspectorate.gov.uk

Dear Ms Emily Park

Date: 15 November 2024

PROPOSED FENS RESERVOIR (the project)
PROPOSAL BY ANGLIAN WATER AND CAMBRIDGE WATER (the applicant)
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11

Thank you for your letter of 24 October 2024 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed project red line area for this Nationally Significant Infrastructure Project as detailed on the Drawing No. 07634_JCB-XX-ZZZ-GIS-EG-0052 in Chapter 2 of WA010004-000017-WA010004 - Scoping Report (Volume 2 - Part 1 Figures 2.1 – 7.3).pdf is not within the zones of any major accident hazard sites (MAH) but is within the consultation zones of the following major accident hazard pipelines (MAHP):

HSE's records indicate that major accident hazard pipelines which are operated by Cadent Gas Ltd, are:

- Watlington/ Downham market; HSE ref. number 7389, Transco ref.: 1648
- Eye Green/ Horsey Lock; HSE ref. number 7436, Transco ref.: 1695

One major accident hazard pipeline is operated by National Gas Ltd:

- 2 Feeder Peterborough Tee/ Peterborough PS, HSE ref. number 7440, Transco ref.: 1699

The Applicant should contact these operators to verify the above information is correct and to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident. There are three particular reasons for this:

i. The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.

ii. The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.

iii. To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice is dependent on the location of areas where people may be present. Based on the information in the WA010004-000016-WA010004 - Scoping Report, 24 October 2024 (Documents | Fens Reservoir), it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Hazardous Substance Consent

The proposed development overview described in the WA010004-000016-WA010004 - Scoping Report, 24 October 2024 (Documents | Fens Reservoir) does mention the possibility of industrial facilities and the possibility of flammable liquids and gases being present. These are in relation to construction activities and siting of a water treatment works. It is therefore possible that there will be hazardous materials which may be present in quantities where Hazardous Substance Consent will be required. Once further details regarding siting of industrial facilities and the presence of flammable liquids and gases have been determined, the HSE would expect the developer to apply for Hazardous Substance Consent to the Hazardous Substances Authority, if the substances are in scope of the Planning (Hazardous Substances) Regulations 2015.

Note: Hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an 'addition rule' in Schedule 1 Part 4 paragraph 5 to be applied to those substances below-threshold quantities. HSE is a statutory consultee for HSC application process and would provide advice via this process. Further information on HSC should be sought from the relevant Hazardous Substances Authority (often the local planning authority) if required or if changes to the scheme are made.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the Planning Inspectorate's Advice Note 11 Annex G - Nationally Significant Infrastructure Projects - Advice Note Eleven, Annex G: The Health and Safety Executive - GOV.UK (www.gov.uk). This document includes a section "Risk Assessments" describing the applicable legislation containing the requirement for risk assessment and the role of the HSE.

Within the Fens reservoir EIA Scoping report Chapter 22 " Major Accidents and disasters as well as Appendix 22.1: "Major Accidents and disasters scoping" [Documents | Fens Reservoir] there are discussions of events related to the new development. Appendix 22.1 provides a table of MAH event types and their potential to impact the development, as well as possible MAH introduced by the development itself. It includes fire and explosion events, chemicals and other relevant external hazards. It does not screen them out at this stage.

HSE would advise these matters are considered further in line with Advice Note 11 Annex G taking account of the following: "it may be beneficial for applicants to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet the requirements of relevant health and safety legislation as design of the Proposed Development progresses.". Note, that there are no requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

Explosives sites

There is a HSE Licensed explosives site in the vicinity of part of the proposed development, but the proposed development only slightly falls into the safe guarding zone of this site therefore we have no comment to make**.**

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

Pp Shirley Rance

Cathy Williams
CEMHD4 NSIP Consultation Team

My ref: 24/02051/COA
Date: Thursday 21st November 2024
Contact: Claire Burton
Email: Implementation@huntingdonshire.gov.uk

Pathfinder House
St Mary's Street
Huntingdon
PE29 3TN
www.huntingdonshire.gov.uk

Sent via email to:
fensreservoir@planninginspectorate.gov.uk

Dear PINS,

Environmental Impact Assessment (EIA) Scoping consultation by Anglian Water and Cambridge Water ("the Applicant") for the Fens Reservoir Development Consent Order (DCO) proposals

I am writing on behalf of Huntingdonshire District Council (the Council) in response to your request dated 24th October 2024 regarding the Applicant's EIA Scoping Report for the Fens Reservoir proposals. The Council understands that the Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008, and that the Applicant has sought a Scoping Opinion from the Planning Inspectorate (PINS), on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Council acknowledges that it has been identified by PINS as a consultation body to inform the Scoping Opinion. Attached to this letter is a table containing the Council's views on this matter.

If you have any queries regarding this submission or require any further information, please contact Implementation@huntingdonshire.gov.uk

Yours sincerely,

[redacted]

Clara Kerr

Chief Planning Officer

Huntingdonshire District Council

Our Reference: 24/02051/COA

Fens Reservoir: Comments on the Applicant's EIA Scoping Report

This document sets out the comments by Huntingdonshire District Council (**the Council**) regarding Anglian Water and Cambridge Water's EIA Scoping Report for the Fens Reservoir proposals.

The following table contains comments across a number of technical specialisms.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
1		Introduction	Noted
2		Project description	Noted
3		Consideration of Alternatives	Noted
4		Legislation, Planning Policy & Guidance	Any revisions to the National Planning Policy Framework (NPPF), as recently consulted on by the Government, will need to be reflected. The Applicant should also monitor the Council's progress in preparing and adopting a replacement of the current Adopted Local Plan which, at the time of writing, envisages Preferred Options (Regulation 18) consultation in Summer/Autumn 2025 and Pre-submission Consultation (Regulations 19 and 20) in Spring 2027. The Local Plan, whilst not the starting point for consideration of NSIP projects, is nonetheless a material consideration.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
		Legislation, Planning Policy & Guidance	Appendix 4.1 Table 3.1 correctly identifies no Made Neighbourhood Plans as currently forming part of the statutory development plan for Huntingdonshire, relevant to the proposed development. This may change over time and the Applicant should monitor the status of Neighbourhood Planning within the Parish Council areas listed below.
5		Consultation & Engagement	The Applicant should engage with the following Town/Parish Councils within Huntingdonshire: - Bluntisham Parish Council - Colne Parish Council - Earith Parish Council - Fenstantion Parish Council - Holywell-cum-Needingworth Parish Council - Pidley-cum-Fenton Parish Council - St Ives Town Council - Warboys Parish Council
6		EIA Approach & Methodology	Noted
7	Landscape and Visual	EIA Scoping Report 1 Chapter 7	The associated water infrastructure is currently shown as a 500m wide corridor. This is due to be narrowed down to a 50m wide corridor as the project further develops. The Guidelines for the Landscape and Visual Impact Assessment, Third Edition (GVLIA3) have been used to guide the extent of the study area, which is suitably extensive to allow for the ongoing refinement of the proposed development. The impact on the landscape at this stage is unclear. However, there is a real concern for how this will be routed. Of particular concern is the potable water connection point in the areas of Bluntisham: there would need to be a 200m x 200m concrete service reservoir, 8m tall (earth bunded), together with a 30m x 15m control building, security fencing, access road etc. with red line areas covering traditional orchards (Priority Habitats) and other County Wildlife Sites.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			Care must be taken as the project evolves, to ensure that the emerging landscapes are not fragmented within the wider landscape and to not feel alien within the receiving landscape character. Landscape connectivity is key to deliver lasting benefits to biodiversity. The series of photomontages and representative viewpoints will be formed for the proposed development to accompany the LVIA as the project further develops, and the 500m wide corridor currently shown is narrowed down to a 50m wide corridor. Further work is required to fully define the extent of the visual assessment and to confirm the representative receptors. The selection of locations to be agreed through future consultation, with focus on a range of potential visual receptors identified within the scoping report. The emerging design of the proposed development should demonstrate processes applied to further identify and refine a landscape-led design and mitigation strategy and identify opportunities for landscape improvements and enhancements. The scheme will result in direct and/or indirect impact to sites of local importance for nature conservation and should be focussed and designed to avoid adverse impacts and to protect, restore and expand these habitats.
8 & 9	Ecology	Terrestrial & Aquatic Biodiversity	The Council is not the statutory consultee for this subject area and defers to Cambridgeshire County Council to make detailed comment on these chapters at this time. Whilst reserving the right to comment further in the future, at this point the Council makes the following high-level observations: The Environmental Statement should consider whether the proposed development would have any effect on any Water Framework Directive waterbodies or any deterioration in any RAMSAR site or SSSI covered by the Habitats Directives. The Environmental Statement should consider any impacts on local wildlife and geological sites, including Local Nature Reserves, setting out proposals for the mitigation of any impacts

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			and if appropriate compensation measures as well as opportunities for enhancement and improved connectivity with wider ecological networks. All stages of the proposed development should be assessed within the Environmental Statement with regard to protected species, including but not limited to great crested newts, reptiles, birds, water voles, badgers and bats. Records of protected species should be obtained from the appropriate local biological record centres, nature conservation organisations and local groups. Whilst the Wildlife Trust has declined to comment at this time, you should nonetheless engage with them in the preparation of the Environment Statement. Consideration should be given to the wider context of the site in terms of habitat linkages and protected species populations in the wider area. The area likely to be affected by the proposed development should be thoroughly surveyed by competent ecologists at appropriate times of the year for relevant species and the survey results, impact assessments and accompanying appropriate mitigation strategies included as part of the Environmental Statement. An appropriate level habitat survey should be carried out onsite to identify any important habitats present, in addition to ornithological, botanical and invertebrate surveys in order to establish whether any scarce or priority species are present. Based on the information presented the surveys already undertaken are sufficient in their scope, subject to compliance with the CIEEM's Advice note on the Lifespan of Ecological Reports and Surveys (attached) regarding their expiry. The baseline biodiversity value of the site needs to be correctly assessed in accordance with Paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990, an anti-avoidance provision designed to prevent a site's pre-development biodiversity value being artificially lowered through activities such as vegetation clearance. The baseline biodiversity assessment therefore needs to account for any/all habitat removed since 30th January 2020. Paragraph 6B within the same Schedule describes how to assess the biodiversity value of the

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			removed habitat if there is insufficient evidence of its value immediately before the degradation occurred. The Environment Statement should contain details of: • Any historic data for the site (including from previous surveys) • Additional surveys carried out as part of the proposed development • The habitats and species present • The status of these habitats and species • The direct and indirect effects of the proposed development on these habitats and species • Full details of any mitigation or compensation measures • Opportunities for biodiversity net gain or other environmental enhancement All surveys should follow CIEEM's Advice note on the Lifespan of Ecological Reports and Surveys regarding their expiry. A detailed assessment of Biodiversity Net Gain will be required, as well as information and details on the conducted ecological surveys mentioned in the Scoping Report. The effect of the proposed development on any ancient woodland, ancient and veteran trees should be taken into account, including the scope to avoid and mitigate for adverse impacts and any opportunities for enhancement. A Tree Survey and Arboricultural Impact Assessment should accompany the application, along with a separate Hedgerow Assessment. Whilst it will be acceptable for these documents to form part of the related assessments submitted with the application, their findings should inform the baseline within the Environmental Statement.
10	Water Resources and Flooding	EIA Scoping Report Volume 1, section 10.6:	HDC agrees that the provision of a reservoir and associated infrastructure is essential to the future water supply for the district and the wider area. The National Policy Statement for Water Resources Infrastructure (Defra, 2023) states that effect on water quality and the

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
		Baseline conditions	requirement in to not increase flood risk elsewhere for the lifetime of the development, taking into account climate change is an important consideration. It is considered that the requirement for betterment should be included within the scope of the EIA. Most waterbodies within Huntingdonshire are also highly sensitive when considering ammonia, Flood zone 3b in the areas of Somersham, Earith, Bluntisham, Holywell & Needingworth and Fenstanton, with flood zone 2 and 3 extending further. Surface water flood risk is also present in these areas, with groundwater at either or very near the ground surface in the 100 year return period event. It is therefore proposed that Huntingdonshire's stage 1 Water Cycle Study and Strategic Flood Risk assessment are taken into account in the baseline assessment in all aspects relating to the impact on flooding and water. Evidence Library for Local Plan Update - Huntingdonshire.gov.uk Maintenance and quality of drainage networks within the proposed development will also need to be considered to ensure flood risk is not increased elsewhere and within existing settlements.
10	Water Resources and Flooding	EIA Scoping Report Volume 1, paragraph 10.7.7	Good practice examples should include a long-term maintenance plan for infrastructure, including open channel transfers to ensure continued flood risk mitigation.
10	Water Resources and Flooding	EIA Scoping Report Volume 1, paragraph 10.8.5	It is difficult to ascertain if the potential effects should be scoped out in Table 10-2 without further information to support this decision, a specific example of this is "good construction and operational practice".

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
11	Historic Environment	EIA Scoping Report 1 chapter 11 11.3.2	There is no evidence that advice provided in our letter dated 9th August 2024 (appended) has been considered in the submitted Scoping Report, the issues previously set out are therefore reiterated. The proposals are at an early stage for above ground heritage, the proposed 500m route has been identified and a methodology established for the assessment of heritage assets the methodology however has yet to be applied and at this stage it is not possible to identify which heritage assets are likely to be affected by the works and what the impact is likely to be. The Council therefore is unable to provide a full and detailed response at this time.
11	Historic Environment	11-5 Heritage value criteria	Listed buildings are included on the National Heritage list for England. Buildings are identified against national criteria and regardless of their grade they are of national significance. The intention to include some grade II listed buildings within the medium heritage value which equates to regional importance is therefore not supported.
11	Historic Environment Historic Environment	11.9.16	The Scoping Report says here: *"However, the designation of an asset may not determine its value in every instance. The level of* heritage *value will be assessed individually and professional judgement will be used to determine the appropriate level of value for each asset."* This forms the justification for table 11-5 which is not considered appropriate, significance has been assessed by Historic England/ the Government through a national designation It is unclear what criteria are used to determine what is considered to be substantial significance and good significance if national designations are not applied
11	Historic Environment	11.9.18	The Scoping Report says here: *"The condition of an asset will be considered when assessing its heritage value. The exception is where there is evidence of deliberate neglect of, or damage to, the heritage asset."*

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			It is unclear how the applicant will assess intent associated with deliberate neglect or damage. It also suggests that the condition of the building will be a factor in assessing heritage value – NPPF para 202 does not suggest this approach rather that in these cases where deliberate neglect can be shown then condition should be disregarded.
11	Historic Environment	Volume 3 part 3 Appendix 11.2 Historic environment gazetteer	<table><tr><td>FR_ 1902</td><td>MCB19481</td><td>Old Ferry Boat Inn, Holywell cum Needing worth</td><td>Non-designated</td><td>N/A</td><td>16th century</td><td>Commercial</td><td>Inn</td><td>Low</td><td>Inner</td></tr></table> This appears to be incorrect this is a grade II listed building List Entry Number: **1128427**
11	Historic Environment	Archaeology	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response.
12	Geology, Soils, Agriculture & Land Quality	Paragraph 12.3.3	Paragraph 12.3.3 notes that "It is proposed that engagement will be undertaken with individual farm owners and tenants as part of the assessment to determine any likely significant effects on agricultural businesses from the Proposed Development." As the definition of proposed development includes associated infrastructure, the Council would like confirmation that this includes land affected within the HDC area.
12	Geology, Soils, Agriculture & Land Quality	Paragraph 12.4.2	Paragraph 12.4.2 notes "For the assessments relating to geology and land quality, a 250m buffer from the Scoping boundary has been used (Figure 12.1, and Figure 12.2). This is extended to 1km when considering groundwater abstractions. This study area has been selected based on professional judgement considering the distance beyond which migration of contamination is likely to be minimal." It is considered that any works that are within a reasonable distance of the Ouse washes and the Great River Ouse and tributaries should also be considered to ensure no significant

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			environmental effects. This is especially pertinent if contaminated land is disturbed creating potential run-off into rivers and streams.
12	Geology, Soils, Agriculture & Land Quality	Paragraph 12.6.15 & 12.6.73	In paragraph 12.6.15 it is noted peat is present within some of the scoping boundary. The reinstatement and betterment of peat is encouraged due to the significant climate implications resulting in its deterioration and/or removal of peat. The baseline condition of the peat and climate implications should be assessed within the scope. The same applies to paragraph 12.6.73
12	Geology, Soils, Agriculture & Land Quality	Table 12-4: Loss or deterioration of a geodiversity or sensitive site.	The table notes that "There are no geodiversity sites (comprising geological Sites of Special Scientific Interest (SSSI), or regionally or locally important geological sites or non-designated outcrops/features of interest) within 250m of the Scoping boundary." It is considered that 250m is too small a distance and that this should be extended to ensure no wider impact to any sites of special importance. The assessment is urged to consult with the Cambridgeshire Geological Society to establish areas of importance.
13		Material Assets & Waste Management	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council (in its capacity as the Minerals & Waste Authority) on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response.
14	Traffic and Transport	Paragraph 14.4.6	The Council is not the statutory consultee for this subject area and defers to Cambridgeshire County Council (in its capacity as the Local Highway Authority) to make detailed comment on these chapters at this time. Whilst reserving the right to comment further in the future, at this point the Council makes the following high-level observations: The study area should include the A1123 and the impact that diverted traffic movements may have on the surrounding area including St Ives, Bluntisham, Earith, Colne and Somersham during the construction phase including also impacts on the B1089, B1050 and B1040.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			Careful consideration should be given to the timing of any road closures in the area which will affect the wider area not only along the A1123 towards and within St Ives (which is already heavily congested), but also to the East. Key settlements which may be affected may include Earith, Bluntisham, Colne, Somersham, Holywell and Needingworth and St Ives, especially as diversion routes will be lengthy. Outside HDC settlements affected could include those along the A1123, B1050 and B1381, B1089 and B1040.
14	Traffic & Transport	Public Rights of Way (PROW)	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council (in its capacity as the Local Highway Authority) on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. Whilst reserving the right to comment further in the future, the Council would defer to Cambridgeshire County Council for a detailed response.
15	Air Quality	Paragraph 15.5.4	The Environmental Impact Assessment Scoping Report Volume 1 makes reference to the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 in Section 15.5.4. DEFRA is in the process of producing planning guidance on how developers and decision-makers should take the targets into consideration in the planning process. However, ahead of the publication of the finalised guidance next year the department has issued interim guidance, which should be taken into account.
15	Air Quality	Paragraph 15.8.3	The proposed modelling will consider both operational and construction traffic and construction work impacts will also be assessed. Section 15.8.3 of the Environmental Impact Assessment Scoping Report Volume 1 confirms nothing has currently been scoped out with regard to air quality, so all aspects will be assessed further. No comment at this time.
16		Carbon & Greenhouse Gases	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response, whilst reserving the right to comment in the future.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
17		Climate Resilience	The Council is not the statutory consultee for this subject area and defers to Cambridgeshire County Council to make detailed comment on these chapters at this time. Whilst reserving the right to comment further in the future, at this point the Council makes the following high-level observations: The ES should identify how the development affects the ability of the natural environment (including habitats, species and natural processes) to adapt to climate change. This should include an assessment of the impacts on the vulnerability or resilience of a natural feature as well as impacts on how the environment can accommodate change for both nature and people. Nature-based solutions should be considered to address impacts.
18	Noise & Vibration	Construction Noise	There is a potential water supply source in Bluntisham Where a pump-house could be constructed. BS 5228 Code of Practice for Noise and Vibration Control on Construction and Open Sites will be followed. Noise limits from BS5228 Table E.1 have been repeated in Table 18-7 of the Scoping Report. A baseline noise survey with an agreed method and monitoring location has been undertaken but not submitted.
18	Noise & Vibration	Operational Noise	A potential water supply source in Bluntisham may include a noisy water pump. BS 4142 Methods for Rating and Assessing Industrial and Commercial Sound will be followed. Mitigation measures will consider a reduction of noise at source, use of noise absorptive material and significant distance from noise source to noise sensitive receiver. A baseline noise survey with an agreed method and monitoring location has been undertaken but not submitted.
19		Public Access & Amenity	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response, whilst reserving the right to comment in the future.

