

29 July 2022
Our ref: AU/KCW/SPS/1724/01
Your ref: WS010005

Simon Warder
Examining Authority
The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

BY EMAIL ONLY TO
ENRMFextension@planninginspectorate.gov.uk

Dear Mr Warder

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 –Rule 17 Request for Further Information

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

Proposed Change and Western Power Distribution (WPD)

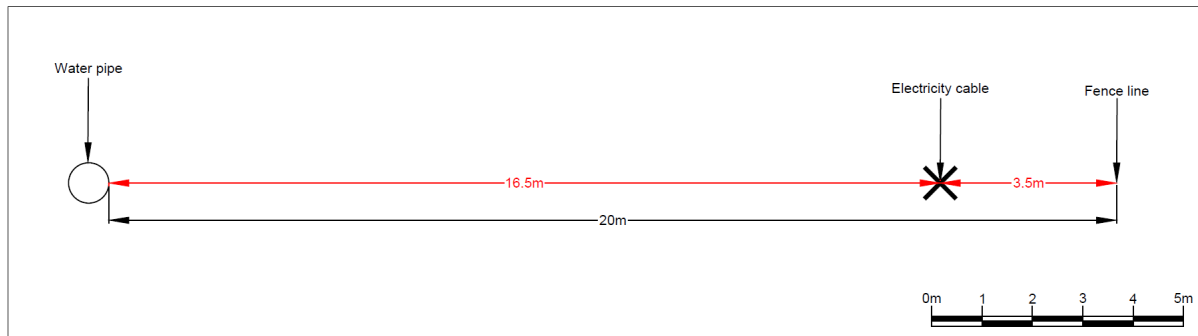
Further to your letter dated 25 July 2022 we are pleased to provide the information requested.

It has been agreed with Western Power Distribution Limited (WPD) that they require a minimum of 3.5m between the diverted electricity cable and the water pipelines. This is agreed at paragraph 4.3 in the draft Statement of Common Ground which is provided at Appendix E to document reference REP7-009. While the Statement of Common Ground still is not signed, the standoff distance is agreed as confirmed in the attached email dated 25 July 2022. The final signature is awaiting signature of the Asset Protection Agreement which unfortunately is being delayed by holiday absences.

As you are aware, and as confirmed in the correspondence with Anglian Water dated 19 July 2022 (Email no 18 in REP7-013), a standoff distance of 20m from the water pipes to the fence line has been agreed. The correspondence dated 19 July 2022 (Email no 18 in REP7-013) identifies that Anglian Water are prepared to accept a distance between the water pipes and the diverted electricity cable of 19m. However, the Applicant considers that there is no justification for this extent of standoff distance and suggested that a standoff distance of 16.5m would be acceptable (email dated 19 July 2022, email no 19 in REP7-013). A standoff distance of 16.5m would mean that both the water pipes and the diverted electricity cable could be accommodated within the overall 20m standoff between the water pipes and the fence line as shown in the schematic diagram below.



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Discussions were held with Anglian Water following the emails dated 19 July 2022 however in order to agree a shorter distance than 19m Anglian Water requested further detailed design information for the diverted cable. Accordingly it has not been possible to agree with Anglian Water the precise separation distance before the end of the Examination. In accordance with Clause 4 (6) (b) of the agreed Protective Provisions in Schedule 6 Part 1 of the dDCO (REP7-002), the location of any infrastructure within 20m of the water pipes must be agreed with Anglian Water and therefore the means to agree the distance between the water pipes and the cable within the 20m stand off and the design details is contained in the dDCO.

In the event that Anglian Water do not agree to the location of the diverted electricity cable in the agreed 20m separation distance between the water pipes and the fence, the diverted cable could be located adjacent to the 20m line (giving a standoff from the water pipes of 20m which is well above the 3.5m agreed with WPD) with a distance of 3.5m to the north of the diverted cable and the fence line. This provides a total distance of 23.5m (ignoring the width of the cable which is small) between the water pipes and the fence line. The Restoration Profile Contour Plan (revA) (PINS document reference 2.9revA (AS-010)) submitted with the Non Material Change proposals and referenced in Requirement 3(2) of the dDCO allows a distance of up to 30m between the water pipes and the fence line.

