Cambridge Waste Water Treatment Plant Relocation Project
Anglian Water Services Limited

Statutory Nuisance Statement [redacted]

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Contents

1 Introduction 1
1.1 Anglian Water Services Limited 1
1.2 Introduction to the relocation project 1
1.3 The relocation site 2
1.4 Purpose of the Proposed Development 2
1.5 Outline description of the Proposed Development 2
1.6 Environmental mitigation 6
1.7 Additional project benefits 6
1.8 Statutory nuisance statement 6
2 Assessment of the engagement with matters under Section 79(1) Environmental Protection Act 1990 8
2.2 Emissions (S.79(1)(d)) – Air Quality 8
2.3 Emissions (S.79(1)(d)) – Odour 9
2.4 Lighting (S.79(1)(fb)) 11
2.5 Noise (S.79(1)(g) and (ga)) 12
2.6 Insect nuisance (S.79(1)(fa)) 13
3 Conclusion 16

Figures

Figure 1.1: the scope of the draft DCO and the future demolition and redevelopment of the site at Cowley Road 5

Summary

This document is prepared pursuant to the requirements of Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 to confirm "*whether the proposal engages one or more of the matters set out in section 79(1) (statutory nuisances and inspections therefor) of the Environmental Protection Act 1990, and if so how the applicant proposes to mitigate or limit them*".

This statement should be read alongside the other Application documents, in particular the Environmental Statement (Volume 5) (the "ES"). This statement refers to sections of the ES which contain detailed information on the assessment and mitigation of impacts.

Section 79(1) of the Environmental Protection Act 1990 states that subject to various exclusions, the following constitute a 'statutory nuisance':

(a) any premises in such a state as to be prejudicial to health or a nuisance;

(b) smoke emitted from premises so as to be prejudicial to health or a nuisance;

(c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;

(d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;

(e) any accumulation or deposit which is prejudicial to health or a nuisance;

(f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;

(fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;

(fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;

(g) noise emitted from premises so as to be prejudicial to health or a nuisance;

(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street;

(h) any other matter declared by any enactment to be a statutory nuisance.

Mitigation measures, as proposed in the ES, would be applied to the construction, operation and maintenance of the Proposed Development.

Taking this into account, as well as the embedded mitigation inherent in the design of the Proposed Development, this Statement concludes that construction, operation, use and maintenance of the Proposed Development would not give rise to impacts which would be likely to constitute a statutory nuisance as defined by the Environmental Protection Act 1990.

1 Introduction

1.1 Anglian Water Services Limited

1.1.1 Anglian Water Services Limited (the 'Applicant') is the largest regulated water and water recycling company in England and Wales by geographic area, supplying water and water recycling services to almost seven million people in the East of England and Hartlepool.

1.1.2 The Applicant is committed to bringing environmental and social prosperity to the region they serve, through their commitment to Love Every Drop. As a purpose-led business, The Applicant seeks to contribute to the environmental and social wellbeing of the communities within which they operate. As one of the largest energy users in the East of England, they are also committed to reaching net zero carbon emissions by 2030.

1.2 Introduction to the relocation project

1.2.1 Anglian Water's Cambridge Waste Water Treatment Plant Relocation project (CWWTPRP) ("the Proposed Development") is funded by Homes England, the Government's housing accelerator which seeks to improve neighbourhoods and grow communities by releasing land for development.

1.2.2 The Proposed Development involves the relocation of the existing Cambridge Waste Water Treatment Plant (WWTP) currently operating at Cowley Road, Cambridge, to a new site between Horningsea, Fen Ditton and Stow cum Quy, adjacent to the A14 in Cambridgeshire.

1.2.3 The relocation would make the site of the existing WWTP available to form part of the development of a new low-carbon city district, known as North East Cambridge. The site at Cowley Road, is Cambridge's last major brownfield site, and the wider North East Cambridge district proposals envisage creating around 8,350 homes and 15,000 jobs over the next 20 years.

1.2.4 North East Cambridge is a highly sustainable location for housing. In addition to the Homes England funding, the area has benefitted from Transport Infrastructure Fund (TIF) funding for Park & Ride, the completion of Cambridge Guided Bus public transport infrastructure, the delivery of the Cambridge North rail station and the Chisholm Trail.