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
20		Socio-economics & Community	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response, whilst reserving the right to comment in the future.
21		Human Health	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response, whilst reserving the right to comment in the future.
22		Major Accidents & Disasters	The Council is not the statutory consultee for this subject area and so would expect PINS to consult Cambridgeshire County Council on this matter regarding the site and any associated infrastructure that falls within Cambridgeshire County Council's boundary. The Council would defer to Cambridgeshire County Council for a detailed response, whilst reserving the right to comment in the future.
23		Cumulative Effects	An impact assessment should (subject to available information) identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out, including: • Existing completed projects • Projects with planning permission which have not yet commenced • Approved but uncompleted projects • Ongoing activities that are not already included in the baseline assessments • Plans or projects for which an application has been made and which are under consideration by the consenting authorities

Scoping Report chapter	Specialism	Proposal aspect referred to	Comments
			• Plans and projects which are reasonably foreseeable and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects Further discussion in respect of the precise methodology for undertaking cumulative assessments is recommended. Planning application reference 24/01082/OUT (Compass Point Business Park, St Ives) should be added to the list of developments at Appendix 23.1
24		Summary	Noted

ADVICE NOTE

ON THE LIFESPAN OF ECOLOGICAL REPORTS & SURVEYS

APRIL 2019

It is important that planning decisions are based on up-to-date ecological reports and survey data. However, it is difficult to set a specific timeframe over which reports or survey data should be considered valid, as this will vary in different circumstances. In some cases there will be specific guidance on this (such as for the age of data which may be used to support an EPS licence application). In circumstances where such advice does not already exist, CIEEM provides the general advice set out below.

For some projects the time taken between commencing the scoping or design and submitting a planning application can be several years, and this can result in the early ecology surveys becoming out-of-date (based on the advice set out below); this can lead to additional costs for developers associated with updating survey data. Nevertheless, there are considerable advantages associated with undertaking surveys early during the scoping or design phases of a project.

Ecological consultants should give careful consideration to which, if any, surveys need to be updated; design their data collection in a way which maximises the benefits of early surveys whilst minimising the costs to developers; and provide clarity on the likely lifespan of surveys in their reports.

AGE OF DATA	REPORT / SURVEY VALIDITY
Less than 12 months	Likely to be valid in most cases.
12-18 months	Likely to be valid in most cases with the following exceptions: • Where a site may offer existing or new features which could be utilised by a mobile species within a short timeframe (see scenario 1 example); • Where a mobile species is present on site or in the wider area, and can create new features of relevance to the assessment (see scenario 2 example); • Where country-specific or species-specific guidance dictates otherwise. Report authors should highlight where they consider it likely to be necessary to update surveys within a timeframe of less than 18 months.
18 months to 3 years	A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report, based on the factors listed below. Some or all of the other ecological surveys may need to be updated. The professional ecologist will need to issue a clear statement, with appropriate justification, on: • The validity of the report; • Which, if any, of the surveys need to be updated; and • The appropriate scope, timing and methods for the update survey(s). The likelihood of surveys needing to be updated increases with time, and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. Factors to be considered include (but are not limited to): • Whether the site supports, or may support, a mobile species which could have moved on to site, or changed its distribution within a site (see scenario 1&2 examples); • Whether there have been significant changes to the habitats present (and/or the ecological conditions/functions/ecosystem functioning upon which they are dependent) since the surveys were undertaken, including through changes to site management (see scenario 3 example); • Whether the local distribution of a species in the wider area around a site has changed (or knowledge of it increased), increasing the likelihood of its presence (see scenario 4 example).
More than 3 years	The report is unlikely to still be valid and most, if not all, of the surveys are likely to need to be updated (subject to an assessment by a professional ecologist, as described above).

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9th August 2024

Laura Underhill
Anglian Water

Sent by email to: info@fensreservoir.co.uk

cc: [redacted]

Dear Ms. Underhill

Fens Reservoir and Associated Water Infrastructure Proposals - Phase Two Consultation

I am writing on behalf of Huntingdonshire District Council (HDC) in relation to the above non-statutory consultation on the Fens Reservoir and associated water infrastructure proposals project.

Thank you for confirming in the email dated 8th July 2024 to Mrs. Burton that HDC's comments would be acceptable in letter and table form.

The Council's response is attached as appendix 1 to this letter. The Council recognises that the project is still in development and a further consultation will be undertaken in the summer months of 2025. For that reason, and through a continued collaborative approach, further detailed responses will be shared as the scheme progresses and the Development Consent Order process is taken forward.

While this consultation primarily focusses on the technical aspects of the proposal the Council would welcome continued close collaboration with Anglian Water to ensure opportunities to enhance wider infrastructure to support residents, businesses, and the visitor economy of Huntingdonshire, supporting the ambitions of Huntingdonshire District Council, as set out in our Huntingdonshire Futures Place Strategy (Huntingdonshire Futures | Let's Talk Huntingdonshire (letstalkhuntingdonshire.net). We wish to maximise every opportunity to ensure our ambitions are met, delivered and will establish an enduring legacy ensuring Huntingdonshire remains one of the best places in the country to live, work and invest. It is recognised that this scheme offers opportunities to enhance the health and wellbeing of our residents through active travel, we would wish to see environmental net gain maximised to create a visitor destination within the wider unique fens landscape and we also wish to work with you to ensure that as the scheme develops employment and skills development opportunities are made available to local residents working alongside local businesses.

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If you have any further queries on any of the comments raised within this response please email implementation@huntingdonshire.gov.uk .

Yours sincerely,

Clara Kerr

Chief Planning Officer

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Appendix 1

1.1 Huntingdonshire District Council Cabinet met on the 16th July 2024 and approved the preparation and submission of formal comments on the current Phase 2 non statutory consultation on the Lincolnshire Reservoir and associated water infrastructure proposals project.

1.2 Comments are only provided in the main on the associated infrastructure elements that fall within Huntingdonshire District Council rather than on the overall scheme.

1.3 It is considered that the Lincolnshire Reservoir and associated water infrastructure proposals project is seen as a key opportunity to support the water needs of our communities and meet the growth agenda set out in our Local Plan 2036.

1.4 The Council has liaised with its specialist officers and the responses are set out in the table below.

Specialism	Proposal aspect referred to	Comments
Planning Policy	Options Appraisal Report Page 11, para 2 Loss of Habitat	Option A: Loss of habitat from Ouse washes should ensure habitat restoration and betterment post scheme completion, due to European designated status. The same would apply if Option B were to be chosen. Regard should be had to acceptable water levels to ensure habitat status is not adversely impacted.
	Page 11 – General comment:	Agree that both schemes (A and B) should look to reduce flooding. Schemes should work towards achieving betterment in relation to risk of flooding from all sources.
	Page 91 – 6.2.2 –	Abstraction from the Ouse Washes would result in loss of habitat. The scheme should ensure habitat restoration and betterment post scheme completion, due to European designated status. Consideration of water quality treatment to mitigate against invasive species (paragraph 6.2.4) is commended and requires serious consideration. Regard should be had to acceptable water levels to ensure habitat status is not adversely impacted. Scheme should look to reduce flooding. Schemes should work towards achieving betterment in relation to risk of flooding from all sources, this is especially pertinent to Earith which has significant flooding at points in the year resulting in the closure of the A1123 for safety reasons.
	Page 92, paragraph 6.2.11.	"The downstream pipeline corridor towards Madingley and Bluntisham runs initially in a south-west direction from the water treatment works towards Somersham. From here it continues south, with a spur connection to the service reservoir at Bluntisham. The route continues south, followed by routing around the east of Fen Drayton Lakes near to Swavesey. The route is 43.3km of pipeline and would be installed by open cut installation techniques except where it crosses the constraints, such as A roads, detailed in Paragraph 3.3.8." These rural settlements are relatively isolated and a transport assessment and impact on traffic and transport

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Specialism	Proposal aspect referred to	Comments
		movements would be welcomed to ensure minimal impact to residents.
	Page 92, paragraph 6.2.13 & 14	"The area of land identified for siting of a new service reservoir at Bluntisham is located directly north-west of the village, north of Wood End Road. 6.2.14 The new reservoir at Bluntisham would require a spur from the downstream transfer to Madingley. This spur would start north of Wheatsheaf Road and west of Pidley Sheep Lane. The circa 3.5km pipeline would cross the B1040 north of existing dwellings, routing in an east-southeasterly direction towards the new service reservoir." These rural settlements are relatively isolated and a transport assessment and impact on traffic and transport movements would be welcomed to ensure minimal impact to residents.
	Page 94, paragraph 6.3.1	"WSO-B would take water from the Great Ouse at Earith and the River Nene and its Counter Drain. Water from the Great Ouse at Earith would be piped directly to the reservoir or the Middle Level system." Abstraction from the Ouse Washes would result in loss of habitat. The scheme should ensure habitat restoration and betterment post scheme completion, due to European designated status. Consideration of water quality treatment to mitigate against invasive species requires serious consideration. Regard should be had to acceptable water levels to ensure habitat status is not adversely impacted. Scheme should look to reduce flooding. Schemes should work towards achieving betterment in relation to risk of flooding from all sources, this is especially pertinent to Earith which has significant flooding at points in the year resulting in the closure of the A1123 for safety reasons.
	Page 94, paragraph 6.3.2	"Water would be conveyed directly to the Fens Reservoir from the Great Ouse at Earith using a 1,500mm diameter pipeline of approximately 19.3km in length. It would be installed via open cut installation techniques except where it crosses the constraints, such as A roads, detailed in Paragraph 3.3.8." Earith is relatively isolated and a key commuting route for many residents in and outside the district, a transport assessment and impact on traffic and transport movements would be welcomed to ensure minimal impact to residents.
	Page 94, paragraph 6.3.3	"The proposed pipeline corridor follows a route from south of Bluntisham within the RSPB Hanson Ouse Fen Nature Reserve north-west towards Pidley. Following crossing of the B1040 it realigns northwards between Pidley and Somersham, before heading north-east, skirting Somersham towards Chatteris." These rural settlements are relatively isolated and a transport assessment and impact on traffic and transport

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Specialism	Proposal aspect referred to	Comments
		movements would be welcomed to ensure minimal impact to residents.
	General comment, chapter 6	There are opportunities that should be considered to enhance active travel opportunities in conjunction with the installation of associated infrastructure, there is an opportunity to enhance provision in areas such as Somersham, Bluntisham, Pidley, Earith etc.
	General comment, chapter 6	Both schemes should ensure no deterioration of water quality and habitat status and look towards betterment.
	General comment	Downstream transfer pipelines for both options A and B run through Huntingdonshire Local Plan's Green Infrastructure Priority Area of the Great Ouse Valley, and some County Wildlife sites. In addition, the pipeline will pass north of Holywell conservation area. These sites can be found on our interactive policies map: HDC Local Planning Policies (3csharedservices.org) and can be provided as shape files on request. The relevant Local Plan policies are LP 3 Green Infrastructure, LP 11 Design Context. Local Plan policy LP 3 notes that "A proposal within the Ouse Valley Landscape Character Area, defined in the Huntingdonshire Landscape and Townscape Assessment Supplementary Planning Document will be supported where it contributes to the landscape, wildlife, cultural and historical value of the area." The policy also includes improvements to accessibility, naturalness and connectivity of green spaces, assisting in achieving Natural England's ANGsT standard, maintaining and enhancing rights of way network amongst its criteria. As a strategic policy for the district, it is requested that any pipeline and service reservoir development aim to meet the aims of this policy and contribute to these objectives in a positive manner. Policy LP 11 looks towards the Huntingdonshire Landscape and Townscape Assessment SPD 2022 and our conservation areas asking that regard is had to these and their valued characteristics. Likewise, it is requested that any pipeline and service reservoir development aim to meet the aims of this policy and contribute to these objectives in a positive manner.
Environmental Protection	General comment	The impact of construction and operational noise on nearby residents would need to be considered. It is possible for a new river intake with treatment equipment and a pumping station to be located on land to the south of Bluntisham known as Gull Field (south of the old railway). There are a number of dwellings along Station Road and Rectory Road to the north of this. It is also possible for a new service reservoir to be located to the north-west of Bluntisham on land known as "Colne Heath". This is situated north of The Heath (road). There are a number of dwellings situated alongside The

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Specialism	Proposal aspect referred to	Comments
		Heath. These dwellings would need to be considered with regard to construction and operational noise. Dwellings located along the pipeline corridors would also need to be considered during the construction phases. A Construction Environmental Management Plan would need to be agreed prior to the start of any work.
	General comment	Land contamination would need to be assessed throughout the whole scheme in order to protect construction workers, end users and uncontaminated land and water.
	General comment	The air quality would need to be considered, in particular, any change of trafic movement through villages such as Bluntisham and Earith.
	General comment	The noise, land contamination and air quality assessments proposed by the specialist consultants during the Local Authority Associated Infrastructure Forum – round 1 meeting on 15 May 2024 were acceptable and will be required.
Built Heritage (excl archaeology)	Introduction	The proposals are at an early stage for above ground heritage, the proposed 500m route has been identified and a methodology established for the assessment of heritage assets – (Built Heritage Methodology doc no SROP-MML-XXX-XX-RPT-TA 000193) the methodology however has yet to be applied and at this stage it is not possible to identify which heritage assets are likely to be affected by the works and what the impact is likely to be. The Council therefore is unable to provide a full and detailed response at this time.
	Para 3.2.3	States that the building heritage methodology has been designed to consider impacts arising from the reservoir and associated built infrastructure only. The Council would encourage the scope of the assessment to be extended to extend the methodology to address transfer works which may be limited in time but which may have impacts on the built heritage.
	Table 3.1 p15	Heritage Value Criteria. There is some confusion regarding the High and Medium heritage values, particularly as both categories refer to grade II listed buildings and conservation areas. Listed buildings by definition are of national importance it therefore seems unreasonable to group their significance with non designated sites of regional importance. It is unclear what criteria are used to determine what is substantial significance and good significance
	General	The Options Appraisal Report identifies two routes WSoA and WSoB, it is noted that WSOA is the preferred route as it states p11 that WSoA would likely result in lower level of impact on the value of designated heritage assets in the villages of Bluntisham and Earith (are these assets scheduled monuments in which case these are the remit of Historic England). Minimising the impact of development on heritage assets through the

Tel: 01480 388388 **Fax:** 01480 388099

Specialism	Proposal aspect referred to	Comments
		consideration of initial design options is welcomed however it is not clear which assets will be afected by either route and why route A is better than route B The identification of 'the setting of both Bluntisham and Earith Conservation Areas, including the Grade I Parish Church of St Mary, Grade II Bluntisham and Earith War Memorial and Grade II* Bluntisham House within the Bluntisham Conservation Area.' It appears arbitory when there is no mention of the impact on heritage asssets in Holywell.
Landscape	General comment	This was a high-level overview of the emerging design of the proposed Fens Reservoir. This includes the proposed main reservoir site and associated water infrastructure. The proposed reservoir site, between Chatteris and March is of a purposely synthetic feature with indicative landscape elements emerging, which include woodland, wetland, floating wetland, grassland and other areas of land set aside for potential environmental mitigation and/or enhancement.
	General comment	Opportunities are emerging through the project vision which could be steered to create significant and lasting opportunities for the biodiversity and the emerging landscape. Care must be taken as the project evolves, to ensure that the emerging landscapes are not fragmented withing the wider landscape and to not feel alien within the receiving landscape character. Connectivity is key to deliver lasting benefits to biodiversity.
	General comment	The associated water infrastructure is currently shown as a 500m wide corridor. This is due to be narrowed down to a 50m wide corridor as the project further develops. The impact on the landscape at this stage is unclear. However, there is a real concern for how this will be routed particularly in the areas of Bluntisham, Holywell, the Great River Ouse and RSPB Fen Drayton Lakes in terms of visual impact of the receiving landscape and associated wildlife.

Tel: 01480 388388 **Fax:** 01480 388099

Dear Emily,

Thank you for your letter regarding the Fens Reservoir Consultation. The proposed project is welcomed and supported by Longstanton Parish Council. We look forward to hearing of progress with this project.

Kind regards

Jaymes

Jaymes Sinclair BA (Hons.)
Clerk - Longstanton Parish Council

Your Ref:

Our Ref: 119/57

By email: [redacted]

Steve Reed MP
Secretary of State for the Environment, Food & Rural Affairs
House of Commons
London
SW1A 0AA

30 September 2024

Dear Steve

Middle Level Commissioners and Internal Drainage Boards' criticality in enabling the Fens Reservoir and Cambridgeshire growth.

I listened with great interest to your recent speech introducing the Water Special Measures Bill and in particular the reference to the urgent drive to deliver new public water supply reservoirs.

I am writing specifically with regards to the Fens Reservoir, Anglian Water and Cambridge Water's scheme within the RAPID programme, its criticality in enabling housing and economic growth and your role overseeing Internal Drainage Board (IDB) policy and associated funding.

Here at the Middle Level Commissioners, we have been proudly managing water levels in the Fens since 1862. I joined the Middle Level Commissioners in January 2023, having worked locally, regionally and nationally at the Environment Agency for 23 years, where I stimulated a strategic flood focus in the Fens (now the Fens 2100+ programme). I have become deeply concerned that neither Ministers (past or as yet present government), departments (Defra or MHCLG), nor arm's length bodies (Environment Agency, Homes England or Ofwat) have identified Internal Drainage Board policy and financing as a key inhibitor, or enabler, to housing and economic growth aspirations.

In my experience there is an unhelpful and constraining siloed mentality and pigeon-holing. Housing and economic growth being considered as an 'urban' issue with MHCLG leading and IDBs considered a somewhat niche aspect of the 'rural' agenda with Defra leading – never the twain meeting. If not urgently addressed, I fear this could have dire consequences and now is the time to act as your government sets its policy agenda and financial plans for the next spending review.

For Cambridgeshire and the wider region, the Fens Reservoir is a game-changer – connecting the urban and rural agendas - a multi-generational opportunity to stimulate the next generation of Fens water management infrastructure that has such a deep legacy. Infrastructure that is now as critical to regional housing and economic growth, as it is to agricultural productivity nationally and flood resilience for local communities.

In my opinion dots need to be joined, and at pace. In a nutshell, here's why;

Success is entirely dependent upon the Middle Level Commissioners.

The Fens reservoir site is within the heart of the Middle Level of the Fens and having worked closely with Anglian Water over the last 18-months, what is now clear within the proposals is that in terms of water source, water transfer, site flood resilience, emergency drawdown and downstream water transfer routes, the planning, construction and operation of the reservoir will be dependent upon Middle Level Commissioners' infrastructure, our operations and our resources. These need to be ready and resilient for this enhanced future role.

The Middle Level is unique and complex.

The Middle Level is unique in England in that it has two tiers of land drainage. The Middle Level Commissioners' watercourses could be considered akin to Environment Agency main rivers in other lowland landscapes and within the rest of the Fens. Twenty-four smaller IDBs pump or gravity discharge into our system and we then manage and pump colossal amounts of water into the Environment Agency's Tidal Great Ouse at St Germans Pumping Station, the largest of its kind in the UK.

Internal Drainage Boards are lean organisations and dealing with a Nationally Significant Infrastructure Project is not business as usual.

We are a small public authority of less than forty employees who also provide a range of services to approximately thirty other local Internal Drainage Boards. Our very limited capacity is already stretched far too thinly and is under-resourced for the challenges presented by an aging water management asset base, a system that is already at capacity and a landscape with significant growth and climate change pressures. To scale up and reform to enable the Fens Reservoir, we need external funding to grow capacity for the long-term journey, either from Anglian Water, from the RAPID programme directly and/or some other mechanism.

Existing IDB legislation is outdated, and modernising is not sufficiently prioritised.

IDB legislation and policy has been long-overdue a review, it is at least 30-years out of date and does not reflect the modern-day role of IDBs as water and environment managers, let alone being farsighted and future proof. It also feels like Defra under-resources and under-prioritises its role in IDB legislation, policy and assurance, and the Environment Agency do similar with their poorly defined supervisory duty and strategic overview role. I feel that both organisations lean too much and somewhat inappropriately on the Association of Drainage Authorities (ADA), a tiny membership body, to act as a conduit to IDBs, meaning we have limited national presence and direct national relationships.

There is significant uncertainty within the core IDB funding streams.

