



## Fens Reservoir Programme – WA010004

### Section 51 advice regarding the Programme Document submitted by Anglian Water and Cambridge Water

On 10 July Anglian Water and Cambridge Water submitted its draft Programme Document to the Planning Inspectorate<sup>1</sup>:

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

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

| Ref No. | Paragraph/ Section                  | Comment or question   |
|---------|-------------------------------------|---|
| 1.      | General                             | It is noted that the Programme Document appears to be at an early stage. It is expected that the Programme Document will be updated to include more detail now that the pre-application service tier has been confirmed and to align with that described in Guidance and the Planning Inspectorate's pre-application <a href="#">prospectus</a> . |
| 2.      | General                             | It is expected that the views of stakeholders, including local authorities and statutory consultees on the Programme Document are included in the Programme Document.   |
| 3.      | Statement of Community Consultation | It is expected that deadlines for local authority responses on the draft Statement of Community Consultation (SoCC) and date of publication of final SoCC are included in the Programme Document. Further updates of the Programme Document should cross reference to when matters in the SoCC have been undertaken.                              |

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



| Ref No. | Paragraph/ Section                            | Comment or question   |
|---------|---|---|
| 4.      | <b>Draft Application Documents</b>            | <p>It would assist if details of which draft application documents require Planning Inspectorate review and when are included in the Programme Document. Draft application documents review allows the Planning Inspectorate to give advice about the standard of the documentation, any aspects that may need clarification and procedural omissions prior to submission. The Applicant is advised to review the Prospectus, in particular <a href="#">‘Review of draft application documents’</a>. Please note that the Planning Inspectorate requires 6 weeks for the review of draft documents.</p>   |
| 5.      | <b>General - Appendix A</b>                   | <p>It is expected that more detail on project update meetings, topic areas for technical working group meetings, evidence plan meetings and any <a href="#">multiparty meetings</a> are included in the Programme Document. The Programme Document should set out dates and what those meetings will cover.</p> <p>It should be made clear which meetings or forums the Planning Inspectorate’s attendance is required at. The Applicant is advised to review the <a href="#">types of multiparty forums</a> is available and appropriate under the Prospectus. Please note that the Planning Inspectorate requires 6 weeks’ notice to participate in Evidence Plan meetings</p>  |
| 6.      | <b>Meetings and Interactions - Appendix A</b> | <p>Where requested by the applicant, and agreed by the Planning Inspectorate, topic-based meetings with the Planning Inspectorate in addition to meetings at key milestones identified in standard tier offer (<b>maximum nine meetings per annum</b>).</p> <p>Offer of Planning Inspectorate involvement in non-Evidence Plan multiparty forums, where agreed, including at the <a href="#">Adequacy of Consultation Milestone</a>. This may be in a chairperson or facilitator role.</p> <p>Offer of Planning Inspectorate involvement in Evidence Plan process, where engaged as agreed, as facilitator. Enhanced Examining Inspector involvement in pre-application advice, including potential deployment as facilitator in multiparty forums.</p> |
| 7.      | <b>General – Appendix A</b>                   | <p>The Applicant is reminded to add, if known, any targeted consultation dates to the Programme Document.</p>   |



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| 8.      | General            | It is expected that the dates for stages of the Environmental Impact Assessment (EIA) process such as scoping or preparation of the Preliminary Environmental Information Report (PEIR) are set out within the Programme Document.  |
| 9.      | General            | It would be useful to understand the Applicant's plans in relation to working groups, preliminary environmental information and multi party meetings in progressing the EIA / HRA and working to resolve the identified environmental risks?  |
| 10.     | General            | It is noted that there are several design freezes included in the Programme Document. It would assist if further details could be included to explain how these dates relate to the EIA/Habitat Regulation Assessment (HRA) work.   |
| 11.     | General            | It would assist if any details such as derogations under the Water Framework Directive (WFD) and HRA are included in the Programme Document. This should include the impact derogations would have on the programme, meetings scheduled and the development of Principal Areas of Disagreement Summary Statements (PADSS).                          |
| 12.     | General            | It would be helpful if information on whether relevant statutory consultees have been provided with PADSS templates, details of the statutory consultees and the engagement that has taken place so far is included in the Programme Document.  |
| 13.     | General            | It is expected that details on how application documents, including the Development Consent Order (DCO), Book of Reference, Statement of Reasons, Funding Statement, Works, Land, Public Rights of Way and other Plans, and any other documents will be developed and who will be engaged in the development is included in the Programme Document. |
| 14.     | General            | It is expected that details of any related non DCO consents, permits, licences and permissions required and the timescales are included in the Programme Document.  |



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|---------|--------------------|---|
| 15.     | General            | It is expected that information on when a <b>Policy and Compliance Document, Design Approach Document, Mature outline control documents, Pre-application Land and Rights Negotiations Tracker</b> will be provided are included in the Programme Document. The Applicant is reminded to review <a href="#">Annex – Supplementary pre-application components</a> , that is available to Applicants that have subscribed to the enhanced service tier.  |
| 16.     | General            | It is expected that details of how and when Public Sector Equality Duty supporting evidence will be provided are included in the Programme Document.  |
| 17.     | General            | <p>The Programme Document will be produced and maintained by the applicant, setting out the main pre-application steps that the Applicant anticipates taking during the preparation of the application.</p> <p>Updates to the Programme Document should be communicated by the Applicant proactively, with a clear description of the potential impacts on the requested services of the Inspectorate, relevant statutory bodies, local authorities and other stakeholders.</p> <p>The Applicant is reminded to review the <a href="#">Primary Service features</a> of the Prospectus, where the Applicant is expected to engage in and note under <b>feature ‘Programme Document’</b> that:</p> <p><i>“A public version of the pre-application Programme Document must be published on the applicant’s website.”</i></p> |
| 18.     | General            | <p>Final page of the Programme Document states:</p> <p><i>“You can view all our DCO application documents and updates on the application on the Planning Inspectorates website...”</i></p> <p>The Applicant is reminded to ensure that any material necessary to be publicised during the pre-application period be made available on the Applicant’s website. The Inspectorate will host any DCO application documents should the Application be accepted for Examination.</p>   |



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|---------|--------------------|--|
| 19.     | Section 2          | <p>The Applicant is reminded to review the <a href="#">pre-application guidance</a> on the Adequacy of Consultation Milestone (AoCM) and the <a href="#">Primary Service features</a> of the Prospectus in particular the feature <b><a href="#">‘Adequacy of Consultation Milestone’</a></b>.</p> <p>Paragraph 2.2.11 provides a broad overview of when the Applicant intends to engage with the relevant Local Authorities, however the AoCM feature, expresses the importance of the Applicant to:</p> <p><i>“...to include the views and any relevant supporting material from local authorities if available.”</i></p>  |
| 20.     | Section 3          | <p>The Applicant under Section 3 of the Programme Document provides an overview of risks identified at the pre-application stage, including the main issues for resolution, which will be kept under review.</p> <p>The Applicant is reminded to review the <a href="#">Primary Service features</a> of the Prospectus in particular the feature <b><a href="#">‘Issues Tracker and Potential Main Issues for the Examination’</a></b>(PMIE).</p> <p>We would also remind the Applicant of the templates available, to consider when compiling the <a href="#">Principal Areas of Disagreement Summary Statement</a> (PADSS), PMIE and how these interact with the Statement of Common Ground.</p> |