1.2.5 North East Cambridge is one of three key strategic sites which will form "*central building blocks of any future strategy for development*" in the proposed Greater Cambridge Local Plan being jointly prepared by Cambridge City Council and South Cambridgeshire District Council that will be subject to public consultation in Autumn 2023. The North East Cambridge Area Action Plan (AAP), currently in "Proposed Submission" form, will be the planning policy framework which ultimately guides the development of North East Cambridge city district.

1.2.6 The importance of the Proposed Development, both regionally and nationally, was recognised by the Secretary of State for Environment, Food and Rural Affairs (DEFRA)

in January 2021, who directed that the Proposed Development is nationally significant and is to be treated as a development for which a Development Consent Order (DCO) is required (see Appendix 1-3 of the Planning Statement, App Doc Ref 7.5).

1.2.7 The policy context of the Proposed Development is described in more detail in the Planning Statement (Application Document Reference 7.5).

1.3 The relocation site

1.3.1 The relocation site was selected following comprehensive study and public consultation. The site selection process and consideration of alternatives is described in more detail in Chapter 3: Alternatives of the Environmental Statement (App Doc Ref 5.2.3).

1.3.2 The current environmental conditions at the existing Cambridge WWTP site and at the relocation site are described in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2). The site is located to the north-east of Cambridge and 2km to the east of the existing Cambridge WWTP, as shown on the Works Plans (App Doc Ref 4.3.1). It is situated on arable farmland immediately north of the A14 and east of the B1047 Horningsea Road in the green belt between the villages of Horningsea to the north, Stow cum Quy to the east and Fen Ditton to the south west. Two overhead lines of pylons cross the northern and eastern edges of the main development site and come together with a third line at the north eastern corner of the site. The topography is fairly flat with an approximately 4m fall across the site south west to north east.

1.4 Purpose of the Proposed Development

1.4.1 The Proposed Development for which the DCO is being sought will deliver all the functions of the existing Cambridge WWTP at Cowley Road, treating all waste water from the Cambridge catchment and wet sludge from the wider region.

1.4.2 In addition, it will have an increased capacity, being intended to treat the waste water from the Waterbeach catchment and anticipated housing growth in the combined Cambridge and Waterbeach catchment area.

1.4.3 The infrastructure provided as part of the main works will have a design life to at least 2090, and the supporting infrastructure (i.e. the transfer tunnel, pipelines and outfall) will have a designed capacity sufficient to meet population growth projections plus an allowance for climate change into the 2080s. Furthermore, there is capability for expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s.`

1.5 Outline description of the Proposed Development

1.5.1 The DCO application is seeking approval for the following main elements of the Proposed Development:

- an integrated waste water and sludge treatment plant.

- a shaft to intercept waste water at the existing Cambridge WWTP on Cowley Road and a tunnel/ pipeline to transfer it to the proposed WWTP and terminal pumping station. Temporary intermediate shafts to launch and recover the micro-tunnel boring machine.
- a gravity pipeline transferring treated waste water from the proposed WWTP to a discharge point on the River Cam and a pipeline for storm water overflows.
- a twin pipeline transferring waste water from Waterbeach to the existing Cambridge WWTP, with the option of a connection direct in to the proposed WWTP when the existing works is decommissioned.
- on-site buildings, including - a Gateway Building with incorporated Discovery Centre, substation building, workshop, vehicle parking including electrical vehicle charging points, fencing and lighting.
- environmental mitigation and enhancements including substantial biodiversity net gain, improved habitats for wildlife, extensive landscaping, a landscaped earth bank enclosing the proposed WWTP, climate resilient drainage system and improved recreational access and connectivity.
- renewable energy generation via anaerobic digestion which is part of the sludge treatment process that produces biogas designed to be able to feed directly into the local gas network to heat homes, or as an alternative potential future option burnt in combined heat and power engines.
- renewable energy generation via solar photovoltaic and associated battery energy storage system.
- other ancillary development such as internal site access, utilities, including gas, electricity and communications and connection to the site drainage system.
- a new vehicle access from Horningsea Road including for Heavy Goods Vehicles (HGV's) bringing sludge onto the site for treatment and other site traffic.
- Temporary construction works including compounds, temporary highway controls, accesses and signage, fencing and gates, security and safety measures, lighting, welfare facilities, communication control and telemetry infrastructure.
- Decommissioning works to the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits including removal of pumps, isolation of plant, electrical connections and pipework, filling and capping of pipework, cleaning of tanks, pipes, screens and other structures, plant and machinery, works to decommission the potable water supply and works to restrict access to walkways, plant and machinery.