If ours and local IDB infrastructure, operations and governance is to enable the Fens Reservoir which in turn is key for housing and economic growth beyond the Middle Level of the Fens, then there also needs to be sufficient certainty in short, medium and long term financing of core IDB funding sources, as the burden of financial expectation should not rest on our agricultural ratepayers, ie Highland Water funding (from the Environment Agency), Special Levy funding (from District Councils with the associated burden on Council Tax and other critical public services) and Flood & Coastal Erosion Risk Management Grant-in-Aid (from Defra via the Environment Agency). There also needs to be a shift in approach that removes the handicaps IDBs face within the current flood funding policy, allocation and delivery models for infrastructure investment.

The challenges I've outlined and the transformational opportunity we collectively need to unlock are much easier to visualise from a site visit rather than from this letter or briefing notes. I'd welcome the opportunity to host you within the Middle Level to discuss further.

I look forward to hearing from you.

Yours sincerely

[redacted]

Paul Burrows, FCIWEM C.WEM CEnv
Chief Executive
chiefofficers@middlelevel.gov.uk

For reference I attach a letter sent to Michael Gove in July 2023 when he announced his plan for Cambridge growth. This letter was simply acknowledged and there has been no follow up from the department or task force.

Copy via email:

Steve Barclay MP, North East Cambridgeshire
Ben Obese-Jecty MP, Huntingdon
Sam Carling MP, North West Cambridgeshire
Terry Jermy MP, South West Norfolk
Dr Nik Johnson, Mayor - Cambridgeshire & Peterborough Combined Authority
Philip Duffy, Chief Executive - Environment Agency
Brian Stewart, Chair – Anglian (Great Ouse) Regional Flood & Coastal Committee
Mark Thurston, Chief Executive – Anglian Water
Rob Bridge, Chief Executive - Cambridgeshire & Peterborough Combined Authority
Stephen Moir, Chief Executive – Cambridgeshire County Council
Paul Medd, Chief Executive – Fenland District Council
Michelle Sacks, Chief Executive – Huntingdonshire District Council
Kate Blakemore, Chief Executive - Borough Council of King's Lynn & West Norfolk
Innes Thompson, Chief Executive – Association of Drainage Authorities
Daniel Johns, Managing Director – Water Resources East

Your Ref: WA010004

Our Ref: 119/57

Sent by email to: Fensreservoir@planninginspectorate.gov.uk

Emily Park
Senior EIA Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

21 November 2024

Dear Emily

Fens Reservoir – Environmental Statement (ES) and scoping

Please add the response below, provided by Sofi Lloyd FdSC BSc, MBPR our Ecology and Environmental Services Manager, as an addendum to my earlier response to your letter of 24 October 2024.

"We would expect the following elements should be **scoped IN** to the ES for the reasons provided, rather than scoped out as is currently suggested:

Chapter 8. Terrestrial Biodiversity

- Habitat loss, modification and severance – (Operational Phase) and
- Effects related to Middle Level to proposed reservoir transfer (both phases):
  - Loss of habitat (including through soil compaction).
  - Killing or injury through the removal of occupied resting or breeding sites.
  - Severance of habitats resulting in fragmentation and loss of ecological connectivity.

Chapter 9. Aquatic Biodiversity

- Loss of ecological connectivity through severance of habitats resulting in fragmentation (Operational Phase) and
- Effects related to Middle Level to proposed reservoir transfer:
  - Loss of habitat (including through soil compaction).
  - Killing or injury through the removal of occupied resting or breeding sites.
  - Severance of habitats resulting in fragmentation and loss of ecological connectivity.
- Killing or injury of fauna through the removal of occupied resting or breeding sites

Reasoning:

1) Consider the effects an increased need for maintenance of transfer channels will have on flora and fauna.
2) Need to better understand the impact of increased intake of water from the Nene on water quality of our system and the likely impacts on flora and fauna. The water quality of the Nene at the intake point (Stanground) is known to be very low.
3) Need to better understand impacts on flora and fauna as a result of increased/decreased/ fluctuating water levels within the MLC system while water is being transferred.

4) Need to better understand what the potential impacts would be if we are instructed to take in water, but the abstraction at the reservoir subsequently fails, even if for a short time (as it occasionally does at other abstraction points). Our channels have dependencies that would not tolerate significant level changes including navigation and riparian fauna.
5) Need to better understand the risks of increased intake from the Nene on the introduction and spread of INNS, particularly Chinese Mitten Crabs, non-native crayfish and aquatic plant INNS. Increased conveyance could increase the risk of spread of any introductions.
6) Need to better understand the impact emergency drawdown would have on water levels and fauna within the ML system downstream of the reservoir.
7) Need to better define and understand the impact that discharge of non-complaint treated water has on the biodiversity of the ML system.
8) The construction of abstraction structures will undoubtedly impact locally on protected species including water vole as we know they are present in the area.
9) Need to better understand whether there is a need for any channel or bank improvements to the MLC system to secure the transfer to the reservoir.

Chapter 10: Water resources and flood risk*

- Changes to the shallow hydrogeological regime leading to groundwater flooding.

Reasoning:

The impact of construction within the site alongside the filling of field drains and IDB ditches needs to be better assessed to ensure that we fully understand the impact on groundwater levels and the subsequent impacts on local IDB drains and infrastructure.

Chapter 16: Carbon and greenhouse gases

- GHG emissions downstream of the Proposed Development (e.g. pumping, water storage and distribution within the supply network)

Reasoning

The ES is supposed to capture significant **Positive** effects as well as negative and there is a high likelihood of significant positive effects on GHG emissions if the reservoir results in less pumping.

Chapter 17: Climate resilience

All should be scoped in.

Reasoning

Better understanding is needed of how the construction and operation of the reservoir will respond to increased volume and frequency of rainfall, right from the start of construction through the life of the asset, as well as how it will respond to a deficit of water to feed into it. The same consideration has to be given about the MLC assets and catchment upon which it relies. This is important if we are to avoid more catchment-wide negative impacts on the environment and biodiversity."

Yours sincerely

Paul Burrows, FCIWEM C.WEM CEnv
Chief Executive
chiefofficers@middlelevel.gov.uk

Your Ref: WA010004

Our Ref: 119/57

Sent by email: Fensreservoir@planninginspectorate.gov.uk

Emily Park
Senior EIA Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

21 November 2024

Dear Emily

Fens Reservoir – Environmental Statement (ES) and scoping

Within your letter dated 24 October 2024 you asked us to review the documentation provided by the applicant and respond by close on 21 November 2024 answering the following question:

Inform the Planning Inspectorate of the information you consider should be provided in the Environmental Statement.

This response is on behalf of the Middle Level Commissioners and the following Internal Drainage Boards (IDBs) that we administer that are either within our system or have the potential to be impacted by the Fens Reservoir proposals. Each of these is an individual small public authority.

> Benwick IDB; Churchfield & Plawfield IDB; Conington & Holme IDB; Curf & Wimblington Combined IDB (Fens Reservoir – major implications); Euximoor IDB & March East IDBs (currently in the process of amalgamation); March 5th District Drainage Commissioners (DDC); March 6th DDC; March 3rd DDC; March West & White Fen IDB; Needham & Laddus IDB; Nightlayers IDB (Fens Reservoir – potential major implications); Nordelph IDB; Ramsey First (Hollow) IDB; Ramsey Fourth (Middlemoor) IDB; Ramsey Upwood & Great Raveley IDB; Ransonmoor DDC; Sawtry IDB; Upwell IDB; Warboys Somersham & Pidley IDB; Manea & Welney DDC; Sutton & Mepal IDB; Bluntisham IDB; Hundred Foot Washes IDB; Swavesey IDB.

What is now clear within the proposals for the Fens Reservoir is that in terms of water source, water transfer, site flood resilience, emergency drawdown and downstream water transfer routes, the planning, construction and operation of the Reservoir will be dependent upon Middle Level Commissioners' and local Internal Drainage Board (IDB) infrastructure, operations and resources.

At the Middle Level Commissioners, we are a tiny public authority of less than forty employees who also provide a range of services to approximately thirty other local Internal Drainage Boards. Our very limited technical capacity is already stretched far too thinly and is under-resourced for the challenges presented by an aging water management asset base and a landscape with significant growth pressures. We consider the dependence upon our infrastructure and operations, coupled with our capacity and capability to be a significant risk to the project. We have escalated this to Anglian Water

and have sent the enclosed letter to Steve Reed MP, Secretary of State for Environment, Food & Rural Affairs.

Within the short time period and our very limited capacity to review the applicant's proposed scoping documentation, below are a list of topics and information areas that we feel need to be fully covered within the Environmental Statement (ES).

1 Demonstrate a robust understanding of the hydrology and operations of the Middle Level system.

We have a complex system of infrastructure that does not fit a hydrology textbook. The applicant's documentation contains errors, misunderstandings, over-simplifications and omissions that demonstrate there is considerable technical work and ground-truthing that needs to be further developed in order to determine the most appropriate design solution for the Fens Reservoir. Very few of the Fens Reservoir and client team have seemingly been out and spent time understanding the Middle Level system beyond the proposed site.

In particular:

A. The hydraulic and operational connectivity between the Middle Level with the River Nene, River Great Ouse and the Old Bedford systems.

B. The Middle Level Commissioners' system is described as a 2-part system – this is an oversimplification (see C below) and there needs to be a greater focus on both our St Germans pond and Bevills pond within the ES, along with the interrelationship between the two (including the role of Bevill's Leam Pumping Station) for water source, site flood resilience and emergency drawdown.

C. The Middle Level system is the primary water source for the reservoir – the scoping needs to understand and evaluate how water is and can be made available at the proposed abstraction point on the Forty Foot Drain. The scheme needs to better understand the infrastructure involved and identify that which will be needed in future, along with opportunities to increase storage, channel capacity and attenuation to better manage the provision of water for reservoir abstraction, cater for emergency drawdown and potentially address any water quality concerns. The Middle Level as a source is effectively comprised of multiple sub-sources of water:

- 24 Internal Drainage Board districts that pump (via c 70 pumping stations) and/or gravity outfall into the Middle Level system.
- 9 Private Districts that pump and/or gravity outfall into the Middle Level system.
- Gravity drainage into the MLC's St Germans pond from Bury Brook highland catchment via Ramsey. Bury Brook being an Environment Agency main river.
- Gravity drainage into the MLC's Bevills pond from highland areas including Yaxley, Great Haddon and Sawtry.
- Various ex gravel pits, in particular along King's Dyke.

D. The option to bring water into the Middle Level from the Nene at Stanground needs to be scoped and set out in greater detail.

E. The opportunities for Biodiversity Net Gain across the whole system ought to be scoped in, rather than simply a focus on the main reservoir site.

2 Consider future investment scenarios.

The Fens Climate Change Risk Assessment (CCRA) published on 19 November 2024 is a call to arms regarding the future of the Fens. The future capacity and capability required by the Fens Reservoir of MLC and IDB infrastructure needs to be scoped in. Our systems are already considered as at capacity during the winter. The Fens CCRA highlights how bold, new investment approaches are needed and that current funding levels and models are insufficient. The reservoir ought not assume that existing standards of flood service can be sustained but should put the marker down for what's needed in order to drive a new investment case for the Fens.

3 Invasive Non-Native Species

The screening does not reference Floating Pennywort which is known to be prevalent within the Great Ouse, and we want to avoid importing into the Middle Level as it could be disastrous for navigation and water level management, causing considerable increase in operational costs to manage. Chinese Mitten Crabs are not mentioned within the scoping however are prevalent within the Middle Level, Nene and Gt Ouse systems and pose a potential risk to the reservoir that ought to be evaluated.

4 Site Design

The following aspects of the site design and masterplan require greater inclusion within scoping:

a) The options for improving management of water intake for the River Nene via Stanground Lock needs to be scoped in greater detail.

b) How water will be abstracted from the Forty Foot Drain and pumped into the reservoir needs to be scoped in greater detail.

c) The groundwater and surface water impacts in the wider area around the reservoir need further scoping. Currently it is assumed by the applicant that there will be no impact beyond 500m which may not be correct.

d) The report refers to a proposed flood bund to the north of the reservoir site to mitigate flood risk from the Forty Foot and Sixteen Foot drains. This is in effect considerably uphill of the channels and the opposite side of the reservoir so on face value would not make sense. However, there is the need to consider whether any bunding might be required to the south of the reservoir or south of the Forty Foot channel to mitigate risk during drawdown/breach and to protect receptors.

e) The requirements for continued/enhanced operational, maintenance and improvements for access to any affected drains, particularly the Forty Foot, Sixteen Foot and IDB drains needs to be scoped in.

f) Scope in bank stability - in reservoir (geological challenges) and effect of Ground water/dewatering/cone of depression etc on adjacent MLC embankments during enabling works and after construction.

g) The enabling works will require further scoping to consider more thoroughly - borrow pits/soil stripping/ peat deposits - various issues including management of IDB systems (pumps at end of life already) and wider impacts of dewatering site during construction, alteration of drainage system and groundwater, legislative impacts, management of IDB systems, rateable areas, financial impacts on boards and legal changes, disconnection of drainage in areas, consenting impacts and MLC resource availability.

h) The gauging and telemetry needs across the system, at the site and connectivity with existing MLC telemetry and gauging needs to be scoped.

i) Spillway design needs to scope in an understanding of any risk to the Forty Foot drain embankment and connectivity from drawdown pond to channel.

j) Scope in the impact of the proposed habitat creation "wetland areas" around site, thinking about impacts to and management of IDB systems and MLC watercourses, risk to MLC system (includes planting/ badgers/ creation of new designated sites). Management under legislation and effects on wider system/ farmers/ navigation.

k) Scoping for the impact of the downstream transfer pipelines on MLC and IDB systems, including the need to oversee and regulate (in lieu of consent).

l) Scoping of the impacts of the storage reservoir at the treatments works in terms of connectivity with the MLC/IDB systems, including the need to oversee and regulate (in lieu of consent).

5 Legislative obligations of the Middle Level Commissioners

The navigation legislative duties and water transfer obligations of the Middle Level Commissioners have not been mentioned and these could be adversely affected by the use of the system as a water source and for emergency drawdown.

I trust our response is helpful and please get in touch if there are any topics outlined above that you would value greater insight into.

I would also value The Planning Inspectorate highlighting the criticality of the issues within this letter to relevant Ministers and senior officials. As per my letter to the Secretary of State, in my view to enable the Fens Reservoir there is a web of dots that need joining across departments and tiers of government that may not be immediately obvious and that the applicant alone should not be responsible for resolving.

Yours sincerely

[redacted]

Paul Burrows, FCIWEM C.WEM CEnv
Chief Executive
chiefofficers@middlelevel.gov.uk

Good Morning

Thank you for consulting the Ministry of Defence (MOD) on the Scoping Opinion Request reference WA010004.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no concerns with the development proposed.

The MOD must emphasise that this email is provided specifically in response to the application documents and supporting information provided on the Planning Inspectorate website as of the date of this email.

Amendments to any element of the proposed development (including the location, dimensions, form, and/or finishing materials of any structure) may significantly alter how the development relates to MOD safeguarding requirements and may result in detrimental impact(s) on the operation or capability of defence sites or assets.

In the event that any:
- revised plans;
- amended plans;
- additional information; or
- further application(s)

are submitted for approval, the MOD, as a statutory consultee, should be consulted and provided with adequate time to carry out assessments and provide a formal response whether the proposed amendments are considered material or not by the determining authority.

Thank you

Wendy Talbot
Assistant Safeguarding Manager
Defence Infrastructure Organisation
DIO - Estates
St George's House| Defence Infrastructure Organisation Head Office | DMS Whittington | Lichfield | Staffordshire | WS14 9PY

National Highways Scoping Opinion Consultation Response

National Highways welcomes the opportunity to respond to the consultation for a Scoping Opinion for the application for Development Consent for the Fens Reservoir project.

On behalf of the Secretary of State for Transport, National Highways is responsible for managing and operating a safe and efficient Strategic Road Network (SRN) under the provisions of the Infrastructure Act 2015 and is the highway authority for the Strategic Road Network (SRN). The Department for Transport (DfT) Circular 01/2022 (Strategic road network and the delivery of sustainable development) sets out how National Highways will work with developers to ensure that specific tests are met when promoting a scheme. This includes ensuring the transport impact is understood, any mitigation (or other infrastructure) is designed in accordance with the relevant standards and that environmental impacts are appraised and mitigated accordingly. In addition, National Highways are responsible for ensuring the SRN serves its purpose as a part of a national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety.

National Highways have reviewed the Scoping Reports and would require the following information to be included within the Environmental Statement:

- a vision as per the Circular 01/2022,
- outline relevant National and Local Policies;
- summarise existing baseline conditions;
- provide details of the Proposed Project;
- sets out the distribution of the construction and operational traffic;
- details the construction and operational trip generation;
- identify any necessary mitigation;
- assesses the impact of local committed developments;
- Carryout a cumulative assessment for the other NSIPs and committed development that are coming through around the project area; and
- summarises the findings and provide an overall conclusion.

National Highways suggest the following documents are referenced within the policy review for the project:

- Relevant National Policy Statements;
- National Planning Policy Framework (NPPF) (2023);
- Department for Transport Planning Policy Paper (DfT Circular 01/2022);
- National Highways 'The Strategic Road Network: Planning for the Future Guide' (2015);

In addition to the above, National Highways have the following comments to make.

National Highways consider AIL's would need to be scoped in and considered at EIA stage. National Highways would advise that the Applicant directly discusses any matters pertaining to AIL movements with the National Highways Abnormal Indivisible Loads team (AbnormalIndivisibleLoadsTeam@nationalhighways.co.uk). Increased congestion and increased journey times/distance due to road closures or diversions

for abnormal load access on the receptor ‘Road user’ would need to be scoped in due to the cumulative impact of other developments on the SRN.

National Highways advises consideration of any committed development and their cumulative impact within the project area are outlined within the Environmental Statement and Transport Assessment.

National Highways agree with the inclusion of SRN junctions within the Study Area. Further to this, we request the Applicant to provides information on the trip distribution, providing flow diagrams which include the junctions with the SRN in the vicinity of the proposed development. If the proposed development proposes to generate an increase of 30 two-way movements or more on any junctions on the Strategic Road Network within a peak period (AM or PM), we expect a capacity assessment to be undertaken to assess the impact of the proposed trips on the affected junctions and provide mitigations, if required. Where a junction capacity assessment could potentially be required, and we ask that National Highways are consulted early during the TA scoping process to ensure impacts to the SRN (and LRN) are appropriately assessed. This will enable us to determine the severity of traffic from this development on the operation and safety of the SRN.

National Highways trusts its response provides clarification of its concerns and identify other matters which National Highways considers need to be addressed at this stage of the project. However, if you have any questions or comments regarding the contents of the letter then please do not hesitate to contact me on the details provided. National Highways looks forward to continuing positive engagement with Anglian Water as the project progresses.

Kind regards
Alice

Alice Lawman **MRTPI**

Spatial Planner
Operations (East) | National Highways

Date: 21 November 2024
Our ref: 491994
Your ref: WA010004

FensReservoir@planninginspectorate.gov.uk

BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Emily Park,

Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: EIA Scoping consultation for proposed Fens Reservoir.
Location: 2KM North of Chatteris and South West of Doddington and Wimblington, Cambridgeshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 24 October 2024, received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO). Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

For any further advice on this consultation please contact the case officer Jessica James at Jessica.James@naturalengland.org.uk and copy to consultations@naturalengland.org.uk.

Yours sincerely

Jessica James
Nationally Significant Infrastructure Projects Senior Officer

Annex A – Natural England's Advice on EIA Scoping

General principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided[1].
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

Further guidance is set out in Planning Practice Guidance on environmental assessment and natural environment.

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

Please consider the following and whether we are aware of other projects we think do need to be considered.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

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[1] National Infrastructure Planning Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements (see Insert 2 – information to be provided with a scoping request)

a. existing completed projects
b. approved but uncompleted projects
c. ongoing activities
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates 4 Stage CEA Process.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at http://www.naturalengland.org.uk/publications/data/default.aspx.

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

Biodiversity and geodiversity

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines and an EcIA checklist have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Many public authorities e.g. National Highways and National Grid have biodiversity duties including taking opportunities for habitat restoration or enhancement. They might have Key Performance Indicators (KPIs) to adhere to via Government policy, or have agreed approaches to BNG. Further information around general duties is available here.

