

Application by Augean South Limited for East Northants Resource Management Facility Western Extension

The Examining Authority's Written Questions and Requests for Information (ExQ2)

Issued on 27 April 2022

The following table sets out the Examining Authority's (ExA's) second round of written questions and requests for information – ExQ2. The questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annexe B to the Rule 6 letter of 6 January 2022. The questions also have regard to the responses to ExQ1, matters raised in Issue specific Hearings 1 and 2 to the responses received at Deadlines 2, 3 and 4.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact enrmfextension@planninginspectorate.gov.uk

and include 'East Northants Resource Management Facility Western Extension' in the subject line of your email.

The Examination Library

References in these questions set out in square brackets (e.g [APP-010]) are to documents catalogued in the Examination Library (EL). The Examination Library can be obtained from the following link: [Examination Library](#) and will be updated as the Examination progresses.

Responses are due by Deadline 5: Wednesday 11 May 2022



Abbreviations used:

Art	Article	NE	Natural England
BNG	Biodiversity Net Gain	NNC	North Northamptonshire Council
BoR	Book of Reference	NNR	National Nature Reserve
dDCO	Draft DCO	NPS	National Policy Statement
DEC	DCO Environmental Commitments	NSER	No Significant Effects Report
Defra	Department for Environment, Food and Rural Affairs	NPSHW	National Policy Statement for Hazardous Waste
EA	Environment Agency	NSIP	Nationally Significant Infrastructure Project
EM	Explanatory Memorandum	PA2008	Planning Act 2008
EMMAP	Ecological Management, Monitoring and Aftercare Plan		
ENRMFWE	East Northants Resource Management Facility Western Extension	PM	Particulate Matter
EP	Environmental Permit	R	Requirement
ES	Environmental Statement	RR	Relevant Representation
ExA	Examining Authority	SAC	Special Area of Conservation
HRA	Habitats Regulations Assessment	SoS	Secretary of State
LIR	Local Impact Report	SSSI	Site of Special Scientific Interest
LPA	Local planning authority	SWMP	Surface Water Management Plan
LSE	Likely Significant Effects	The Trust	Cecil Estate Family Trust
MP	Model Provision (in the MP Order)	UKHSA	UK Health Security Agency
MP Order	The Infrastructure Planning (Model Provisions) Order 2009	WFD	Water Framework Directive



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ExQ2: 27 April 2022**Responses due by Deadline 5: Wednesday 11 May 2022**

ExQ2	Question to:	Question:
1. General and Cross-topic Questions		
Q1.1	The Applicant and National Grid Gas	Please provide an update on the outstanding matters in the SoCG.
Q1.2	The Applicant and North Northamptonshire Council	Please provide an update on the outstanding matters in the SoCG.
Q1.3	The Applicant and Natural England	Please provide an update on the outstanding matters in the SoCG.
Q1.4	The Applicant and Western Power Distribution	Please provide an update on the outstanding matters in the SoCG.
Q1.5	The Applicant and Butterfly Conservation	Please provide an update on the outstanding matters in the SoCG.
Q1.6	The Applicant and Cecil Family Estate Trust	Please provide up update on the preparation of the SoCG.
Q1.7	The Applicant and Defence Infrastructure Organisation	Please provide up update on the preparation of the SoCG.
Q1.8	The Applicant and Anglian Water	Please provide up update on the preparation of the SoCG.
2. Environmental Controls		
Q2.1	The Applicant and the EA	Please provide an update on the applications for the new EPs including: <ul style="list-style-type: none"> • the scope of the applications; • any outstanding issues and/or requirements for additional information; • anticipated control mechanisms, management plans, limitations, conditions and monitoring requirements; • the timetable for issuing decisions.
3. Protected species		
Q3.1	The Applicant and NE	Please provide an update on progress towards the issue of a LONI for the great crested newt licence application.