1.5.2 Additional elements, together with more information on the above features are provided in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2). Principles of Good Design have been used to inform the development of the project, which has been guided by the National Infrastructure Commission's Design Principles, advice from the Design Council and review by the Cambridgeshire Quality Panel, as described in the Design and Access Statement (App Doc Ref 7.6).

1.5.3 Construction activities, likely to take 3-4 years, will include the creation of a shaft to intercept waste water at the existing Cambridge WWTP and temporary intermediate shafts between the existing Cambridge WWTP and the proposed WWTP to launch and recover a micro-tunnel boring machine. The sequence and location of construction activities are also detailed in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2).

1.5.4 Towards the end of the construction period, commissioning of the Proposed Development will commence, lasting for between 6 months and 1 year.

1.5.5 The Proposed Development will also involve the decommissioning of the existing Cambridge WWTP at Cowley Road. This is secured by the Development Consent Order and the Outline Decommissioning Plan (Appendix 2.3, App Doc Ref 5.4.2.3) and involves activities necessary to take the existing plant out of operational use and to surrender its current operational permits.

1.5.6 Following decommissioning, the site of the existing plant will be made available in accordance with agreements already in place with Homes England and with the master developer appointed to deliver the redevelopment of North East Cambridge

1.5.7 Consent is not sought under the Development Consent Order for the subsequent demolition or redevelopment of the Cowley Road site, which, as described in Chapter 2: Project Description of the Environmental Statement (App Doc Ref 5.2.2) will be consented under a separate and future planning permission, by master developers, U+I and TOWN, appointed under the agreements described above.

1.5.8 The relationship between the Proposed Development, the scope of the draft DCO and the future demolition and redevelopment of the site at Cowley Road is set out in Figure 1.1, below.