Remember to refer to the relevant sector specific information within National Policy Statements here and our own sector specific guidance on the SD Toolkit.

International and European sites

European site conservation objectives are available at http://publications.naturalengland.org.uk/category/6490068894089216.

Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats Regulations Assessment (HRA). Agreeing the evidence-needs of the project early prior to applying for Development Consent will help reduce delays in the process. More information on Evidence Plans is available here.

You should also consider where applicable our advice on the environmental considerations and use of data and evidence to support offshore wind and cable projects in English waters – see: Environmental considerations for offshore wind and cable projects - Home (sharepoint.com). This includes Natural England and Joint Nature Conservation Committee (JNCC)'s shared advice on 'Nature conservation considerations and environmental best practice for subsea cables in English inshore and UK offshore waters'. The outputs of Natural England's project 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' are also provided.

Natural England's Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

You can access this information through NE Maps.

The development site is within or may impact on the following **European/internationally designated nature conservation site(s):** Ouse Washes SAC, Ouse Washes SPA, Ouse Washes Ramsar, Nene Washes SAC, Nene Washes SPA, Nene Washes Ramsar, The Wash and North Norfolk Coast SAC, The Wash Ramsar, Woodwalton Fen Ramsar, Fenland SAC (Woodwalton Fen component site)

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Natural England supports the proposal to prepare a report to inform the Habitats Regulations Assessment (HRA), as required by the Conservation of Habitats and Species Regulations 2017 (as amended). If likely significant effects cannot be ruled out the HRA will be progressed to the appropriate assessment stage to assess adverse effect on integrity. We welcome that the report to inform the HRA will be included within the application for development consent as the 'HRA Report' and referred to within the relevant ES chapter for terrestrial biodiversity. Natural England's advice is that the HRA findings and recommendations should inform the ES.

Nationally designated sites

Sites of Special Scientific Interest

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on the SSSI and its special interest features can be found at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

The development site is within or may impact on the following **Site of Special Scientific Interest:** Ouse Washes SSSI, Nene Washes SSSI, The Wash SSSI, Berry Fen SSSI, Bassenhally Pit SSSI, Woodwalton Fen SSSI, Woodwalton NNR, Holme Fen SSSI, Holme Fen NNR, Upwood Meadows SSSI, Upwood Meadows NNR, Overhall Grove SSSI, Madingley Woods SSSI.

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Protected species

Background information to consider:
The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.

Applicants should check to see if a mitigation licence is required using Natural England guidance on licensing Natural England wildlife licences. Applicants can also make use of Natural England's charged service Pre Submission Screening Service for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning for details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from

appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

The ES will need to consider the following **Protected species:** Badgers, Water Voles, Bats, Great Crested Newts and Reptiles.

Badger:

NE is keen to have further engagement regarding Badgers as it is highly likely protected species licence requiring a bespoke licensing approach will be needed. NE has provided advice directly to Jacobs regarding the importance of continued surveying of badgers including the bait marking surveys proposed in the 0.5km surrounding the maximum order limits. NE has also been involved in initial discussion over proposed mitigation and licensing options. NE await the results of additional bait marking surveys to be able to provide further advice.

Water Voles:

NE can accept an assumed presence approach in this instance given the 'abundance of local records' and the proximity to sites surveyed by the Wildlife Trust that has provided the applicant with significant baseline survey records. Where impacts are predicted, and the same assessment cannot be reached elsewhere within the development footprint and along transfer routes water vole surveys should be conducted in line with best practice. NE will not accept 'assumed absence'.

It is unclear at this stage if the applicant will be seeking a Letter of no Impediment from NE on water voles however NE offer this early advice: Given the timescales involved with this project , if following the necessary detailed surveys or duration of works, trapping water voles becomes necessary during spring or autumn, Natural England consider that there is adequate time to prepare any receptor sites ahead of trapping and as such **taking water voles into captivity over winter or for any period of time will not be considered a viable option.**

It should be noted that as a result in changes in legislation brought about by Environment Act 2021, if an individual water vole licence is required for the works the application now needs to be submitted under the new purpose of 'reasons of overriding public interest' using new forms which have been published on Gov.uk.
https://www.gov.uk/government/publications/water-voles-apply-for-a-mitigation-licence-a11 .
In addition, A Reasoned Statement – is now mandatory for water vole applications that are submitted for the purpose of Reasons of Overriding Public Interest.

Bats:
Comments on 'Environmental Impact Assessment Scoping Report Volume 3 Part 3:

Appendices 7.5 – 23.1' APPENDIX 8.1: Ecology survey methodology

Natural England agree the HSM methodology and outputs need to be supported with real world observations, and traditional survey data collection techniques to ensure outputs provided reliable foundation of robust ecological baselines. NE expect models to be created using high quality EV data that where possible has been ground truthed. The models should also be tested to ensure that they are giving reliable outputs.

If not already included, it would be beneficial to add artificial light data to the model. Other models i.e. the one used for this paper have included land cover EV data with Orchards, Deciduous woodland, Scrub, Grassland, Coniferous woodland, Arable, Lake and Buildings. It is unclear whether linear features such as hedgerows be included, or if this will be accounted for in woodland edge habitat. It should be noted that some bat species such as noctule, leisler, and barbastelle forage/ commute in open environments (e.g. arable crops, rich meadow grasslands) and that could be impacted through temporary habitat change/ disturbance. As all 3 have been identified during the desk study, NE recommend that this is taken into consideration as to whether HSM will be suitable to pick up key commuting and foraging areas for these species.

Section 9.4.1. Consideration should be taken to human made features (former dwellings, barns, stone walls) that may be obscured by vegetation and therefore not observed using arial imagery which may provide bat habitat, and scoped out as reliance has been made on desktop study alone.

NE welcome the opportunity for future engagement on bats should it be needed by the applicant and / or their ecologists.

GCN:

No specific concerns have been raised over the approach to GCN surveys. NE welcome the opportunity for future engagement on a GCN licensing approach should it be needed by the applicant and / or their ecologists.

Reptiles:

NEWLS refer you to the standing advice in relation to Reptile surveys. Reptiles: advice for making planning decisions - GOV.UK

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

An appropriate level habitat survey should be carried out on the site, to identify any

important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

The proposed approach to the consideration of impacts on habitats and species of principal importance, set out in Chapter 8 Terrestrial biodiversity of the EIA Scoping report, appears appropriate and generally accords with our advice above.
Natural England notes the following HPIs are recorded within the study area (Natural England, 2024d). Those marked with '*' are within the watercourse footprint:
· Coastal and floodplain grazing marsh
· Fens Reservoir
· Deciduous woodland
· Lowland calcareous grassland
· Lowland fens
· Mudflats*
· No main habitat but additional habitats present
· Purple moor grass and rush pastures
· Traditional orchard
We note that there are 274 records of 26 notable plant species within the study area, 227 being within the watercourse footprint. There are 59 records of 10 Invasive non-native plant species (INNS), the most commonly recorded being butterfly bush and Nuttall's waterweed.
We welcome that BNG will be quantified using the Defra Statutory Biodiversity Metric Calculation Tool (Defra, 2024b) and it is anticipated that BNG may be reported outside of the ES within the application for development consent to provide transparency from any necessary mitigation identified in relation to likely significant effects to terrestrial biodiversity.

Biodiversity net gain

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

Connecting people with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Soils and agricultural land quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered.

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

Further detailed comments below:

Table 12-1
National Planning policy relevant to agricultural land and soils is set out in paragraph 180(a), 180(b) and 181 (footnote 62) of the National Planning Policy Framework which states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

NPPF 180(a)protecting and enhancing […] soils (in a manner commensurate with their statutory status or identified quality in the development plan);

NPPF 180(b)recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

NPPF 181 Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework…

Footnote 62: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.

12.5.5 Natural England are aware of existing post 88/post revision detailed survey data that should be used alongside any detailed survey data that is obtained as part of this proposal.

The post 1988 ALC data layer (which shows a subdivision of Grade 3) can also be made available, by contacting data.services@naturalengland.org.uk.

Both these data sets are also available to download from Agricultural Land Classification (ALC) Grades - Post 1988 Survey (polygons).

12.5.9 Natural England welcomes the intent to undertake an Agricultural Land Classification (ALC) and soil resource survey within the draft DCO boundary. This ALC and soil resource survey should extend to the full Study Area where detailed existing ALC information is not available, to inform the EIA and appropriate mitigation. This should normally be at a detailed level, e.g. one auger boring per hectare, supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. A soil resource survey can utilise the soil data collected as part of a detailed ALC survey so it is sensible to plan both surveys in tandem at an early stage to save time and resource. A soil resource survey may require some limited extra data collection, for example for soil pH and nutrient analysis, to inform the most suitable habitat the soils can support in habitat creation areas

The ALC survey should follow the Guide to assessing development proposals on agricultural land - GOV.UK (www.gov.uk). All land which may experience temporary or permanent disturbance should be subject to a detailed ALC survey, to inform suitable handling and restoration.

12.6.14 The soil resource survey will also enable the accurate identification of the extent and boundary of peat and peaty soils for the baseline. Where peat soils are identified, a peat survey should be undertaken to determine the depth and condition of the peat. The Scottish Government, Scottish Natural Heritage, SEPA (2017) Peatland Survey: Guidance on Developments on Peatland, is referred to in both Chapter 13 and Appendix 13A. This guidance states that at scoping, a low-resolution peat survey should be undertaken to determine the depth of the peat at a density of 100m x 100m on a regular grid pattern across the whole area proposed for development, which is consistent with the survey frequency of the detailed ALC survey. Where deep peat soils supporting peat habitat are identified, a higher resolution survey may be necessary.

12.6.19 Whilst this provisional (figure 12.4) mapping provides an indication of the ALC grade, and thus the potential impact on BMV agricultural land, it does not provide the soil details required to inform soil management which would feed into the Soil Management Plan. There is a risk of soil damage, ALC degradation and long term or permanent loss of BMV from the development. Soil will need to be handled according to best practice and reinstated to a high standard to reduce the impacts. The results from a detailed ALC survey would provide soils data to inform a soil management plan for the whole site regardless of whether the use is permanent or temporary in nature.

The Provisional ALC mapping, in which Grade 3 is not sub-divided into Subgrades 3a and 3b, however, the most up to date methodology does provide this split.

In the absence of a detailed, site-specific soil and ALC survey in the Environmental Statement (ES) and assuming that all mapped (Provisional) ALC Grade 3 land is BMV (i.e. Subgrade 3a), it is impossible to provide an accurate baseline and demonstrate the likely potential impacts. So, whilst this may make the mitigation precautionary, it means

that the project is unable to avoid impacts to BMV agricultural land, nor accurately inform the design of potential mitigation to safeguard the soil resources.

12.7.5 The SMP needs to be clear that the aim is for BMV agricultural land to be returned to its original quality and all soils to be suitable for the planned end use. For example, this could be actioned by a target specification for the restored soils according to location and soil types, end use and required ALC grade.

The assessment of impacts is based on embedded mitigation. It is assumed that this mitigation will work. For soils, this standard mitigation is presented in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites which sets out the best practice to minimise soil disturbance and damage. This mitigation will minimise the risk, however it doesn't remove it completely.

Despite mitigation, there can still be the loss of BMV land. For example, the temporary soil disturbance can result in soil disturbance, preventing the restoration to the baseline ALC grades

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

Air quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO_2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - http://www.scail.ceh.ac.uk/
- Ammonia assessment for agricultural development https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit
- Environment Agency Screening Tool for industrial emissions https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England http://www.airqualityengland.co.uk/laqm

Ancient Woodland, ancient and veteran trees

Natural England welcomes that the design development process will seek to avoid and reduce likely significant adverse environmental effects on terrestrial biodiversity, primarily by routing the Proposed Development to avoid sensitive ecological features as far as practicable, including ancient woodland. Ancient woodland and veteran trees within 200m of the affected road network (ARN) are scoped into the assessment whilst those beyond 200m are scoped out, in accordance with Design Manual for Roads and Bridges LA 105 (Highways England, 2019).

Figure 8.3 of the EIA Scoping report presents the location of ancient woodland.

For the Sources of supply and upstream water transfers zone (SSUWTZ) there is one area of plantation ancient woodland within 2km. There are no records of veteran trees within 2km.

For the reservoir site zone (RSZ) there are no areas of ancient woodland within 2km. There are four trees with potential veteran features were identified in the study area: two common ash (Fraxinus excelsior) and two white willow (Salix alba).

For the downstream treated water transfers zone (DTWTZ) there are no records of veteran trees within the study area. Ancient woodlands within 2km of the Scoping boundary include:

Fens Reservoir to Bexwell

Spring Wood lies approximately 810m to the north-east of the Scoping boundary

Chiswick's Wood lies 2.4km to the north-east of the Scoping boundary.

- Fens Reservoir to Madingley, via Bluntisham
- Eleven ancient woodlands are located within the study area close to the settlements of Boxworth, Knapwell and Madingley:
- Overhall Grove
- White Grove
- Mattendine Spinne
- View Spinney and Alice Grove
- Brown Leys Grove, L Grove
- Farm Close Spinney

- Madingley Wood
- Knapwell Wood
- Elsworth Wood
- Boxworth Grove and Lap Close Spinney lie adjacent to the north side of Scoping boundary, to the south of Boxworth.

There are no records of ancient woodland or veteran trees within the study area for the Water Treatment Works zone (WTWZ).

Water quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

Further detailed comments:

10.6.10 Its not clear whether the additional movement of water is intended to be solely by pipeline or whether open channels with siphons or pumping at crossing points are technically feasible and could be part of a sustainable solution. This could inform the future viability of NBS research or implementation.
Explain the role of hydrology for nature conservation and particularly whether favourable condition of designated sites is affected or likely to be affected in the future in terms of climate change.
10.6.18 The role of NBS now or in the future needs to be considered in relation to water quality – is there any, if not why not and could or should there be in the future.
Explain the role of surface water quality for nature conservation and particularly whether favourable condition of designated sites is affected or likely to be affected in the future in terms of climate change.
Highlight any areas of spring activity or historic spring activity and the relevance for nature conservation
10.7.6 Mitigation has to include consideration of current and future resilience of the receiving environment. Part of the mitigation needs to focus on improving the resilience of the receiving environment alongside avoidance. The mitigation needs to be functional, and indeed may only need to be functional, at extremes of flood and drought. It may also involve accommodating seasonal variations in the environmental requirements particularly in relation to abstraction and discharge.
10.7.7 The examples given of good practice are avoidance and not necessarily mitigation. They also pertain to the development and not the receiving environment.
10.7.10 The adaptive approach is welcomed and will require defined tolerances and thresholds. However, the current list in incomplete and must factor in NFM and NBS. It is entirely possible that site-based trials and experimentation may be required in advance of detailed design in order to ascertain the technical viability and feasibility of both types of

measures and their locations. They should also be located to benefit nature, landscape and people.

10.10 Added to this list needs to be:

- The importance of seasonal variation in the requirements of the receiving environments eg winter flooding to support feeding waders and wildfowl, spring flooding that floods nests of ground nesting birds impacting on recruitment, and how this might affect abstraction and discharge regimes
- The environmental preference for open water channels rather than pipelines
- The importance of NBS, NFM and WWNP and the possibility of research and trialling in advance of detailed design in order to assess design, location, efficacy, maintenance and operation
- Likely scenarios for climate change
- The potential for partnership(s)
- Not prejudicing or facilitating future improvements in biodiversity such as supporting eel lifecycles or improving the resilience particularly of sites in poor or unfavourable condition
- Acknowledgement of paleochannels and their relevance to future design
- There needs to be additional consideration of local byelaws especially if they exist in relation to land drainage or navigation and impose constraints on the construction and operation.
- The extent to which the HRA has the capacity to influence the outcomes requires fuller consideration at this stage, particularly if derogation is likely. Are there any key elements in the Scoping that already can be identified as maybe being of critical importance in this decision-making including identification of mitigation for designated site features in relation to the management of the water environment?

Design and mitigation

Project design and mitigation is detailed in section 8.7 of the EIA Scoping report. We welcome that the design development process will seek to avoid and reduce likely significant adverse environmental effects on terrestrial biodiversity and incorporate embedded mitigation to avoid and reduce likely significant adverse effects, where feasible and include consideration of enhancement measures to improve the surrounding environment potentially including landscape masterplanning proposals which aim to provide a minimum 10% BNG requirement, taking into account emerging Local Nature Recovery Strategies so that enhancements align with the strategy objectives. As indicated above, a project of this scale should deliver significant environmental enhancements for the benefit of people and nature. Natural England supports the proposed approach to mitigation noting that the protection and retention of habitats will be integral to the design, which will seek to avoid or reduce potential adverse impacts to ecological features through careful siting and design. We welcome proposals to implement good practice and essential mitigation including pollution prevention measures, landscape planting to reduce potential lighting impacts and to provide a range of habitats to benefit local fauna and construction measures including appropriate timing and ecological clerk of works
supervision. We note that a project licence approach will be taken to capture impacts to all species and appropriate mitigation and compensation across the site.

Proposed scope of assessments

Natural England agrees with the likely significant effects requiring assessment (scoped in), presented in Table 8-11. Potential effects, including loss and severance of habitat, deposition of dust, changes in ground and surface water quality / quantity and air quality are

considered in relation to features (habitats, flora) of designated sites, terrestrial habitats and flora, through both the construction and operational phases of development. With regard to features (fauna) of designated sites and terrestrial fauna, potential effects include reduction in the availability of foraging and commuting habitat and resting or breeding sites, killing or injury through the removal of occupied resting or breeding sites or through road traffic collision, disturbance through noise and vibration, lighting and human presence.

Natural England is in broad agreement with the potential effects to be scoped into and out of the terrestrial biodiversity assessment. Our only comments re-iterate advice provided during earlier consultation:

- the effects of increased traffic outside designated site boundary on notified features will also need to be considered, particularly functionally linked land for bird species.
- Careful planning of construction timings will be required to avoid both over-wintering and breeding bird seasons leaves minimal construction time each year for the transfers.
- The effects on Spined loach of reduced flows in the River Delph will require detailed consideration. Mitigation measures to increase flows will need to be if required. Natural England expects this to be addressed through detailed hydrological work.
- The interaction between flows and siltation within the Ouse Washes will require further consideration.
- Work is needed to better understand not just average water quality and salinity effects on the Wash, but any significant deviations within the tidal cycle. Species may have high tolerance for short periods at the extremes of the tidal cycle, but if such conditions are extended further through the cycle survival and reproduction may be compromised.
- Where there are statutory requirements (e.g. flow, nutrients etc.) the position of the baseline in relation to these should be taken into account, not just change from baseline. A seemingly small change from a baseline that is already close to statutory requirements can lead to failure to meet statutory requirements.

The assessment assumptions and limitations set out in section 8.10.1 of the Scoping Report seem reasonable and comprehensive.

Further Comments:

- Natural England cannot see the proposals for a thorough assessment of the hydrological impacts on Protected Sites that includes effects off-site that could affect conditions on site e.g. where is the hydrological assessment/ section that covers what the impacts would be on the effective drainage of the Washes to meet the water level targets? If covered by Chapter 10, please could clearer/ stronger wording be included in there to say this will be covered.
- Will this be in the Integrated Water Management Report? There is no mention of this report in the EIA.
- Scoping out certain aquatic HPIs – if these contain rare/ uncommon aquatic species, can they be scoped in?
- Use of created wetlands to clean up polluted water for the reservoir. Habitat and species mitigation should be to good ecological status not a treatment wetland. Please clarify wording here.
- AW to consider additional water quality monitoring locations within the Ouse Washes to inform the baseline. Currently the Ouse Washes is poorly monitored for water quality so to develop a robust baseline we advise that additional locations are added to the programme.

Hello,
Newborough and Borough Fen parish Council wish to offer the following comments to the scoping Opinion for the Fens Reservoir Project:-

There was a concern regarding the increased impact of traffic
Will this push traffic along the A16?
Are the parish council able to view a copy of the traffic assessment?

Kind regards,
Irene

Clerk at Newborough and Borough Fen Parish Council

Norfolk County Council's Comments to the Planning Inspectorate on the:

Fens Reservoir – Scoping Opinion

November 2024

1. Introduction

1.1. The County Council welcomes the opportunity to comments on the above Environmental Impact Assessment (EIA) Scoping Opinion/Report. The comments below are made on a without prejudice basis and the County Council reserves the right to make further additional comments on the Development Consent Order (DCO) application during the statutory consultation stages; and at the Public Examination.

