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All Interested Parties, Statutory Parties and any other person invited to the Preliminary Meeting

Your Ref:

Our Ref: WS010005

Date: 23 June 2022

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Dear Sir/ Madam

## **Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8(3)**

### **Application by Augean South Limited for an Order Granting Development Consent for the East Northants Resource Management Facility Western Extension**

#### **Applicant's request for a change to the original application and change to the Examination Timetable**

The Applicant has submitted a request to the Examining Authority (ExA) to accept a proposed change to the original application. The request is supported by a number of documents which have been published by the Planning Inspectorate and will appear in the Examination Library in due course. The documents include a Supplementary Environmental Statement, a Risk Assessment and an updated version of the draft Development Consent Order (dDCO).

The changes seek to respond to concerns expressed by Anglian Water during the course of the Examination regarding the effect of the Proposed Development on two of its water pipelines which cross the western extension land. The changes were discussed at Issue Specific Hearing 3 (ISH3) on infrastructure and other matters which was held on the 8 June 2022 [EV4-010 to EV4-015]. In essence, the proposed change would increase the stand-off distance between the water pipelines and the adjoining proposed landfill from 7m, as originally specified, to up to 30m. The exact distance would be subject to further approval. The Applicant considers the proposed change to be minor and non-material.

Having regard to the Applicant's submissions, the discussion at ISH3 and relevant guidance<sup>1</sup> my provisional view is that the proposed change is non-material. This is based on the following considerations:

- The proposed change does not involve additional land and does not require the use of compulsory acquisition powers;
- The proportion of the site affected is relatively small and the change would be limited in scale and nature;

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<sup>1</sup> in '[Planning Act 2008: examination of applications for development consent](#)' and '[PINS Advice Note 16: 'How to request a change which may be material'](#)'

- Subject to further consideration, the proposed change would not give rise to new or different likely significant environmental effects;
- The proposed amendments to the dDCO would be limited in extent; and
- There have been no other substantive changes to the original application.

The Applicant has chosen to undertake consultation on the proposed change. The Applicant's submissions set out the scope of the consultation. Please note that any responses to the consultation should be sent directly to the Applicant using the contact details it has provided. Responses should not be sent to the Planning Inspectorate.

The Applicant intends to submit a Consultation Report (CR) on the responses to its consultation exercise on or before 20 July 2022. The Inspectorate will publish the CR as soon as possible after its receipt. In order to allow parties to comment on the CR, the Examination Timetable has been amended to include an additional opportunity for submissions on this matter alone. Submissions for the new **Deadline 8** need to be made by **Friday 29 July 2022**. I appreciate that the time allowed for responses is fairly short. However, they must be received before the Examination closes on Tuesday 2 August. I trust that giving early notice of the deadline will help to offset its shortness.

Please contact the Case Team if you have any questions about this letter.

Yours faithfully

*Simon Warder*

**Examining Authority**

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