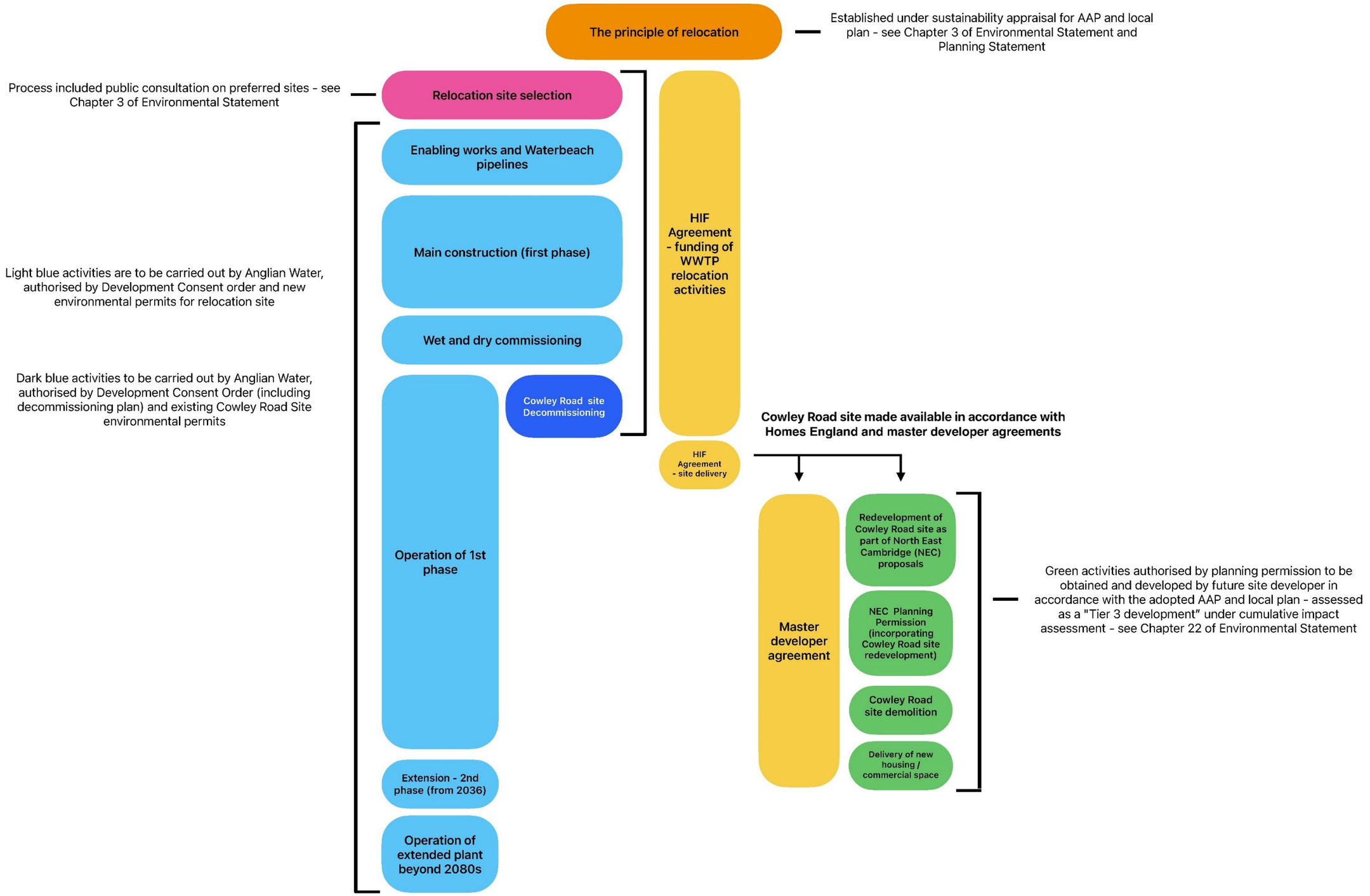

Figure 1.1: the scope of the draft DCO and the future demolition and redevelopment of the site at Cowley Road

1.6 Environmental mitigation

1.6.1 Through the environmental impact assessment process and community and technical stakeholder engagement the Proposed Development has incorporated comprehensive environmental mitigation, secured through the Development Consent Order.

1.6.2 This mitigation includes a Landscape, Ecological and Recreational Management Plan ("LERMP", Appendix 8.14, App Doc Ref 5.4.8.14) has been developed to complement regional and local initiatives, including the Wicken Fen Vision and the Cambridge Nature Network. The 22-hectare footprint of the plant is encircled by a landscaped and planted earth bank situated within the broader LERMP area of around 70-hectares,

1.7 Additional project benefits

1.7.1 In addition to enabling housing growth and future economic development of the Greater Cambridge area the project will also give rise to a number of additional benefits including:

- significantly reduced carbon emissions compared to the existing Cambridge WWTP, being operationally net zero and energy neutral, contributing to Anglian Water's ambition of being operationally net zero as a business by 2030.
- greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows (CSOs) are far less likely to occur. This means that, as Greater Cambridge continues to grow, the facility will be able to treat a greater volume of storm flows to a higher standard than would be the case at today's facility.
- The proposed WWTP is being designed to reduce concentration in final treated effluent discharges of phosphorus, ammonia, total suspended solids and biological oxygen demand (BOD), compared to the existing Cambridge WWTP. This means that when the new facility starts to operate, water quality in the River Cam will improve.

1.8 Statutory nuisance statement

1.8.1 This statement is submitted as part of the application made by the Applicant to the Planning Inspectorate under Section 37 of the Planning Act 2008 (as amended) for a Development Consent Order ('DCO') to authorise the Proposed Development.

1.8.2 This document is prepared pursuant to the requirements of Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 to confirm "*whether the proposal engages one or more of the matters set out in section 79(1) (statutory nuisances and inspections therefor) of the Environmental Protection Act 1990, and if so how the applicant proposes to mitigate or limit them*".