1.2. Socio - Economic

1.3. The County Council would expect Anglian Water to fully engage with those local communities affected by this development; and for the EIA and Environmental Statement (ES) to reflect that engagement. Whether through the formal DCO process or post DCO, there would be an expectation that Anglian Water will provide and take forward a Community Benefit Fund (CBF). Reference to a CBF specifically designed to mitigate and compensate for any local impacts to residents and businesses should be scoped into the ES as part of any wider consideration of impacts on business and local communities.

1.4. The Environmental Impact Assessment (EIA) / Preliminary Environmental Information Report (PEIR) will need to assess the wider economic benefits arising from the above development.

The EIA will need to indicate:

- Total number of jobs likely to be created on this project
- Jobs likely to be generated locally (i.e. within Norfolk)
- An indication of the type of jobs created e.g. construction; engineering; and opportunities for training should be scoped into the ES. The County Council would expect the applicant to prepare a skills and employment plan/strategy and this should be a requirement of the DCO and reference to this should be scoped into the ES;
- Likely duration of any construction work – should be scoped into the ES;
- Potential to use local supply chains.

1.5. The ES will need to consider the potential impacts on existing businesses; and the compensation needed.

2. **Minerals and Waste Planning Authority (MWPA)**

Material Assets (mineral) and Waste Management baseline conditions

The MWPA welcomes the fact that in calculating the baseline conditions for mineral assets and waste management the report has used the published data available at a county level for Norfolk. In paragraph 13.6.11 Table 13-4 provides information for the aggregate sales and reserves within Cambridgeshire, Peterborough, Norfolk and the East of England.

Paragraph 13.9.7 provides additional information on the approach to be assumed to assess the availability of aggregates for the construction phase of the Proposed Development:

• The assessment of aggregates would be undertaken for Cambridgeshire, Peterborough, Norfolk, and the East of England region, if required.

• The availability of aggregates would be based on the annual sales of the baseline year (2022) until the landbank years for sand and gravel and crushed rock.

Mineral Resource safeguarding

The safeguarded mineral resources in the Norfolk Minerals and Waste Local Plan indicate the surface mineral. However, it is known that in several locations the surface mineral is underlain by a second safeguarded mineral, most notably the carstone resource being underlain by the silica sand resource. The silica sand underlying the carstone is actively extracted in locations within Norfolk and is processed for industrial uses.

The two kilometres at the most easterly extent of the pipeline corridor is underlain by both the silica sand and carstone mineral resources. The carstone is at the easternmost extent of the corridor, and silica sand may also underlie this mineral and be encountered dependent on the depth of excavation. Both these mineral resources are safeguarded within the Norfolk Minerals and Waste Local Plan. The proposed Service Reservoir is also underlain by carstone.

Figure 13.1(Vol.2 Part 8) shows the project scoping boundary in relation to the safeguarded mineral resources. Paragraph 13.6.19 incorrectly states the 'The Scoping boundary is located within Carstone and sand and gravel MSA within Norfolk (Norfolk County Council, 2011).' The Scoping boundary is within the Carstone MSA and the Silica Sand MSA. The areas of MSA within the Scoping boundary presented in Figure 13.1 are shown correctly. The Sand and Gravel MSA borders a small part of the Scoping boundary immediately to the west of the Silica Sand MSA.

Dependent on the depth of excavations to construct the Service Reservoir, the potential exists that the development may reach the silica sand that is likely to underlie the carstone in this location. Due to the scarcity and value of silica sand in industrial uses, any of this material that is excavated should be tested for suitability as industrial sand and should be subject to investigation to see if it can be utilised by the local silica sand operator through their processing plant.

The export of material will be a matter for commercial discussion between Anglian Water, the owner of the mineral rights, and the silica sand operator. However, the extraction and export off-site of material for mineral uses would normally require a mineral planning permission. Therefore, in the case of the Fens Reservoir project this will need to be included within the DCO application when submitted, with Norfolk County Council as host authority for this part of the proposed development, in its capacity as the Mineral Planning Authority for Norfolk. The results of the investigations and assessment of the onsite mineral resources together with any proposals for their reuse and/or export should be presented in a Mineral Resource Assessment to support the DCO application.

The MWPA welcomes the statement in paragraph 13.7.3 that the applicant will promote the re-utilisation of material assets and the reduction of waste risings, including through:

- achieving a cut and fill balance reusing excavated materials, with no removal off-site of excess material, and

- Install pipelines using open cut technique, with arisings processed and reused as backfill, where practicable.

Furthermore, the MWPA agrees with the statement in paragraph 13.7.6 regarding the use of mitigation measures to reduce disposal, and increase reuse and recycling of waste risings. Measures mentioned include:

• Reusing excavated soils on-site in the landscaping features of the Proposed Development.

• Recycling of inert materials by crushing, blending and subsequent reuse as an aggregate. This may include the reuse of rocks recovered on the Proposed Development to construct haul roads and recycling of crushed rocks used for access tracks.

Any silica sand that is unsuitable for use as industrial sand may potentially be suitable for refilling of the pipeline trench. Carstone which is extracted from the easternmost extent of the pipeline corridor and any excavations for the Service Reservoirs may be suitable for reuse in constructing the core of the embankments to surround the reservoir, and associated infrastructure. However, testing should be carried out on any carstone deposits encountered to determine if it is of suitable use as dimension stone. Carstone which is suitable as dimension stone is both scarce and important for its use in conservation building work on existing heritage assets, and best use should be made of this material.

<u>Mineral sites and Waste management sites</u>

Paragraph 13.6.20 states that ‘Information for the safeguarding sites that may lie within 500m of the Scoping boundary of the Norfolk area would be provided at the ES stage.’ The MWPA has provided GIS shapefiles of safeguarded mineral and waste sites within 1km of the Scoping Boundary to the applicant in May 2021 and April 2024. If these are not available to the project team, they can be resent.

If you have any queries regarding this response, please contact Richard Drake (Senior Planner, Minerals and Waste Policy) at [redacted]norfolk.gov.uk or on [redacted]

3. **Lead Local Flood Authority (LLFA)**

In section 2.3.5, the LLFA notes that "Construction site compounds, potentially including construction worker accommodation." This would potentially change the vulnerability classification of those compounds from less vulnerable to more vulnerable. This is then mentioned again in section 2.6.61, with the applicant stating: "It is currently assumed that this accommodation would primarily be provided at the reservoir site during the main works construction phase, but alternative locations may be suitable." The LLFA requests further information about where these alternative locations being considered are likely to be as we were not previously aware of them. The LLFA notes that all temporary accommodation locations would need to have the sequential test appropriately applied to ensure that appropriate temporary accommodation is placed in an area of a suitable level of risk. Further information is required.

The LLFA notes that in section 4 there is no consideration of additional consenting requirements as the Land Drainage Act and the Water Resources Act. The LLFA requests clarification as to why reference to these and other relevant acts has not been included in the report.

The LLFA notes in section 6.3.12 the “temporal scopes” that are proposed for the EIA are laid out. However, the LLFA notes that no evidence is presented to demonstrate the proposed definition of the short, medium and long term time periods and what evidence or precedents these time periods are based upon. It is also not clear whether is a several year gap or not between the construction phase and the operation phase. To clarify the LLFA understanding;

- Baseline year is 2025.
- No estimated date for the granting of the DCO.
- Construction phase (including testing and commissioning) is 9 years from the granting of the DCO.
- Operational Phase starts the first year after water enters supply and the design year is 15 years after the water enters supply or as identified in the aspect chapters.

Therefore, based on the information provided in this section, it is not clear to the LLFA whether the design year and the start of operational phase are at the same time or not. It is also not clear to the LLFA how the short, medium and long term time periods interact with the construction and operation phases. Furthermore, it is also not clear which of the aspect chapters deviates away from the definitions given in this section and the justification for doing so. It would be helpful to the reader to have these variations flagged in this section as many of the aspect chapters have some interactions. The LLFA requires further clarification to be provided on these matters.

An FRA is proposed to be prepared but none is provided at present to support chapter 10 on Water Resources and Flood Risk. A significant amount of the

discussion undertaken relates to the main rivers and IDB channels and as these are more prevalent it is expected that these would dominate the discussion of significant flood risks. However, it is difficult to determine whether all sources of flood risk have been considered and the ones presented are those that present only the significant risk.

The LLFA notes that in Table 10-2, the applicant states that in relation with the Local Authorities associated infrastructure forum (LAAIF), one meeting is shown in the table with a corresponding statement that "ongoing engagement in progress on a regular basis". One meeting is not regular. Further evidence, such as an indication of when meetings would be likely to be scheduled would be appropriate, otherwise it is an unevidenced statement.

The LLFA notes Figure 10.1 shows the scoping area for the Water resources and flood risk study area. The legend on the figure shows that there is a 250m buffer for surface water study area and a 1000m buffer surface water study area for sources of supply and water treatment works. A review of section 10.4 does not add any further clarification on the matter. The LLFA seeks clarification as to whether the 250m buffer relates to surface water flood risk or whether this relates to water quality, as it is not clear at present on this figure. In section 10.4, the report indicates that ordinary watercourses and groundwater will be considered along with main rivers, however, it is not clear whether surface water flood risk will be considered in the FRA. The LLFA requests clarification in the report text.

The LLFA notes that in Table 10-3, there is no mention of historic flood risk data considered. The LLFA requests clarifications as to whether this will be undertaken in the FRA due to its lack of mention in the EIA baseline data table.

The LLFA notes that in the Figures that support chapter 10 there is no mapping of the surface water flood risk to evidence the existing level of baseline risk. Yet in section 10.6.6, the applicant reports the "Risk of Flooding from Surface Water indicates that the downstream treated water transfer study area crosses over 70 ordinary watercourses in Flood Zone 1." There is no evidence provided to support this statement. The LLFA requests that supporting evidence is provided. In addition, it is not clear to the LLFA whether all these surface water flow paths have been confirmed as ordinary watercourses or whether they are assumed to be ordinary watercourses. The LLFA requests further clarification.

In Table 10-11, there appears to be some consideration of the effect of surface water during the construction phase. However, while reviewing the information it is clear that most of these activities relate to watercourses rather than overland surface water runoff. The LLFA queries whether the increase in surface water runoff during the construction phase, either due to compaction or increase in impermeable areas of the ground, has been considered in the prepared assessments or not. At present, it has not been reported upon in the EIA and it is not clear whether this is due to the impact being considered insignificant or whether it has not been considered. At present it is not clear whether the FRA will cover this matter as it is not available at this time for review. The LLFA requests clarification as this would be one of the main surface water management issues during the construction of the Bexwell Service Reservoir that is located at the head of three catchments. Further information is

required.

In Table 10-12, again, there is no mention of the management of surface water runoff from the construction site and its supporting construction facilities. There is no mention of discussion on the use of SuDS to manage this issue. Further information is required to confirm this has been adequately assessed.

In relation to a residual risk, the LLFA questions whether at this time, the applicant has considered that with the increase of water supply to the counties benefitting, there would be an associated increase in wastewater likely to require discharging in catchments beyond the origin catchment of the water. As water is being transferred of a catchment that is indicated as being able to supply the water, it has not been discussed whether the catchments receiving the increased water supply and therefore the associated additional inflow of treated effluent discharged into another catchment without an increase in flood risk. The LLFA queries whether this has been assessed or is intending to be assessed in the FRA.

The LLFA notes that in section 10.9.6 the GI identified for the downstream treated water transfer study area is indicated to have "in-situ permeability testing - most likely falling / rising head testing." The LLFA Developer Guidance is clear that BRE 365 testing is sought by the LLFA in relation to determining the infiltration rate. Robust technical justification will be sought by the LLFA should an alternative method be required.

In relation to the discussion on the assessment years in section 10.9.10, the LLFA notes there is a very limited discussion on the application of the adaptive approach. It is not clear in this discussion whether the adaptive approach will only be applied to the main reservoir site or all the areas of the proposed development. In addition, the LLFA notes the adaptive approach appears to only be considered for the period beyond 2100. However, there is no indication of whether re-assessment of the adaptive approach in relation to flood risk will be ongoing at regular intervals throughout the lifetime of the development. Further clarification is required.

In section 10.9.11, it is not clear whether surface water runoff from the various construction areas for the proposed development will be maintained at greenfield runoff rates but rather appears to focus on the flow in the waterbodies that relates to the impacts on the water resources rather than surface water runoff management. Further clarification is required.

In section 10.9.14 to 10.9.18, there is a discussion of the assessment of flood risk in the construction phase, which focuses on fluvial modelling. There is some discussion in section 10.9.17 to limit the runoff to greenfield runoff rates. The LLFA notes there is no acknowledgement of the Norfolk LLFA Developer Guidance. As part of the proposed development is within Norfolk County and outside of an IDB area, this guidance will need to be applied.

The LLFA notes that in section 10.9.19 only the Environment Agency are identified by the applicant as being consulted over the use of professional judgement. The LLFA queries whether other risk management authorities should also be consulted to seek agreement where relevant. Further clarification is required to confirm why

only the Environment Agency are being consulted.

In the operational assessment methodology (sections 10.9.23 to 10.9.28), again there is no discussion on the surface water runoff management in relation to the surface water drainage design parameters. The LLFA appreciates that further details would normally be provided in the drainage strategy and the FRA but as these have not been provided or indicated as available at present, the LLFA seeks clarification on the wider design parameters to be applied to both the construction and the operation phases of the proposed development. This is to ensure there is no increase in flood risk from the runoff of surface water from the proposed development throughout the development's lifetime.

The LLFA notes that the lack of FRA and drainage strategy to support the EIA has not been mentioned in the limitations section of the chapter 10. The LLFA suggests this would be appropriate.

In chapter 17, the applicant acknowledges the likelihood of greater intensity rainfall events in both the summer and winter downpours, yet there is very little information provided in the chapter 10 assessment of this matter and the possible impact on surface water runoff. Further information is required to evidence an appropriate level of consideration has been undertaken

The LLFA strongly recommend that any EIA includes, or any planning application for development is accompanied by an FRA and a surface water drainage strategy to address:

- All sources of flood risk, including those from ordinary watercourses, surface water and groundwater to the development.
- How surface water drainage from the development will be managed on-site and show compliance with the written Ministerial Statement HCWS 161 by ensuring that Sustainable Drainage Systems (SuDS) are put in place.
- How any phasing of the development will affect the overall drainage strategy and what arrangements, temporary or otherwise, will need to be in place at each stage of the development in order to ensure the satisfactory performance of the overall surface water drainage system for the entirety of the development.

This supporting information would assess the potential for the development to increase the risk of flooding from the proposal or how surface water runoff through the addition of hard surfaces will be managed. It will show how this will be managed to ensure that the development does not increase flood risk on the site or elsewhere, in line with National Planning Policy Framework (NPPF) (Paragraph 173 and 175) and the subsequent EN-1 and EN-5.

In this particular case this would include appropriate information on:

- Sustainable Drainage Systems (SuDS) proposals in accordance with appropriate guidance including “non-statutory technical standards for sustainable drainage systems” March 2015 by Department for Environment, Food and Rural Affairs.

- Appropriate assessment and mitigation of all sources of surface water flooding onsite/originating from offsite that may affect the development, in addition to risk of groundwater flooding.
- Provision of surface water modelling of overland flow routes and mitigation provided to show how flood risk will not be increased elsewhere. This may include temporary culverts sized for the 1% Annual Exceedance Probability (AEP) plus climate change allowance.
- At least one feasible proposal for the disposal of surface water drainage should be demonstrated and in many cases supported by the inclusion of appropriate information. It is important that the SuDs principles and hierarchies have been followed in terms of:
    - surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration (generally greater than 2m below ground level).
    - the SuDs components used within the management train (source, site and regional control) in relation to water quality and quantity.
    - identifying multifunctional benefits including amenity and biodiversity.
    - Onsite, infiltration testing, in accordance with BRE365 or equivalent should be undertaken to find out if infiltration is viable across the site and at the depth and location of any infiltration drainage feature. Infiltration testing should be undertaken 3 times in quick succession at each location.
- A surface water drainage system must be provided for the construction, operation and decommissioning of the project, including any temporary construction works.
- The drainage strategy should also contain a maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

Please note, if there are any temporary or permanent works proposed as part of this application that are likely to affect flows in a river or watercourse, then the applicant is likely to need the approval of either Norfolk County Council, the Environment Agency or the local Internal Drainage Board. In line with good practice, these organisations seek to avoid culverting where possible. For Norfolk County Council, the consent for such works will not normally be granted except as a means of access. It should be noted that this approval is separate from planning.

Further guidance for developers can be found on our website at https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers

Should you have any queries with any of the above LLFA comments please contact the LLFA – LLFA@norfolk.gov.uk

4. **Highway Authority**

The Environmental Impact Assessment (EIA) scoping report states that the precise alignment of the project, location of construction compounds and the haul roads are not yet known and are still under development. Works within Norfolk have been identified as a water treatment works and the supply infrastructure.

Accordingly, there is insufficient detail at present to enable the Local Highway Authority to provide a full assessment of the project and the highway comments below are therefore of a general nature.

The Highway Authority would ask that the formal DCO application be accompanied by a Transport Assessment (TA) and an Outline Construction Traffic Management Plan (OCTMP). The TA needs to assess the effects of the anticipated traffic upon driver delay; severance; pedestrian delay; pedestrian amenity; accidents; road safety; and impact from abnormal loads.

As a general point, the overall thrust of the EIA scope should relate to examining increases in traffic volumes (in particular represented as a percentage figure), accordingly, even a small volume of traffic needs to be considered within the OCTMP.

The Environmental Statement will need to consider emergency access (to blue light services) associated with any temporary road closures; and/or temporary roadworks.

For further Information on highway related matters please contact John Curtis (Engineer Major and Estate Development - NSIP) Email: [redacted]norfolk.gov.uk

5. **Historic Environment**

The Impacts on below-ground archaeology are scoped in. The Historic Environment team are therefore content with the nature, extent of baseline data gathering and assessment methods.

Should you have any queries with the above comments please contact: John Percival (Historic Environment Senior Officer) Email: [redacted]orfolk.gov.uk

6. **Public Rights of Way**

At this stage the County Council would recommend that the applicant takes the following into account in the ES:

- Impacts during construction- If any Public Rights of Way need to be crossed; or are impacted by any construction of supporting infrastructure; or will require a temporary closure, then this would require consultation in advance to the Highway Authority;

- Impacts during operation- If any Public Right of Way will be impacted during the operation and servicing of the project then details should be provided in advance and any proposed mitigation measures be put in place.

The DCO will likely need a Planning Requirement to address the above matters along the lines:

Public Rights of Way Strategy.—(1) No phase of the works that would affect a public right of way specified in Schedule 4 (public rights of way to be temporarily stopped up) is to be undertaken until a public right of way strategy in respect of that phase and in accordance with the outline public rights of way strategy, including the specification for making up of an alternative right of way (where appropriate) has been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority.

(2) Any alternative public rights of way must be implemented in accordance with the approved public rights of way strategy.

Should you have any queries with the above comments please contact: Natural Environment Team Email: NETI@norfolk.gov.uk

7. Public Health

Public Health Norfolk will comment only on the impact of the project as it pertains to population health in Norfolk. However, while the proposed site for the new reservoir sits in Cambridgeshire, its proximity to the border and the supporting infrastructure within Norfolk means that Norfolk residents will likely still be impacted.

Public Health Norfolk welcomes the inclusion of a dedicated chapter on health assessment and the reported adherence to relevant guidance, namely IEMA's *Effective Scoping of Human Health in Environmental Impact Assessment* and *Determining Significance for Human Health in Environmental Impact Assessment* (both published in November 2022), as well as the International Association of Impact Assessment's best practice principles for Health Impact Assessment. The Scoping Report's explicit reference to mental health and wellbeing, and the use of the Mental Wellbeing Impact Assessment Toolkit, is also welcomed.

It should be noted that the site sits in an area where significant deprivation currently exists, both in rural pockets but also in nearby towns with consequent knock-on impacts for health inequalities. Any assessment should consider not only the direct impacts on health, but also on the wider determinants of health, and how these impact existing health inequalities.