Accordingly the specific location of the diverted electricity cable does not need to be stated in the dDCO or the approved documents as the parameters within which it can be located are fixed in the dDCO. The diverted cable can be located anywhere in Works No 5 as shown on the Works Plan (PINS document reference 2.3 revA (AS-008)). The area of Works No 5 shown on the plan along the water pipe route extends 30m to the north of the northern water pipe. All the controls necessary in the dDCO for the location of the diverted electricity cable to be determined therefore are provided by:

The Works Plan revA (PINS document reference 2.3 (AS-008))

The Restoration Profile Contour Plan revA (PINS document reference 2.9 (AS-010))

Table DECB1 (for the distance between the fence and the cable) (PINS document reference 6.5 (REP7-008))

The Protective Provisions (PINS document reference 3.1 (REP7-002))

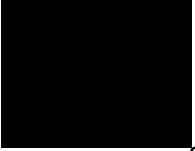
In summary, the assessments of the potential impacts have demonstrated that the diverted electricity cable can be located at any point within the parameters set in the submitted documentation without any potentially significant adverse effects therefore there is no need for further controls to be implemented through the DCO.

We trust that this response provides the clarification that you are seeking.



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Yours sincerely



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Enc: Email from Osborne Clarke on behalf of Western Power dated 25 July 2022

cc T Williams, PINS
G Wilson, Augean South Ltd



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M J Carter Associates Limited. Registered in England No. 01713587

Nicole Lawton

Subject: FW: ENRMF Western Extension (DCO Project reference WS010005) [OC-OC_UK.FID4223730]

From: Arthur Hopkinson [REDACTED]
Sent: 25 July 2022 18:15
To: Sophie Serdetschniy [REDACTED]
Subject: RE: ENRMF Western Extension (DCO Project reference WS010005) [OC-OC_UK.FID4223730]

Hi Sophie,

I hope that you are well.

Apologies the delay in providing confirmation on the stand-off distances. However, WPD have now confirmed that they are happy with these.

For the purpose of your application, please let me know if you still intend to submit a signed copy of the final draft SoCG to PINS?

If so, please feel free to send this across to me and I will arrange for WPD to sign.

Kind regards,

Arthur

Arthur Hopkinson
Associate
for Osborne Clarke LLP
osborneclarke.com

.....
[REDACTED]
[REDACTED]
2 Temple Back East, Temple Quay, Bristol BS1 6EG or DX 7818 Bristol
.....

From: Sophie Serdetschniy [REDACTED]
Sent: 20 July 2022 17:37
To: Arthur Hopkinson [REDACTED]
Cc: Elizabeth Tones [REDACTED]; Claire Brook [REDACTED];
'peteroldfield' [REDACTED]
Subject: RE: ENRMF Western Extension (DCO Project reference WS010005) [OC-OC_UK.FID4223730]

Dear Arthur

Thank you for your email. We will submit a final draft of the SoCG with the amber and green text today as part of our Deadline 7 submissions. A copy of the SoCG that will be submitted is attached for your records.

Regards

Sophie

Sophie Serdetschniy
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CV9 2LE



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Our Ref: 1724

From: Arthur Hopkinson [redacted]
Sent: 20 July 2022 15:29
To: Sophie Serdetschniy [redacted]
Cc: Josh Taylor [redacted]
Subject: RE: ENRMF Western Extension (DCO Project reference WS010005) [OC-OC_UK.FID4223730]

Good afternoon Sophie,

Thank you for your call. Apologies but I am tied up in other calls for the rest of today.

In terms of your earlier email around confirmation of the set-back distances in the SoCG for WPD, I haven't come back to you yet as I have been chasing up with the client for confirmation on these distances and the works boundaries.

I am afraid until we get confirmation from WPD on the distances identified in the SoCG, we can't confirm that the amber text is fine to be converted to black to indicate that these distances are agreed.

I appreciate that you have been working towards Deadline 7 today to get a final draft SoCG submitted and you will know best how to relay the current position to PINs in time for Deadline 7. However, I imagine you are reluctant to submit the draft SoCG with the amber wording still in there. Therefore, perhaps a more general update can be given to PINs for this deadline to confirm that the final draft SoCG has not yet been confirmed by WPD but that it will be provided by Deadline 8/by the end of Examination.

Kind regards,

Arthur

Arthur Hopkinson
Associate
for Osborne Clarke LLP



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