1.8.3 This statement should be read alongside the other Application documents, in particular the Environmental Statement (Application Volume 5) (the "ES"). This statement refers to sections of the ES which contain detailed information on the assessment and mitigation of impacts.

1.8.4 Section 79(1) of the Environmental Protection Act 1990 states that subject to various exclusions, the following constitute a 'statutory nuisance':

(a) any premises in such a state as to be prejudicial to health or a nuisance;

(b) smoke emitted from premises so as to be prejudicial to health or a nuisance;

(c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;

(d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;

(e) any accumulation or deposit which is prejudicial to health or a nuisance;

(f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;

(fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;

(fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;

(g) noise emitted from premises so as to be prejudicial to health or a nuisance;

(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street;

(h) any other matter declared by any enactment to be a statutory nuisance.

1.8.5 In order for action to be taken the nuisance complained of should either contain a risk to people's health or interfere with a person's legitimate use or enjoyment of land.

1.8.6 The matters under section 79(1) which are potentially engaged by the Proposed Development are nuisance caused by emissions, artificial light, noise and insect nuisance. For the purposes of section 79(1), 'noise' the definition of 'noise' includes vibration[1].

[1] Section 79(7) Environmental Protection Act 1990

2 Assessment of the engagement with matters under Section 79(1) Environmental Protection Act 1990

2.1.1 This section considers the types of impacts which could engage matters under section 79(1):

- **Emissions** (including Air Quality and Odour) from industrial, trade or business premises which could engage subsection (1)(d);
- **Artificial lighting** emitted from premises, which could engage subsection (1)(fb);
- **Noise**, which could fall under subsection (1)(g) if emitted from premises (which includes land) or subsection (1)(ga) if emitted by a vehicle, machinery or equipment in a street[2]; and
- **Insect nuisance,** under subsection 1(fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance.

2.2 Emissions (S.79(1)(d)) – Air Quality

Construction

2.2.1 During the construction of the Proposed Development, the principal pollutants that may potentially be generated are dust and particulate matter.

2.2.2 Chapter 7 (Air Quality) of the ES (App Doc Ref 5.2.7) considers the likely air quality effects of the Proposed Development during its construction. The ES concludes that overall, air quality impacts from construction dust during the construction of the Proposed Development will be temporary and of short duration.

2.2.3 The dust risk assessment aids the identification of secondary mitigation measures which are included within the Code of Construction Practice (CoCP) Part A (Appendix 2.1, App Doc Ref 5.4.2.1) and CoCP Part B (Appendix 2.2, App Doc Ref 5.4.2.2).

2.2.4 The CoCP requires that the Principal Contractor(s) appointed by the Applicant will be required to produce a Construction Environmental Management Plan (CEMP) before works associated with each part of the Proposed Development commence. This will contain the detailed commitments derived from the measures set out in the CoCP and approved as part of the requirements of the DCO.

2.2.5 Section 6.5 of the CoCP Part A (Appendix 2.1, App Doc Ref 5.4.2.1), Land quality, includes measures in relation to soil management including stockpile controls.

[2] Defined in section 79(7) as a "*highway and any other road, footway, square or court that is for the time being open to the public*". Road traffic noise is excluded from consideration by virtue of section 79(6A)(a) of the EPA 1990.

2.2.6 Section 6.9 of the CoCP Part A (Appendix 2.1, App Doc Ref 5.4.2.1), Air quality, sets out a framework for the control of air quality during construction, identifying a number of 'standard' mitigation measures which will be implemented whilst construction work takes place. These will be reflected in an Air Quality Management Plan (AQMP) appended to/as part of the CEMP.

2.2.7 Construction dust effects will be mitigated proportionally, using the recommendations within the IAQM 'Guidance on the assessment of dust from demolition and construction'.

2.2.8 A Construction Traffic Management Plan (CTMP) (Appendix 19.7, App Doc Ref 5.4.19.7) includes measures relating to the control of vehicle movements.

2.2.9 Therefore, following effective implementation of the CoCP which is secured through requirement in the draft Development Consent Order (App Doc Ref 2.1), the residual effects from construction activities generating dust are negligible and not significant and on the basis that construction contractors adopt Best Practicable Means ("BPM"), no nuisance related to dust or particles is anticipated from the construction of the Proposed Development.