Although the reservoir itself is located outside Norfolk, its proximity means that Norfolk residents are likely to visit it for recreational activities. Public Health Norfolk has previously raised concerns regarding the water quality of abstraction sources, and therefore the resulting quality of the receiving water body, and the consequent potential health impacts for those using the reservoir. Public Health Norfolk notes the

reference in section 2.5.26 to the Water Framework Directive's requirement that *'transfers of water do not cause a deterioration in the receiving watercourse or prevent it from achieving good chemical status in the future.'* To safeguard public health against potential risks associated with poor water quality, Public Health Norfolk would expect Anglian Water to report on both the biological and chemical water quality for the water retained in the Fens Reservoir, and to make this information available to reservoir users.

Norfolk Public Health also notes that a strategy for the transport of construction materials and plant is currently being developed, alongside a separate travel plan for the construction phase. While it's impossible to comment on these plans at this stage, Public Health Norfolk would expect that in the development of these plans appropriate consideration is given to air quality impacts on surrounding areas and sensitive receptors, as well as road safety implications.

Should you have any queries with the above comments please contact Jane Locke – Prevention Policy Manager – Places (Public Health) Email: [redacted]orfolk.gov.uk

8. Natural Environment

8.1 Ecology

Ecological Survey Requirements – Pipeline corridors and the site of a new service reservoir should take into account all relevant ecological impacts, including locally designated wildlife sites. It is also important that any desk study should include the collation of all relevant habitat and species data from the Norfolk Biodiversity Information Service (NBIS), including all Local Wildlife Site information. All surveys carried out will require to be up to date, therefore given the potential timescales involved with such a scheme, it may be necessary to carry out regular surveys throughout the course of the design stage to ensure all surveys are no more than 18 months old.

Ecological Reporting - The scheme will need to consider all ecological effects, both during construction and in-operation. The scheme should adhere to the ecological mitigation hierarchy and avoid impacts in the first instance. Where impacts cannot be avoided, mitigation measures will need to be identified, and compensation provided. Impacts to Irreplaceable Habitats (e.g. Ancient Woodland) should be fully avoided. In addition, (dependant on timeline) the development will be expected to deliver the mandatory minimum 10% Biodiversity Net Gain (from late November 2025 for NSIPS) and contribute towards the Local Nature Recovery Strategy (LNRS). There needs to be clarity and further discussion with Anglian Water around the level of potential off-site BNG and how this will align with the County Council's Local Nature Recovery Strategy.

8.2 **Landscape**

A full Landscape and Visual Impact Assessment should be undertaken / considered, including where necessary a Townscape Assessment (of the towns affected). This should consider all potential impacts, both during construction and in-operation, and the cumulative impacts with other NSIPs where appropriate.

Impacts on the Landscape Character and Visual Amenity should where possible be avoided. Where impacts cannot be avoided then **mitigation measures** will need to be identified. Whilst advanced planting and screening will not minimise all impacts, carefully planned incremental planting can be effective at minimising and softening the appearance of infrastructure in the landscape. Often layered planting starting some distance away can help to break up extensive views.

Impacts will ned to be considered from PRoW and the EIA will need to demonstrate how these impacts will be minimised / mitigated. Account will also need to be taken of proximity to housing and the need to avoid any potential impacts in relation to visual amenity; and “glint and glare”.

8.3 Should you have any queries with the above Natural Environment comments please contact the Natural Environment Team at neti@norfolk.gov.uk

North Herts Council

www.north-herts.gov.uk

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2, The Square
Bristol,
BS1 6PN

Our Ref : 24/02407/NHC

Contact : Paul Chaston
Direct Line : [redacted]
Email : [redacted]north-herts.gov.uk
Date : 15th November 2024

Dear Sir / Madam,

NHC Consultee : Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) - Regulations 10 and 11
Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development)
NHDC IS CONSULTEE ONLY

Fens Reservoir

I write with reference to the above project which you have consulted us on.

North Herts District Council has no particular comments, concerns or issues to raise.

Yours faithfully

[redacted]

Shaun Greaves
Development and Conservation Manager

The Council's Privacy Notice is available on our website: https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr

Co-operative Councils Innovation Network

Good Afternoon

Orton Longueville Parish Council has no comments to make on this proposal.

Kind regards

Alison Brown
Clerk to Orton Longueville Parish Council

Good Morning

Thank you for your email.

Orton Waterville Parish Council has no comments to make on this matter.

Kind Regards

Alison Brown
Clerk to Orton Waterville Parish Council

Telephone: 01733 453410 (9am - 1pm Mon, Wed, Fri)
Email: planningcontrol@peterborough.gov.uk
Case Officer: Mr A O Jones
Our Ref: 24/01020/CONSUL
Your Ref: WA010004

PETERBOROUGH CITY COUNCIL

Planning Services

Sand Martin House
Bittern Way
Fletton Quays
Peterborough
PE2 8TY

Peterborough Direct: [redacted]

Emily Park
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

20 November 2024

Dear Sir/Madam

Planning enquiry

Proposal: Scoping consultation and notification

Site address: Fens Reservior

Your client: Anglian Water And Cambridge Water

Further to your enquiry received on 24 October 2024, in respect of the above, the Local Planning Authority makes the following comments:

The following comments are provided with regard to the proposed developments impacts within the Peterborough Local Planning Authority area only. The applicant has engaged with the LPA as part of the 'Phase two' consultation (our Ref. 24/00988/CONSUL). The associated infrastructure which forms the development within Peterborough appear to be generally as presented at that stage (i.e. the three polygons for 'source of supply and upstream water transfer infrastructure' as depicted on Figure 2.1), although limited additional information is presented at Sections 2.5.21-23 and 2.5.39 of the Scoping Report, however, the consideration of significant effects related to both abstraction options from the Counter Drain (Nene) (section 3.5.32) will enable assessment of a reasonable worst case scenario.

The report discusses the potential for renewable energy generation to be installed as part of the development within the reservoir site; should this aspect of the proposals be progressed and include consideration of the associated infrastructure sites within Peterborough it may be necessary to assess any additional significant environmental impacts.

Specific comment is provided below against sections of the Scoping Report were relevant.

- Landscape and Visual

The proposed representative viewpoints are noted, and the LPA will continue to liaise with Anglian Water to agree specific locations appropriate to the scale and massing of the associated infrastructure at the final preferred location(s).

The applicant is advised that the Peterborough Landscape Character Assessment has been subject to a recent update which is now available at Local Plan Review | Peterborough City Council https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/local-plan-review#local-plan-review---document-library-7-2 and this should be used to inform the baseline.

- Terrestrial and Aquatic biodiversity

It is expected that Natural England and the RSPB will provide advice relevant to the potential impacts on the Nene Washes designated site. Appropriate non-designated sites have been identified at Table 8.6; however, the Council's Wildlife Officer advises that the nearby Flag Fen Bronze Age Centre should also be considered as if it had County Wildlife Site status given the extensive ecological network associated with it, with potential impacts on water levels and drainage associated with the site.

The potential effects to be scoped in or out of the terrestrial biodiversity assessment (Tables 8-11 and 8-12) appear slightly contradictory, and should be clarified (there are no construction activities are scoped out in Table 9.12 for example).

- Water Resources and Floodrisk

Information on groundwater flow and levels (as set out at 10.6.29) will be of value to determine the potential significance of impact at the Flag Fen Scheduled Monument; the Council's Archaeologist has advised that they would object to the proposals proceeding at the potential Flag Fen pumping station site given they would encroach on the fragile scheduled Bronze Age remains of the post alignment and timber platform at Flag Fen (NHLE 1406460) which, combined with the recently investigated areas of interest at Stanground Horsey Hill and Must Farm (Whittlesey) contribute to characterise prehistoric activities within the Flag Fen Basin, on the fen edge and along the River Nene. Given the known significance of this location and the impact on the setting, it is recommended that a more appropriate alternative site for the proposed pumping station is considered.

It is not clear why potential groundwater impacts on Flag Fen SM have not been scoped in (Table 10-11); it is recommended that they are.

- Historic Environment

We are pleased to note (11.7.1) that; "The design development process has sought, where practicable, to avoid and reduce potential adverse environmental effects on designated and non-designated heritage through avoidance." and recommend avoidance of the potential Flag Fen site for associated infrastructure accordingly. Notwithstanding this, it is recognised that scoping in the likely significant historic environment effects as set out in Table 11-4 are appropriate.

- Material assets and waste management

This chapter does not seem to make sufficient differentiation between the types of aggregates readily available, and those likely to be needed; at 13.6.5 it is estimated that 2-3 million Tonnes of aggregates will be required, which is around the entirety of the landbank for crushed rock within Cambridgeshire and Peterborough. The likelihood, and realistic expectation around the requirement for importation of crushed rock should be made much clearer. The local geology and availability of various aggregates replenishment rates should not be based on national averages given the locational specifics of various mineral resources.

- Traffic and Transport

Given the limited information for the associated infrastructure within Peterborough, it is agreed that no effects (14.1.12) can be scoped out at this stage; as the proposals progress, a better understanding of site access and anticipated traffic movements (for both construction and operational phases) will be required. The trigger points for Transport Assessment are set out in the Peterborough Highway Services Transport Assessment Guidelines which can be provided, and it is recommended that the TA is scoped in advance with the Local Highways Authority.

Vehicular access to Stanground lock is provided through the densely populated area of Stanground, and passed dwellings at Wessex Close. Access to the private dwelling at Stanground Lock is likely to be required throughout the construction period.

- Carbon and greenhouse gases

The possibility of generating and storing renewable electricity for use during operation of the associated infrastructure may introduce the potential for significant impacts above and beyond those considered throughout the Scoping Report.

- Public Access and Amenity

Whilst the approach within this section is acceptable, we would just like to highlight that the proposed works in the vicinity of Stanground Lock have the potential to impact Public Open Space at Tenterhill, Stanground and the 3rd Nene (Stanground) Scout Group (located off Wessex Close at Tenterthill), and the access track to Stanground Lock also serves as part of the Rights of Way Network (Stanground South 3) and Green Wheel Network (a network of routes in and around the city created as part of a Millennium project).

The Public Rights Of Way Officer advises that the green wheel and PROW's in the Stanground lock area are well used routes that should be kept open and available during construction.

- Socio-economics and Community

The population density is noted within Peterborough, with a high concentration of dwellings in the area around Stanground Lock, which is only accessible through a densely populated area (by road).

I trust that the above advice is of use however should you have any further queries, please do not hesitate to contact me on the details shown at the top of this letter.

Yours faithfully

Mr A O Jones
Principal Minerals and Waste Officer

Proposed DCO Application by Anglian Water and Cambridge Water for Fens Reservoir

Royal Mail response to EIA Scoping Consultation

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the EIA Scoping Report dated 24th October 2024. There are five operational Royal Mail properties within 10km of the proposed scheme.

The construction of this infrastructure proposal has been identified as having potential to impact on Royal Mail operational interests, particularly if combined with cumulative impacts from other major development schemes. However, at this time Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Consequently, Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

Holly Trotman (holly.trotman@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

Grace Russell (grace.russell@struttandparker.com) BNP Paribas Real Estate/Strutt & Parker

Please can you confirm receipt of this holding statement by Royal Mail.

End

Hello,
Please see below comments provided by Somersham Parish Council regarding the scoping and consultation and Reg 11 notification:-

Is there a guarantee that any damaged trees/hedgerows are reinstated as a result of the installation of the proposed line for the pipes
Once work is completed, the bridleway is to completed to a satisfactory standard.
Offer assurance that water is guaranteed from the new reservoir, with no reduction in services or the water table.

Kind regards,

Irene

Irene Healiss PSLCC
Executive Officer for Somersham Parish Council
The Norwood Building, Parkhall Road, Somersham, Cambridgeshire PE28 3HE

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge,
CB23 6EA
www.scambs.gov.uk

South Cambridgeshire District Council

PINS Reference: WA010004
Contact (DCO Lead): Claire Shannon
Claire.shannon@greatercambridgeplanning.org

21st November 2024

Fensreservoir@planninginspectorate.gov.uk
Electronic submission only

Dear Sir / Madam

Application by Anglian Water and Cambridge Water for an Order Granting Development Consent for the Fens Reservoir (Ref: WA010004): – EIA Scoping Report Response

Introduction

1. I am writing on behalf of South Cambridgeshire District Council in response to the EIA Scoping consultation request issued by the Planning Inspectorate (PINS) on the 24th of October for the Fens Reservoir Development Consent Order (DCO).

2. South Cambridgeshire District Council, herein referred to as 'SCDC' or 'the Council,' has been advised that it is one of the host authorities for the DCO process, as pipes and associated infrastructure connecting to the new reservoir will be located within the district, including a connection point located south of Madingley. The Council is therefore responding to matters affecting those within the SCDC boundary only.

3. The Applicants, Anglian Water Services Limited (hereafter referred to as 'Anglian Water') and Cambridge Water Limited (hereafter referred to as 'Cambridge Water'), have commissioned an Environmental Impact Assessment (EIA) Scoping Report, dated 24 October 2024, in accordance with Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as the 'EIA Regulations').

4. SCDC acknowledges that the proposed Fens Reservoir will provide additional strategic-scale water supply to the East of England, including Greater Cambridge, which is supplied by Cambridge Water. The Council accepts that the infrastructure would make a significant contribution to reducing levels of abstraction from the chalk aquifer in Greater Cambridge, which currently presents a risk of deterioration to the ecology and amenity of watercourses in the area, associated with forecast water supply demands from future development.

5. Notwithstanding the above, the Council has reviewed the Environmental Impact Assessment Scoping Report and provided technical comments, as outlined in this letter. Please note, however, that the comments below are made on a without prejudice basis, and the Council reserves the right to make further additional comments on the Development Consent Order (DCO) application during the statutory consultation stages and at the Public Examination.

Landscape and Visual (Chapter 7)

6. SCDC has reviewed Chapter 7 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to landscape and visual impact.

7. The preferred route of the infrastructure pathways (within SCDC) for transporting water from the proposed reservoir to the Madingley site travel through locally sensitive landscapes including Fen Drayton Lakes, a narrow neck of farmland between Fen Drayton and Swavesey, characterful landscapes between Boxworth and Knapwell, and the historic landscape surrounding Madingley Hall. In addition, the site of the Madingley Service Reservoir is in an elevated area with long distance views towards Cambridge and within the Cambridge Greenbelt. From the information provided, it is not clear what the impact on views will be and as such further information in relation to these key views should be provided as part of the LVIA.

8. Although the EIA Scoping Report states a Landscape and Visual Impact Assessment (LVIA) will be prepared as part of the Environmental Impact Assessment (EIA), SCDC is concerned about the potential significant effects to established landscape in this area, particularly any removal of longstanding areas of woodland.

9. SCDC understands from the documents provided that optioneering of route placement has been selected based on a range of constraints including feasibility/costs. The Council considers that an LVIA should have been used to aid in this process, instead however a different criterion-based process was used in a three-stage methodology. The information provided to date does not illustrate this process or suggest that anything other than remote sensing was used to assess the landscape. Ground truthing is required, in the Council's view, to ensure that impacts have been fully assessed, particularly visual impacts. The Council requires clarity on whether the final option is the least impactful in landscape and visual terms. Clarity is also needed in respect of whether reinstatement in places will be achievable and whether easements will be required.

10. With respect to trees, the Madingley service reservoir is partially enclosed by a mature woodland belt along the northern and western boundaries of the site, known as the Comberton Plantation. These woodlands are protected by a Tree Protection Order (TPO) and are recognised for their significant contribution to the local landscape, providing high amenity value.

11. The pipeline corridor appears to access the Madingley site from the north, passing through the woodland belt. However, there is limited arboricultural information available, and it is unclear whether tree felling will be required for the installation of infrastructure systems..

12. SCDC seeks further clarification regarding the trees surrounding the Madingley service reservoir and whether they are at risk of removal due to the proposal. The Applicants should also provide details of any tree planting and mitigation measures to be implemented.

13. In light of the above, although the Council is in general agreement with the scoping approach in respect of landscape and visual impact, the above considerations should be noted.

Biodiversity (Chapters 8 and 9)

14. SCDC has reviewed Chapter 8 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to terrestrial biodiversity. This is referred to throughout the chapter as the Ecological Impact Assessment (EcIA). Chapter 9 of the EIA Scoping Report describes the proposed scope of assessment as it relates to aquatic biodiversity.

15. SCDC considers that the likely 'Statutory Protected Sites' to be impacted by the project are as follows:
    - Mare Fen Local Nature Reserve (LNR) cited for its flora, also harvest mouse and Great Crested Newt (GCN)have been recorded here, owned and managed by Cambridgeshire County Council (CCC).
    - Madingley Wood Site of Special Scientific Interest (SSSI) cited for its ancient woodland, barbastelle bat maternity colonies, and long running research programme by Cambridge University. Owned and managed by Cambridge University
    - Within the Impact Risk Zone of Overhall Grove SSSI cited for ancient secondary woodland dominated by small leaved elm.

16. SCDC considers that the likely 'Non -Statutory Protected Sites' to be impacted by the project are as follows:
    - Madingley Slip road side verge (RSV) cited for calcareous grassland indicator species. Owned and managed by National Highways.
    - Swavesey Meadows County Wildlife Site (CWS) supports at least 20 mature pollard willows.
    - Middle Fen CWS contains at least 5 submerged, floating, and emergent plant species per 20 m stretch, groups of 20 or more pollard willows.
    - Dry Drayton Gravel Pits CWS cited for plant species, dragon flies, and overall invertebrate index exceeding 500. Owned and managed as part of an RSPB Reserve.

17. SCDC considers that the likely 'Protected Species' to be impacted by the project are as follows:
    - Bats – the new pipeline and service reservoir (Madingley Tower) are within the impact risk zone of Madingley Woods SSSI, which is cited for its barbastelle bats.

They are very light adverse so any new lighting will need a full impact assessment. Other bats will also be present therefore roosting, foraging, and commuting bats will provide a constraint.

- Badgers – there will likely be multiple badger setts encountered along the route of the pipeline. All will need to be suitably surveyed with appropriate licenses and mitigation where needed.
- Great crested newt (GCN) – Likely to encounter multiple populations along the pipeline route particularly around Swavesey and Over. Swavesey is a red zone, and no District level licensing is available within that zone.
- Otter and Water vole – many water ways have records of both species, appropriate surveys and mitigation will be necessary.
- Reptiles – likely to encounter multiple populations of common lizard and grass snake. Appropriate survey and mitigation will be required.
- Nesting birds including barn owl – appropriate survey and mitigation required.
- Terrestrial Invertebrates – high invertebrate index around the Dry Drayton Gravel Pits; therefore, appropriate surveys and mitigation will be necessary.
- Aquatic species – the pipeline route crosses multiple water bodies, and all must be assessed for potential impacts to invertebrates, vertebrates, and plant species.

18. SCDC understands that Biodiversity Net Gain (BNG), will become mandatory under legislation in later 2025. In addition, as part of the emerging Greater Cambridge Local Plan, SCDC itself will expect the DCO to deliver at least 20% Biodiversity Net Gain (BNG) including all habitat units, linear units, and river habitat units. SCDC supports BNG delivery on and off site or a combination of both. All BNG should be secured for a period of 30 years through a S106 agreement with the relevant authority.

19. In summary , although the Council is in general agreement with the scoping approach in respect of biodiversity, the above considerations should be noted.

Water Resources and Flood Risk (Chapter 10)

20. SCDC would defer to Cambridgeshire County Council as the Lead Local Flood Authority and the Environmental Agency (EA) on this matter. Notwithstanding this, the Council would be grateful for more details in respect any potential adverse impact arising from connecting pipelines on subterranean water flows and groundwater levels as this has been highlighted by local residents as an area of concern.

21. The scoping assessment in respect of this matter is a matter for Cambridge County Council and the Environment Agency.

Historic Environment (Chapter 11)

22. SCDC has reviewed Chapter 11 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to the historic environment.

23. The preferred 500m pipeline corridor MA-10 and preferred Madingley service reservoir polygon MA-J are in close proximity to and potentially within the setting of a number of heritage assets within SCDC. It is essential that construction and operational impacts are

appropriately assessed in accordance with full heritage assessments. This will require a proportionate Heritage Statement sufficiently scoped into the EIA and detailed to understand potential impacts and prepared in accordance with Historic England guidance including GPA3, HEAN 12.