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ExQ2	Question to:	Question:
4.	Landscape and Visual	
Q4.1	The Applicant	In response to the queries raised in ExQ1 and ISH2, [REP4-006] includes further assessments of the landscape and visual effects of Works 2 and 3. The assessment of Work 2 appears to be based on the parameters set out on the dDCO [REP4-004] and DEC Appendix DEC D [APP-110] and, therefore, accords with the Rochdale envelope approach to EIA assessment. The assessment of Work 3 still appears to be based on the premise of individual building of similar scale to the existing buildings being constructed under the dDCO. Whilst this may be the most likely scenario, the assessment does not take into account the full effect of the potential development which would be permitted under the parameters set out in the dDCO and the DEC (that is 8m tall structures covering the whole of the Work 3 area). Please respond by means of a further assessment or revision to the parameters for Work 3.
5.	Noise and Odour	
Q5.1	The Trust	Please provide any further evidence in support of your concerns regarding the effects of noise and odour from the Proposed Development on the proposed commercial storage facility on the land Trust land to the north of the existing site. In doing so, please have regard to the comments of the Council's Environmental Health Officer [REP4-012] (ISH2 agenda Item 4).
6.	Draft Development Consent Order	
Q6.1	NNC	Art 10 The version of this Art submitted at D4 now refers to work at the existing access location. Please comment on the terms of this version of the Art.
7.	Land use, soils and socio-economic effects	
Q7.1	The Applicant and NNC	Requirement 4 of the D3 version of the dDCO requires the provision of public access to the site and aftercare works to be carried out for a minimum period of 20 years in accordance with an approved phasing, landscaping and restoration scheme. The phasing, landscaping and restoration scheme is required to be in accordance with the principles set out in the ecological management, monitoring and aftercare plan (EMMAP [APP-110] DEC Appendix DEC E). Whilst the EMMAP sets out the requirements for management and maintenance of the restored habitats, it says little about the management and maintenance of the elements of the restored site necessary to support public access (for example, the car

ExQ2	Question to:	Question:
		park, outdoor furniture, physical features of controls necessary for security, litter collection). Should these matters be included in the EMMAP or elsewhere in the dDCO?
8. Infrastructure		
Q8.1	The Applicant	What provisions have been made to ensure the integrity and longevity of the Anglian Water (AW) pipelines during the construction and operational phases and following restoration? In your response, please address the issues of bank stability, hydrogeology, ingress of potential contaminants into the pipeline, the proximity of surface water storage lagoons, the potential for corrosion and physical impact from changes to external loadings and crossings.
Q8.2	The Applicant	What provisions have been made to enable access for maintenance and repair of the AW pipelines during the construction and operational phases and following restoration?
Q8.3	The Applicant	Please comment on the concerns of AW [REP4-013 and REP4-014] regarding the effect of the Proposed Development on its pipelines with regard to: a) the integrity and longevity of the pipelines; b) the potential for contamination of the water supply due to the presence of LLW; c) the potential for contamination of the water supply in the event of a failure of an AW pipeline; d) the potential for contamination of the site and surrounding area in the event of a failure of an AW pipeline due to the mobilization of LLW and other contaminants; e) the effect on other utilities infrastructure, including the proposed undergrounded electricity line and the high-pressure gas pipeline, in the event of a failure of an AW pipeline.
Q8.4	AW	Please expand on the concerns set out in your D4 submissions [REP4-013 and REP4-014] with particular regard to: a) quantification of the increased risk of failure of an AW pipeline as a result of the Proposed Development; b) the options for avoiding/mitigating the increased risk of failure of the pipeline (for example, routes for diverting the pipelines or, if the pipelines were retained in their current positions, increased stand-off distances and/or enhanced protective measures or changes to the design of the Proposed Development;

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ExQ2	Question to:	Question:
		c) provisions to allow satisfactory access to maintain and repair the pipelines.
Q8.5	The Applicant and AW	Please provide an update on discussions following AW's D4 submissions.
Q8.6	EA, UKHSA, Health and Safety Executive, National Grid, Western Power Distribution	Please comment on the matters raised in AW's D4 submissions [REP4-013 and REP4-014] and questions Q8.1 to Q8.4 above insofar as they affect your areas of responsibility.
9.	Water Environment	
Q9.1	The Trust	Please respond to the Applicant's submission [AS-006] and ISH2 contributions [REP4-007] (ISH2 agenda item 7(a)) insofar as they indicate that the majority of the swallow hole, including the surface water discharge point, is on land over which it has an option to purchase.
Q9.2	The Trust	If necessary, please expand on your concerns regarding the surface and ground water catchments in the vicinity of the proposed extension. In doing so, please have regard to the D4 submissions by the Applicant [REP4-007] and the EA [REP4-15] (ISH2 agenda item 7(a)).
Q9.3	The Trust	Please expand on your concerns regarding how / whether the water features and surface water drainage arrangements present close the northern boundary of the existing site have implications for the impact of the Proposed Development on Trust land.