Operation

2.2.10 The nature of the Proposed Development once constructed will not incorporate any significant sources of dust or steam to be either prejudicial to health or a nuisance.

2.3 Emissions (S.79(1)(d)) – Odour

Construction

2.3.1 Chapter 18 (Odour) of the ES (App Doc Ref 5.2.18) considers the likely odour effects of the Proposed Development during its construction including commissioning of the proposed WWTP and decommissioning activities at the existing Cambridge WWTP.

2.3.2 The Applicant proposes to control the commissioning of the Proposed Development through the implementation of a Commissioning Plan (which will be required to be in accordance with the Outline Commissioning Plan submitted with the Application (Appendix 2.4, App Doc Ref 5.4.2.4)) and decommissioning activities through the implementation of a Decommissioning Plan (which will be required to be in accordance with the Outline Decommissioning Plan submitted with the Application (Appendix 2.3, App Doc Ref 5.4.2.3)). The details included within these documents will include measures to minimise potential odour impacts.

2.3.3 The CoCP sets out measures in relation to construction odours and requires the preparation and implementation of detailed Commissioning and Decommissioning Plans as set out above. The Principal Contractor(s) appointed by the Applicant will be required to prepare and implement detailed plans including a CEMP with associated sub-plans which must include those matters specified in the CoCP. This requirement is secured through DCO requirement.

2.3.4 The ES concludes that the results of the assessment of residual effects take account of secondary mitigation measures identified within section 7.8 of the CoCP Part A (Appendix 2.1, App Doc Ref 5.4.2.1) and Part B (Appendix 2.2, App Doc Ref 5.4.2.2) and the Outline Commissioning Plan and Outline Decommissioning Plan (Appendix 2.3 & 2.4, App Doc Refs 5.4.2.3 and 5.4.2.4).

2.3.5 Overall, the odour risks identified from the construction activities are negligible and not significant.

2.3.6 Based on the mitigation measures proposed and that construction contractors adopt controls identified through the CoCP, the Outline Commissioning Plan (Appendix 2.4, App Doc Ref 5.4.2.4) and the Outline Decommissioning Plan (Appendix 2.3, App Doc Ref 5.4.2.3), no nuisance related to odour is anticipated from the construction of the Proposed Development.

Operation

2.3.7 Chapter 18 (Odour) of the (App Doc Ref 5.2.18) considers the likely odour effects of the Proposed Development during its operation and maintenance.

2.3.8 The ES concludes that the results of odour modelling indicate that the odour exposure levels with a medium impact ($3ou_E/m^3$ to $5ou_E/m^3$) are within 200m of the outer perimeter of the proposed WWTP during normal operation. The magnitude of odour impacts at all modelled discrete receptors however ranges from negligible to very small (up to 1.5 ou_E/m^3). Based on the modelled odour impacts, the sensitivity of receptors and the incorporation of the embedded design features within the proposed WWTP, the effect of the proposed WWTP on odour at all modelled sensitive receptor locations during normal operation would be negligible and not significant.

2.3.9 The embedded design features within the proposed WWTP include incorporation of low turbulence treatment processes, the siting of the treated effluent processes near to the inner boundary of the proposed WWTP and the odorous processes nearer to the centre of facility layout, inclusion of odour control facilities (considered critical equipment) to operate continuously in all conditions, and the use of covered reception areas at the terminal pumping station, inlet works and sludge tanks within venting of air from these areas being through odour control plant with exhaust stacks.

2.3.10 In addition to embedded measures the Applicant proposes to control odour emissions through an Odour Management Plan, which is a legal requirement for Environmental Permit from the Environment Agency, a preliminary version of which is included in the application (Appendix 18.4, App Doc Ref 5.4.18.4). The purpose of the document is to set out the framework and principles that will be developed further during the life of the Proposed Development from detailed design to the proposed assets going into full operation, in compliance with the relevant Environmental Permit for the Proposed Development. It is a live document which will be revised throughout the design, construction and operational phases of the

Proposed Development. The DCO also includes a requirement in Schedule 2 to submit and comply with the Odour Management Plan.