24. The EIA should include designated and non-designated heritage assets in scope. Assessment should include the setting of Conservation Areas and Historic Parks and Gardens. This appears likely to include, but may not be limited to, Historic Parks and Gardens at Childerley Hall (Grade II* PAG), Madingley Hall (Grade II PAG) and the American Military Cemetery (Grade I PAG), and Conservation Areas at Over, Swavesey, Fen Drayton, Elsworth, Knapwell, Madingley, Hardwick, Coton.

25. The EIA should also consider both temporary and permanent views and landscape impacts as they relate to heritage assets and the historic environment with reference to LVIA. Viewpoints should be identified with reference to heritage and historic landscape, including designed views from designated PAGs, and any long views incorporating the Madingley service reservoir.

26. In summary , although the Council is in general agreement with the scoping approach in respect of historic environment, the above considerations should be noted.

Geology, Soils, Agriculture and Land Quality (Chapter 12)

27. SCDC has reviewed Chapter 12 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to geology, soils, agriculture and land quality.

28. The proposed pipeline route through SCDC does not appear to pass through any significant areas of known historical use that could have led to contamination, however, SCDC will expect a more detailed assessment as part of any future submission or detailed consultation.

29. In the absence of details regarding the movement of spoil from trenching during the construction phase of the pipeline, consideration should be given to potential adverse impacts on soil quality resulting from excavation and the movement of materials.

30. In light of the above, although the Council is in general agreement with the scoping approach in respect of geology, soils, agriculture and land quality, the above considerations should be noted.

Material Assets and Waste Management (Chapter 13)

31. SCDC would defer to Cambridgeshire County Council as the Minerals and Waste Local Planning Authority on this matter.

Traffic and Transport (Chapter 14)

32. SCDC defer to Cambridgeshire County Council as the Highway Authority on this matter.

Air Quality (Chapter 15)

33. SCDC has reviewed Chapter 12 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to air quality

34. SCDC notes the Scoping Report confirms a commitment to identify ways to minimise the impact on the local community and also confirms that a range of sustainable transport modes will be explored during the construction and operational phases. The feasibility and appropriateness of these measures is a matter for Cambridgeshire County Council as the Highway Authority so the Council will defer to their advice.

35. The proposed infrastructure route in SCDC's area does not correspond to any air quality management areas (AQMAs) or other areas of particular concern with regards to air quality. Given the transient and temporary nature of the pipeline construction, SCDC do not anticipate any significant impacts on air quality during the construction phase, however, SCDC would expect to see a review of this issue when further details on the access points, construction traffic routes and vehicle numbers are known.

36. In summary, the Council is in general agreement with the scoping approach in respect of air quality.

Carbon and Greenhouse Gases (Chapter 16) and Climate Resilience (Chapter 17)

37. SCDC has reviewed Chapter 16 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to the potential impact of the Proposed Development upon the climate, namely through greenhouse gas (GHG) emissions, commonly referred to as carbon emissions or decarbonisation. SCDC has also reviewed Chapter 17 which describes the proposed scope of assessment as it relates to climate resilience and risks to the Proposed Development, due to changes in the future climate

38. The EIA Scoping Report makes reference to a range of assessment criteria used to assess options for getting water to and from the reservoir, including the need to design and build in a carbon efficient way, an approach that is noted. The Report provides some high-level information regarding this process, but in SCDC's view it will be important to see further detail on how carbon has been considered as part of this assessment so that SCDC and the public can better understand the embodied carbon implications of the proposals and the ways in which these impacts can be mitigated, for example by maximising the use of existing waterways where possible and using low carbon construction materials and techniques. This applies to both the reservoir itself and also the associated water transfer infrastructure.

39. SCDC would also welcome further information on the operational emissions associated with the proposals once the reservoir and associated infrastructure is up and running, e.g. energy use associated with water pumping and treatment. Mitigation measures to reduce operational emissions include the use of renewable energy generation, and SCDC welcome the reference to consideration of renewable energy generation options combined with battery storage. Further detail on this and any additional renewable energy generation along with the associated infrastructure connecting the reservoir to Greater Cambridge would be welcomed as the scheme develops.

40. In light of the above, although the Council is in general agreement with the scoping approach in respect of carbon, greenhouse gases and climate resilience, the above considerations should be noted.

Noise and Vibration (Chapter 18)

41. SCDC has reviewed Chapter 18 of the EIA Scoping Report which describes the proposed scope of assessment as it relates to noise and vibration. The Report notes that noise and vibration can have an impact on the environment and on the quality of life enjoyed by individuals and communities which in certain circumstances, can lead to effects on human, ecological and infrastructure receptors.

42. The proposed pipeline route through the SCDC area does not correspond to any areas of particularly high numbers of sensitive receptors which is noted. However, there do appear to be sporadic residential receptors close to the route of the pipeline and assessment of the impact on any sensitive receptors from both the construction of the pipeline and the Madingley service reservoir/connection point would be expected. Given the rural nature of the pipeline, a background survey for this part of the development would not be expected, however there may be a need for a background survey at the Madingley service reservoir for construction, and potentially operational, phase activities, depending on their exact nature.

43. Although the pipeline construction will be temporary and transient in nature, SCDC would still expect to see mitigation measures, such as restrictions on working times, implemented to limit the impact on any sensitive receptors during the construction period as well as during the operational period for potential impacts associated with the infrastructure – e.g. pumping stations, etc. SCDC acknowledges this can be addressed through requirements to be imposed on the DCO.

44. In light of the above, the Council is in general agreement with the scoping approach in respect of noise and vibration.

Public Access and Amenity (Chapter 19)

45. Chapter 19 of the EIA Scoping Report describes the proposed scope of assessment as it relates to public access and amenity, particularly referring Public Rights of Way (PRoWs). SCDC defer to Cambridgeshire County Council as the Highway Authority on this matter.

Socio-economics and Community (Chapter 20)

46. SCDC defer to Cambridgeshire County Council on this matter.

Human Health (Chapter 21)

47. Chapter 21 of the EIA Scoping Report describes the proposed scope of assessment as it relates to human health. SCDC defer to Cambridgeshire County Council on this matter however have the following comments to make:

48. The Madingley Service Reservoir and the proposed routes for the pipelines are in close proximity to villages classified as Minor Rural Centres (Policy S/9 of the SCDC Local Plan, 2018) with key access to amenities such as GP practices, primary schools, public transport hubs and supermarkets which perform a key role in service provision for residents living in these rural areas. Consideration should be given to disruption to services and impacts on identified vulnerable groups outlining how these may be more adversely impacted, due to pre-existing health conditions or life challenges.

49. In terms of opportunities to enhance public amenity, SCDC would expect to see how the proposal can have a positive impact upon local residents through opportunities for education, skills and training, new jobs (temporary or permanent) and access to leisure through new active travel routes and access to green and blue spaces.

50. On this basis, the Council is in general agreement with the scoping approach in respect of human health.

Major Accidents and Disasters (Chapter 22)

51. SCDC defer to Cambridgeshire County Council on this matter.

Cumulative Impacts (Chapter 23)

52. The proposed 'Service Reservoir', at Madingley is located in close proximity to the proposed Cambourne to Cambridge Busway route, a Greater Cambridge Partnership (GCP) Transport and Works Order (TWAO) project, the A428 - Black Cat to Caxton Gibbet Road Improvement scheme (approved DCO) as well as the East West Rail project (currently at DCO pre-application stage).

53. In the Council's view, the EIA should demonstrate that the Applicants have considered the potential impacts of the proposal on transport projects, specifically the effects of the proposed pipeline and works to the service reservoir in the immediate area. It is important that the Applicants address the cumulative impacts of construction traffic associated with ongoing and planned projects, including the Cambourne to Cambridge Busway project, the works to the A428 Black Cat to Caxton Gibbet Road Improvement scheme DCO, and the East West Rail DCO, currently at the pre-application stage.

54. Additionally, it is important to clearly understand whether the Applicants have considered any other impacts relating to highways and transport and whether they have consulted with the Local Highway Authorities and National Highways at an appropriately early stage. The Council is satisfied with the scoping approach in respect of cumulative impacts.

Conclusions

55. Notwithstanding the above, the Council has reviewed the Environmental Impact Assessment Scoping Report and provided technical comments as outlined in this letter. However, please note that these comments are made on a without prejudice basis, and the Council reserves the right to provide further additional comments on the Development Consent Order (DCO) application during the statutory consultation stages and at the Public Examination.

Yours faithfully

Claire Shannon

Claire Shannon

Principal Planner (NSIP/Major Infrastructure Delivery)
Greater Cambridge Shared Planning Service

cc. Chenge Taruvinga (GCSP)

South Kesteven District Council
Development Management
Council Offices, The Picture House,
St Catherine's Road, Grantham, NG31 6TT
Tel: 01476 406080
E-mail: planning@southkesteven.gov.uk
Web: www.southkesteven.gov.uk

Emily Park The Planning Inspectorate	Case Officer Phil Jordan E-Mail [redacted]outhkesteven.gov.uk Tel Ext: 6074 Date: 31st October 2024

Dear Sir/Madam

Application No.	S24/1882
Proposal:	Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development).
Location:	Fens Reservoir, , , ,
Application Type:	Adjoining Authority Consultation
Decision:	**Comments to Make**:

The above proposal has been considered by this Authority and on the 31st October 2024 it was resolved that this Council wishes to make the following comments:-

1. South Kesteven District Council has no comments to make on the scope of the environmental statement to accompany the application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development).

Yours faithfully

Emma Whittaker
Assistant Director Of Planning

ST IVES TOWN COUNCIL

Town Hall, Market Hill, St Ives, Huntingdonshire PE27 5AL
Telephone: 01480 388929 Email: townclerk@stivestowncouncil.gov.uk
Town Clerk: Mrs Libby White BEM BA(Hons) FSLCC

Celebrating 50 years
1974-2024

TWINNED WITH STADTALLENDORF

By email to: FensReservoir@planninginspectorate.gov.uk.

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

18th November 2024

Dear Sir/Madam

Re: WA010004 - Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development)

Please find below the response from St Ives Town Council in respect to the above application.

St Ives Town Council has identified the following two issues that it would like to see addressed within the Environmental statement:

1. Ensuring that the abstraction of water from the River Great Ouse will not be detrimental to the river levels in and around St Ives, which is renowned for its boating and recreational activities.
2. The development will be accessed primarily from the A141 and the connections to the main road network will likely be to the south. The Cambridgeshire County Council proposed 'A141 and St Ives Improvement study' identifies the need for upgrades to the transport network along the A141 corridor and around Huntingdon and St Ives to improve the way people move both locally and around the region. The St Ives transport network is important for the market town of St Ives and surrounding villages while the A141 is crucial for the whole Huntingdon and St Ives area. The A141 travel network also has strategic importance to the future sustainability and growth of the wider region. The study notes some of the current challenges faced by the A141 and St Ives road network include traffic jams and delays at peak times, road safety issues and risk of accidents. It also suffers from noise and air quality issues due to congestion and rat-running on minor roads and through villages. There is also a lack of safe, off-road cycling and walking options and minimal good public transport

routes. With the identified issues there are concerns that during the construction phase the creation of the reservoir, along with the abstraction infrastructure and water distribution pipelines could have impacts for the town and compound the existing identified transport issues. The transport impact on the A141 and in and around St Ives therefore needs to be considered and addressed within the Environmental Statement.

Yours faithfully

Libby White BEM BA(Hons) FSLCC
Town Clerk

Good afternoon

Swavesey Parish Council has been contacted regarding commenting on the Scoping Opinion for the proposed Fens Reservoir project.

A major pipeline from the proposed new reservoir will be laid through Swavesey Parish and the Parish Council has already made comments to Anglian Water about the proposed route of the pipeline.

For the Scoping Opinion the Parish Council wishes to comment that the route of the proposed pipeline is shown close to a very large Awarded Watercourse, Covel's Drain, which take a huge amount of surface water out into the River Gt Ouse. The banks of this watercourse have breached in places in the past and there is concern over the stability of the banks if construction work is to take place close to them. The area either side of the drain also regularly floods many times during the year.

The Awarded Watercourse is the responsibility of South Cambridgeshire District Council (SCDC) and the banks are maintained in partnership between SCDC and adjoining landowners.

Please could consideration be given within the Environmental Statement and Scoping process of the impact construction work for the laying of a pipeline might have on the Awarded Watercourse banks.

Kind regards
Linda

Linda Miller 'PSLCC' (Principal)
Clerk to Swavesey Parish Council
The Memorial Hall, High St, Swavesey, CB24 4QU

Good morning Emily,

Thank you for informing us of this proposal. I can confirm the proposed scheme does fall within our DNO but as this is relating to a scoping opinion for environmental purposes we would not comment at this time. Once consultation for the full scheme has begun we will submit comment regarding any equipment the scheme will impact.

Many thanks,
Emma Fagg
Trainee Wayleave Surveyor
UK Power Networks

Thank you for your correspondence regarding the proposed Fens Reservoir and the invitation to submit comments as part of the Scoping Opinion process.

Warboys Parish Council confirms that its position remains unchanged from the previous response submitted on this matter.

Should you require any further clarification, please do not hesitate to contact us.

Kind regards,

Emmeline Coverdale

Parish Clerk
On behalf of Warboys Parish Council

Water Management Alliance
Pierpoint House
28 Horsley's Fields
KING'S LYNN
Norfolk PE30 5DD

01553 819630
planning@wlma.org.uk

Emily Park
Planning Inspectorate
Fensreservoir@planninginspectorate.gov.uk

BY EMAIL ONLY

Your ref: WA010004
Our ref: 24_29739_P

20th November 2024

Dear Ms Park,

RE: Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir Project – Scoping Consultation

Thank you for consulting Water Management Alliance on the Environmental Impact Assessment (EIA) Scoping consultation for the proposed Fens Reservoir project.

The Water Management Alliance is responding on behalf of its member Internal Drainage Boards, which are listed at the footer of this letter. From the information presented in the Environmental Scoping report, it appears that the proposed Fens Reservoir project, including the reservoir itself and all its associated development, will not be located within the Internal Drainage District of any of these Boards.

We therefore have no comments to make on the scope and level of detail of the information to be provided in the Environmental Statement relating to the proposed development.

We would however like to highlight that should the proposals be amended in future, resulting in works affecting watercourses within the Internal Drainage Districts of the constituent Drainage Boards, the applicant would require consent from the Boards under the Land Drainage Act 1991, in a process separate from the Development Consent Order. The Boards would welcome direct engagement with the applicant in that situation, and would require further information (i.e. in addition to that provided in the Environmental Scoping Report to inform our decision-making for such consents.

Finally, we would highlight that other Internal Drainage Boards are likely to be affected by the Fens Reservoir project and should be recognised as consultation bodies in the national infrastructure planning process as well as the local consenting process for works affecting watercourses. A map showing the Internal Drainage Districts can be found at: https://www.ada.org.uk/idb-map/ .

Yours sincerely,

Judith Stoutt

Judith Stoutt
National Infrastructure Officer
Water Management Alliance

Our ref: 24/01932/EAISCO
PINS ref: WA010004

Borough Council of
King's Lynn &
West Norfolk

Please ask for: Mrs C Dorgan
Council Information Centre: 01553 616200
E-mail: [redacted]west-norfolk.gov.uk

Stuart Ashworth
Assistant Director Environment and Planning

Date 20 Nov 2024

EMAIL ONLY

Emily Park, Senior EIA Advisor,
Fensreservoir@planninginspectorate.gov.uk.

Dear Ms Park

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Anglian Water and Cambridge Water (the Applicant) for an Order granting Development Consent for the Fens Reservoir (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Please find below the officer response to the above. These comments are made without prejudice.

For ease I have set out the responses arising from internal technical officer consultations received at the time of preparation of this response. Unfortunately there are two sets of responses outstanding and the Council will forward these on as soon as they are available. I have also attached to this letter at Appendix 1 the Council's response to Anglian Water '**National Infrastructure Project: non-statutory consultation by Anglian Water for the Anglian Water Fens Reservoir'** sent on 2 Aug 2024. This will identify issues raised by the outstanding internal consultees (CSNN and Conservation).

This response does not discuss matters relating to archaeology, planning for minerals and waste, broader strategic highway considerations, strategic public health, strategic flood risk and surface water management or impacts upon schools and playing fields as these matters are within the purview of Norfolk County Council.

Internal consultation responses:

Ecology Officer

The work detailed within the EIA Scoping report is quite extensive.

Any new significant infrastructure project in this location such as the proposed new reservoir must be designed in consideration of the potential impact on protected species, protected sites and protected habitats.

The EIA Scoping report details an extensive schedule of surveys covering all relevant species and separates these out into terrestrial and aquatic biodiversity. Additional data has been commissioned from the relevant bodies to further inform the desk study for each species assessment. Several European Protected Species Mitigation Licences will be required to facilitate the works but the EIA Scoping report details close correspondence with Natural England over these licences a swell as survey methods used to collect data.

Invasive species have been identified within the scoping area and will need to be carefully controlled through precautionary working methods and approved removal and disposal methods where required to prevent spread.

Mitigation Measures

To mitigate the ecological impacts of the project, the reservoir and the infrastructure should be designed to minimise impacts to protected species, habitats and sites. Avoiding impacts where possible through design or mitigating where impacts cannot be avoided. Opportunities to add value to the current baseline through landscape level design of new ecological features should be taken. The EIA scoping document details collaboration with various stakeholder who have the expertise to add this value

10% Biodiversity Net Gain (BNG) will be required on this project. The EIA scoping document touches on this and suggests that BNG will be calculated using the Defra Metric which is in line with the legislation and guidance. The site straddles National Character Area 88 - Bedfordshire and Cambridgeshire Claylands and National Character Area 46 - The Fens. Any landscaping and planting should be designed to enhance biodiversity and reflect the existing vegetation patterns of the Fens and Claylands, for instance restoring wetland habitat for ecological enhancement.

Arboricultural Officer

Any new significant infrastructure project in this location such as the proposed new reservoir must be designed in consideration of the potential impact it may have on the unique Landscape Character of the Fens.

Landscape Character and Sensitivity

The Fens are one of England's most distinctive landscapes, defined by their low-lying flat topography, extensive drainage systems and open expansive views. The area's landscape character is particularly sensitive to change due to its simplicity and extensive panoramic views in all directions. This large-scale infrastructure project has the potential to significantly alter the visual experience and the sense of place that is so integral to the Fens. It is crucial that visual impact assessments are conducted from key viewpoints, including those from settlements, roads, and public rights of way, to fully understand the extent of the potential visual impact this project may have on the landscape.

Mitigation Measures

To mitigate the landscape and visual impacts of the project, the reservoir the infrastructure should be designed to minimise visual intrusion. Opportunities should be used whenever possible for locality appropriate native planting schemes, including the use of hedgerows, shelterbelts, and woodland blocks, to screen and soften the visual impact of the reservoir wherever practical. This planting should be designed to enhance biodiversity and reflect the existing vegetation patterns of the Fens, for instance restoring wetland habitat for ecological enhancement.

Environmental Quality Service

The works in the KLWN borough involve a new pipeline to supply a new service reservoir located at Bexwell, Downham Market. The reservoir according to Section 2.5.126 of the Scoping Report will be sited close to the existing, but on the opposite (eastern) side of the A10 highway.

Contaminated Land

Contaminated land matters are set out in Chapter 12: Geology soils, agriculture and land quality. Chapter 13 also has details of landfills. For the aspects of geology and land quality, the receptors identified include geology, including geological designations and other sensitive features; Groundwater and surface water; Human health (construction workers, maintenance workers and site end users). The chapter also considers loss of soil resource and soil function.

The land quality baseline is partially established from the desk study information which considers past and current land use, ground conditions and environmental setting. Potential sources of contamination are five historical and active landfill sites in the wider project area, including one site in West Norfolk, a commercial and industrial landfill 163m from the scoping boundary. The report also refers to the Borough Council of King's Lynn & West Norfolk (2022). Contaminated Land Inspection Report for Fairfield Road Refuse Tip and Sewage Works Downham Market.

The report concludes that limited relevant potential contamination sources are identified, but there are some gaps in information. So further ground investigation and assessment of land quality has been scoped in during the construction stage. Section 12-3 of the report scopes in likely significant effects during construction, but the potential for post construction impacts will also need to be considered. The report states that 'the proposed development will include systems in place to prevent any contamination during operation. Any existing contamination will be managed at construction phase to negate any risks from existing contamination impacting human health or the environment during operation.' This will be a requirement to ensure that there are no unacceptable post construction impacts from land contamination.

It is noted that Land Contamination Risk Management (LCRM) and BS:10175 are not referenced in the guidance in 12.2 Legislation, policy and guidance requirements. However, in Appendix 4.1 Legislation, planning policy and guidance summary, Table 2.2 LCRM is included in relevant standards and guidance.

The assessment methodology includes reference to Design Manual for Roads and Bridges (DMRB) LA 109 Geology and Soils. This document includes methods to report effects from contamination on human health, surface water and groundwater, and provides relevant significance criteria. Additionally, reference should be made to LCRM which forms the regulatory and management framework for managing the risks from land contamination.

Air Quality

Air quality matters are set out in Chapter 15 of the Scoping Report which focus on controlling fugitive dust emissions through a suitable Construction Environmental Management Plan (CEMP). The measures identified according to the scoping opinion will be based on the most up to date guidance as set out in Section 15.4. We would only add that as the new reservoir at Bexwell will be relatively large, approximately 200m by 200m, we would request that the CEMP should consider some boundary particulate matter monitoring as a precautionary basis, and where there are relevant sensitive receptors with a risk of exceeding the long or short term PM10 objectives.

Conservation Team

Comments to follow.

Community Safety and Noise Nuisance (CSNN)

Comments to follow.

Matters of Principle:

Impact on Norfolk landscapes and ecology.

Given the significant international, national and other environmental constraints within the borough, Anglian Water will need to set out alternative options, to reduce as far as possible, any adverse impacts throughout the pipeline route and also at the proposed service reservoir on the edge of Downham Market/ Bexwell.

Cumulative Impacts

Officers recognise that the Fens Reservoir NSIP Project is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other schemes to relocate/ move water across Norfolk and the wider region. In bringing this project forward the applicant should demonstrate that there is a coordinated approach to the various initiatives impacting the region.

Compensation and Community Benefits

In alignment with Norfolk County, this Council recognises and wishes to highlight that Anglian Water will need to consider appropriate compensation packages for those homes and businesses directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses.

Anglian Water will need to set out clearly from the outset how local communities impacted shall have such impacts mitigated. To this end I set out a link at the end of this paragraph to the Council's Statement of Community Involvement. As and when Anglian Water require a list of Parish Councils and other bodies this can be provided. Statement of Community Involvement (SCI) | Statement of Community Involvement (SCI) | Borough Council of King's Lynn & West Norfolk (west-norfolk.gov.uk)

Matters of Detail:

Landscape Impacts

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk puts this landscape in a number of character areas H1: Settled Farmland with Plantations (Stow Bardolph) and E2, E4-E8 The Fens- Open Inland Marshes.

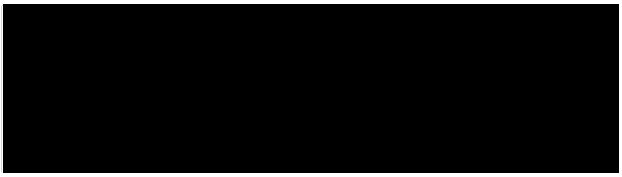
Wider Environmental Impacts

It is to be noted that there are many other classified designations across the borough which shall need to be considered more widely. The route lies within the zone of influence of The Brecks, and Norfolk Valley Fens. In particular, consideration should also be given to impacts upon the Ouse Washes SSSI/ Ramsar site.

Highway Impacts to the Borough

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within Norfolk, and within this borough in particular. There would need to be detailed submissions of construction management plans, including routing agreements, that recognise the need to minimise disturbance to the road network travelling though the Borough, during preparation, construction and maintenance works.

Yours sincerely



Stuart Ashworth
Assistant Director Environment and Planning

Appendix 1: National Infrastructure Project: non-statutory consultation by Anglian Water for the Anglian Water Fens Reservoir

Our ref: 24/01250/NSIP

Borough Council of
King's Lynn &
West Norfolk

Please ask for: Mrs C Dorgan
Council Information Centre: 01553 616200
E-mail: [redacted]west-norfolk.gov.uk

Stuart Ashworth
Assistant Director Environment and Planning

EMAIL ONLY

info@fensreservoir.co.uk

2 August 2024

Dear Sirs

National Infrastructure Project: non-statutory consultation by Anglian Water for the Anglian Water Fens Reservoir

Please find below the officer response to the technical engagement exercise (non-statutory consultation). These comments are informal and made without prejudice; the Council reserves the right to make further representations at the more detailed and formal stages in the Nationally Significant Infrastructure Project (NSIP) and Development Consent Order (DCO) planning process.

For ease I have set out the responses arising from internal technical officer consultations, addressed questions of principle and wider detail, and the Council's Statement of Community Involvement in that order.

This letter does not discuss matters relating to archaeology, planning for minerals and waste, broader strategic highway considerations, strategic public health, strategic flood risk and surface water management or impacts upon schools and playing fields as these matters fall within the remit of Norfolk County Council.

Internal consultation responses:

Planning Policy

It is noted that the chosen location for the proposed reservoir is north of Chatteris, in the heart of the Fens. Anglian Water has previously gone through an extensive site-selection process to identify the preferred location.

The proposal includes associated water infrastructure; most significantly a pipeline corridor between Madingley (Cambridge) and Bexwell Business Park, with a potential water treatment works to the north of Bexwell Business Park. The pipeline corridor passes through the parishes of Wimbotsham, Downham West, Stow Bardolph, Nordelph, Upwell and Welney, but avoids all settlements therein. It passes close to (but avoids) the built up areas of Downham Market and Wimbotsham.

The proposed site for the Water Treatment Works corresponds to extant planning permissions for the following:

2/89/3306/O – Construction of business park hotel and leisure centre golf course (including driving range and clubhouse) balancing lake roads and ancillary works (including private sewage treatment plant); with reserved matters for:
96/0904/D – Construction of business park (consented December 1996) – Phase 1 subsequently delivered; and
97/1119/D – Construction of hotel/golf clubhouse, formation of 18 hole golf course associated highways and parking – initial phases (highway infrastructure) subsequently delivered, so permission remains "live".

The current Local Plan (SADMP paragraph F.1.12) recognises the extant 1990s permissions, although it does not give any indication of the likely delivery timeframes for these. However, allocation of the built-up parts of these permissions for 20ha of employment uses is proposed to be taken forward as part of the forthcoming replacement Local Plan 2021-2040 (Main Modifications): https://www.west-norfolk.gov.uk/download/downloads/id/8542/f71_-_bexwell_downham_market_-_business_park_plan_action_11.pdf. Given that the Borough Council is now seeking to allocate part of Anglian Water's proposed Water Treatment Works, from a Planning Policy perspective it is important that these proposals do not undermine the emerging replacement Local Plan (including employment land allocation proposals) that the Borough Council is seeking to adopt by spring 2025.

Therefore, it is emphasised that Anglian Water be notified/ made aware of the proposed Bexwell Business Park employment land allocation in developing detailed proposals for the Water Treatment Works, in order to avoid or prejudice development of the site in accordance with the replacement Local Plan (which is now at an advanced stage of preparation).

Conservation

While the reservoir itself is outside of our district, the pipe connecting it to the Bexwell Connection Point, and the connection point itself, has the potential to impact upon the setting of a number of designated heritage assets. The applicant should particularly consider the following;

Bexwell-
Old gatehouse at Bexwell Hall - Scheduled Monument - List Entry Number 1003963
BARN 110 METRES NORTH OF ST MARYS CHURCH - Grade II Listed - List Entry Number 1077854 BEXWELL HALL FARMHOUSE - Grade II Listed - List Entry Number 1251340
CHURCH OF ST MARY THE VIRGIN, BEXWELL - Grade II* Listed - List Entry Number 1077855

Wimbotsham-
CHURCH OF ST MARY - Grade II* Listed - List Entry Number 1205605
HILL HOUSE, 28, LYNN ROAD - Grade II Listed -List Entry Number 1342312
Conservation Area - Revised February 1992

Welney-
CHURCH OF ST MARY THE VIRGIN, MAIN STREET - Grade II* Listed - List Entry Number 1168946

Stow Bardolph-
CHURCH OF ST PETER - Grade II Listed - List Entry Number 1391486

Upwell-
LONDON LODE HALL, LONDON LODE - Grade II Listed - List Entry Number 1305524
STABLES 25 METRES NORTH OF LONDON LODE HALL - Grade II Listed - List Entry Number 1077707

It is likely that the above heritage assets will be affected through the provision of the water sources infrastructure and the sites in Bexwell have the potential to be impacted by the Bexwell Connection Point. It is not possible to be certain at the moment given the corridor nature of the information provided, but it is likely that any harm caused will be to the setting of these assets rather than the

fabric of the structures directly. The above list is not exhaustive and does not cover non-designated heritage assets. It has been produced through a desktop survey only.

A Heritage Impact Assessment should be submitted with any further documentation to enable the impact upon the historic environment to be properly considered moving forward. The applicant should be aware that due to the predominantly flat nature of the landscape in this area, the impact upon heritage assets geographically further away from the proposed corridor may need to be considered. Relationships between sites and the relationship of sites to the landscape around it should also be considered. I would be happy to remain involved as the project progresses.

Community Safety and Neighbour Nuissance

Firstly, the noise surveys to be carried out are only applicable to the water source and water supply infrastructure – these are located within the Peterborough LA area – such as pumping stations, abstraction points and water treatment works. Pipelines and service reservoirs have been scoped out (as there will not be 'operational noise' from these).

In terms of the BCKLWN area, the proposal currently only includes a service reservoir for the storage of treated water brought in via underground pipework. This will be located at Bexwell, to the North East of the Bexwell roundabout, North of the Business Park. The pipeline corridor avoids all settlements, but does pass close to the developed areas of Downham Market and Wimbotsham (including a large residential development currently under construction in the Bridle Lane area of Broomhill). The pipeline will pass through a number of our parishes, namely Wimbotsham, Downham West, Stow Bardolph, Nordelph, Upwell and Welney.

We have identified there are extant planning consents within the proposed site for the service reservoir at Bexwell. These are:
2/89/3306/O - Site for construction of business park, hotel and leisure centre, golf course (including driving range and clubhouse) balancing lake, roads and ancillary works (including private sewage treatment plant);
2/96/0904/D - Construction of business park
2/97/1119/D - Construction of hotel/golf club house, formation of 18 hole golf course, associated highways and parking.

The 1996 and 1997 consents have been delivered in part, so they remain 'live'. These sites will need to be considered in terms of the storage reservoir location, although noise, vibration and dust impacts will not be applicable here (given the hotel and golf course are not developed). Depending on the exact layout of the proposed service reservoir site and the overall proximity to the rear elements of the Business Park and rear boundaries of the small cluster of residential dwellings just off Bexwell Road East, noise, vibration and dust impacts may need to be considered via a Construction Management Plan.

Construction related noise, vibrations and dust will also need to be considered for the 30km pipeline route. Whilst it is proposed to be within a 500m wide corridor, there may be situations which result in this being reduced, or the pipeline itself being 'off-centre'. It is assumed there may be some occasional overnight work on the pipeline route where this is necessary to reduce impacts on the highway network through road closures, for example. Whilst works will be gradually continuing along the route and therefore not located for long periods of time in the same area (reducing impacts on amenity) it is also assumed there will be the requirement for one or more main, and several satellite, works/site compounds for storage and contractor amenity. We would expect these to be located with as much separation distance from residential and commercial receptors as possible, and to have controlled hours of use (other then for occasional overnight works). Likewise pipeline works should have controlled hours of use. The hours for this district are 08:00-18:00 hours weekdays and 09:00-13:00 Saturdays, with no work allowed on Sundays, Bank or Public Holidays. Earlier starts could be accommodated on weekdays, provided this is for quiet activities, ie tool box talks, with no plant operation/deliveries/noisy works before 08:00 hours. We would seek to control construction timings separately. We would also expect (a) Construction Management Plan(s)/Scheme(s) to cover each phase/area of works ie there could

be one for the reservoir and another for the pipeline, or one overall document. The content would be expected to meet the below condition wording:

Protection scheme from construction:
Prior to commencement of development a detailed construction management plan/scheme must be submitted and approved; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling/drilling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound(s), the location of contractor parking, the location and layout of the materials storage area(s), machinery storage area(s) and waste & recycling storage area(s), all proposed attenuation and mitigation methods to protect residents from noise, dust, vibrations and works lighting, plus communication methods to the wider community regarding the construction phases and likely disruptions. If piling/drilling is required, full assessments of noise and vibration impacts should be included.

Flood and Water Management

No comments from a flood and water management perspective.

Arboricultural Officer

My only comments would be to bring to the attention of Anglian Water and their representatives that as part of the Environmental Impact Assessment (EIA) for this major infrastructure project, and its associated supporting infrastructure, an Arboricultural Impact Assessment must be carried out, to assess the likely impact of the project on individual trees, groups, hedgerows and woodlands. This will of course best be carried out in conjunction and alongside other assessments including Landscape and visual amenity, and Biodiversity, not least in relation to loss of, or impact on trees and hedges. Although I'm almost certain this would already be included in the EIA for this major infrastructure project, it won't do any harm to mention it.

Ecology Officer

Comments to follow.

Matters of Principle:

Given the significant international, national and other environmental constraints across the Borough, Anglian Water will need to consider and set out alternative options, to reduce any impacts as far as possible. This would include the considerations undertaken regarding the exact pathway of the pipeline route as well as the siting and extent of the reservoir and works at Bexwell. In addition, given the environmental and visual impacts upon the natural and historic landscape, and to what extent can any new works be mitigated against.

Cumulative Impacts

Officers recognise that the Anglian Water Fens Reservoir NSIP is part of a wider project of infrastructure provision, that needs to be considered in conjunction with other projects for water management within Norfolk and the wider region. In bringing this project forward you will need to demonstrate that there is a coordinated approach to the various initiatives impacting the region, and demonstrate that all alternative have been thoroughly investigated. This consideration would be in accordance with the NPS for Water Resources Infrastructure published in April 2023. These documents may be subject to amendment or replacement as a result of the recent change in central Government.

Officers recognise that at this stage the preferred routes /search areas for the works proposed are broad and do not at this time show a precise route or siting for the pipelines and reservoir at Bexwell and associated works. Although the works travel in part through this Borough, the

consultation process should include what benefits, if any, will accrue to the residents and business of this Borough, as a result of these.

Compensation and Community Benefits

The Borough Council recognises and wishes to highlight that Anglian Water will need to consider appropriate compensation packages for those homes/ businesses/ agricultural land directly affected by both the construction works, and any long-term impacts. The route of any works will need to avoid any direct impacts on homes and businesses. The implications of the works and long-term physical impacts of this development will need to be made clear to these interested parties.

Below is a link to the Council's Statement of Community Involvement. As and when Anglian Water require a list of Parish Councils and other bodies this can be provided.

Matters of Detail:

Landscape Impacts

The landscape character assessment undertaken by The Borough Council of Kings Lynn and West Norfolk (available online) puts this landscape in two character areas D - The Fens - Settled Inland Marshes and E - The Fens - Open Inland Marshes.

Wider Environmental Impacts

There are significant environmental designations within the borough which should be considered, in particular the Ouse Washes SSSI/ Ramsar/ SPA/ SAC are within close proximity. The pipeline route is expected to pass through impact risk zones of protected sites and it is important that this is fully investigated and any impacts sufficiently mitigated against.

Highway Impacts to the Borough

Careful consideration and consultation would be required to mitigate as far as possible the impacts during preparation and construction works on the road network within this Borough. There would need to be detailed submissions to address haulage and construction management plans, including routing agreements, that recognise the need to minimise disturbance to the road network travelling though the Borough, during preparation, construction and maintenance works.

The more detailed concerns relating to noise and air quality are set out within the comments of the Community Safety & Neighbourhood Nuisance Team above.

Statement of Community Involvement (SCI)

The Council formally adopted the Statement of Community Involvement on 15 June 2017. This can be viewed at this link Statement of Community Involvement (SCI) | Statement of Community Involvement (SCI) | Borough Council of King's Lynn & West Norfolk (west-norfolk.gov.uk)

Yours sincerely

[redacted]

Stuart Ashworth
Assistant Director Environment and Planning

Dear Sirs,

RE:- Application by Anglian Water and Cambridge Water (the Applicant) for an order granting Development Consent for the Fens Reservoir (the Proposed Development)

Please see the comments from Willingham Parish Council:-

Upon reviewing the EIA Scoping report, Willingham Parish Council has several comments it wishes to make in the consultation.

(1) Chapter 3 - Consideration of Alternatives

We are in agreement with the proposal in section 3.5 that the Whole Scheme Option A is the best and preferred choice, especially in light of the high risk of flooding at Earith and its subsequent regularly occurring route disruption due to flooded roads. We would also stress the already strained traffic and road quality issues on the B1050 and surrounding roads that would be disrupted even further by any additional water infrastructure projects in the future. We also request that further consultation is undertaken involving the Parish Council if the Earith Whole Scheme Option B is considered seriously in future.

(2) Chapter 14 - Traffic and Transport

A. We note in section 14.4.4, relating to the study area, that the current strategy being developed is at present focused on the reservoir site and water treatment works, meaning Willingham is not included, and that as details on associated infrastructure are developed, the study area may expand to include the village. We would request to be consulted on traffic and transport issues if the Great River Ouse at Earith is considered further as a downstream water transfer site.

B. At section 14.4.5, principles for future assessment are helpfully included. For any such assessment, if the Great River Ouse at Earith is considered further for additional water infrastructure, the Council would stress the mutli-fauceted existing problems with the B1050 including traffic speeds, traffic volume and the dire condition of the B1050 along Shelford Road, which is sinking, cracking and in danger of collapsing making it particularly vulnerable to the weight of HGVs along the route.

C. At section 14.7, as part of the discussion into design and mitigation, the Scoping report mentions the development of the emerging strategy for transport of construction materials. Here, there is no mention of whether this will continue with further considerations relating to associated water infrastructure. At this point, the Council would like to emphasise the need for design development processes going forward to include these considerations, especially relating to any further discussions and considerations relating to potential associated water infrastructure at the Great River Ouse at Earith and the adverse effects this may have on local traffic and transport. We would also like to request that consultation is undertaken if this does occur.

D. The Scoping report notes in section 14.7.3 that documents presenting the approach to mitigation are yet to be produced. Here, the Council would like to emphasise the need for mitigation considerations to include the surrounding area of Earith when/if associated water infrastructure options in the area are explored further. Once again, we would request that further consultation takes place if this does occur.

(3) Chapter 23 - Cumulative Effects

This chapter refers to the long-list of other developments within the Boundary has been drafted to assess cumulative effects, which includes projects such as nationally significant infrastructure projects (NSIP), planning applications and local development plan site allocations.

Comments in section 23.4.1 relate to the study area, which is considered in the Scoping report to be sufficiently broad; however, it is noted that if required the study area will be expanded to ensure there is appropriate coverage of all potential significant environmental effects.

Here, the Council would comment that the long list of developments does not include major developments within Willingham (Belsar's Farm and 1B Over Road) or the neighbouring major development of the Northstowe new town. The study area should be expanded accordingly. Both of these projects will add additional pressure on the road system in the village, especially the vulnerable B1050. Such issues will only be further compounded by any possible development of water infrastructure in neighbouring Earith.

The Parish Council has always objected to HGV's and construction vehicles coming through the village including during consultations for the NVAR Incinerator at Bluntisham, Mick George expansion at Swavesey, Quarries at Needingworth and Haddenham.

Construction traffic through the village towards the Northstowe development has historically not been allowed but still occurs. There are concerns about noise and air pollution along this route, as well as vibrations which shake the foundations of houses.

The Council believe that any long list should include major developments in and around Willingham, as these will have impactful and negative cumulative effects on top of any service/construction/HGV traffic resulting from additional water infrastructure projects in neighbouring Earith.

I would be grateful if you could please acknowledge safe receipt of this email and its contents.

Kind regards,

Amy

Amy Rudderham
Deputy Clerk
Willingham Parish Council