2.3.11 Therefore, based on the mitigation measures proposed , no nuisance related to odour is anticipated from the operation or maintenance of the Proposed Development.

2.4 Lighting (S.79(1)(fb))

Construction

2.4.1 Artificial light pollution may be emitted from various activities to be carried out during the construction period of the Proposed Development.

2.4.2 Chapter 15 (Landscape and visual amenity) of the ES (App Doc Ref 5.2.15) and the Lighting Assessment Report (Appendix 15.3, App Doc Ref 5.4.15.3) consider the likely landscape and visual amenity, including lighting, effects of the Proposed Development during construction.

2.4.3 The ES Chapter 15 identifies that construction lighting will result in temporary moderate adverse significant effects on night-time views from residential properties in High Ditch Road (VP10), Horningsea Road (VP11), Low Fen Drove Way (VP13 and VP 17), residents of Poplar Hall, Poplar Hall Farmhouse and Red House Close (VP22) and Biggin Abbey and associated cottages (VP24).

2.4.4 A Lighting Design Strategy (Appendix 2.5, App Doc Ref 5.4.2.5) and the CoCP Part A, Section 5.9 (Lighting) (Appendix 2.1, App Doc Ref 5.4.2.1), which requires that the contractors incorporate a strategy for temporary lighting into the CEMP(s) (secured through requirements in the DCO), will collectively deliver appropriate mitigation of light during construction.

2.4.5 Based on the mitigation measures proposed, and given the temporary nature of the effect, and that the construction contractors adopt controls identified through the CoCP Part A and B (Appendix 2.1 & 2.2, App Doc Refs 5.4.2.1 &5.4.2.2) and the Lighting Design Strategy (Appendix 2.5, App Doc Ref 5.4.2.5), no nuisance is anticipated in respect of lighting of the Proposed Development during the construction phase.

Operation

2.4.6 Chapter 15 (Landscape and visual amenity) of the ES (App Doc Ref 5.2.15) and the Lighting Assessment Report (Appendix 15.3, App Doc Ref 5.4.15.3) consider the likely landscape and visual amenity, including lighting, effects of the Proposed Development during operation and maintenance of the Proposed Development.

2.4.7 Section 5.3 of the ES concludes that in year 1 and 15 of operation of the proposed WWTP, with primary and tertiary mitigation, operational lighting within the proposed WWTP will not result in significant adverse effects on night-time views from residential properties within the study area.

2.4.8 The detailed operational lighting design will be finalised during detailed design in accordance with the Lighting Design Strategy (Appendix 2.5, App Doc Ref 5.4.2.5), which seeks to minimise lighting levels while meeting safety requirements within the Proposed Development. Based on the mitigation measures proposed, no nuisance is anticipated in respect of lighting of the Proposed Development during the operational phase.

2.5 Noise (S.79(1)(g) and (ga))

2.5.1 The elements of the assessment which are relevant to s79(1) are those relating to noise emitted from premises (which includes land) and those caused by a vehicle, machinery or equipment in a street. These elements are encompassed within the assessment of construction and operational noise impacts contained in Chapter 17 (Noise and vibration) of the ES (App Doc Ref 5.2.17).

2.5.2 Notably, s79(6A)(a) of the EPA 1990 provides that traffic noise is excluded from the consideration of nuisance – accordingly, traffic noise is not relevant to the consideration of s79(1)(g) and (ga) and is not mentioned below.

Construction

2.5.3 Noise may be generated from various activities to be carried out during the construction period of the Proposed Development. A range of plant and machinery will be used during the construction of each phase. Chapter 17 (Noise and vibration) of the ES considers the likely noise and vibration effects of the Proposed Development during its construction.

2.5.4 The ES concludes that, with mitigation, the residual effects of noise and vibration arising from construction works will be negligible or minor adverse but not significant.

2.5.5 Noise at times will be more noticeable at sensitive receptors during specific periods in the construction phase. This is where activities would occur in close proximity to sensitive receptors or during working periods that are more sensitive to noise (e.g. if continuous works are required within the evening or night-time periods).

2.5.6 Mitigation measures have been included to avoid and minimise adverse effects during the construction phase. Mitigation measures include restriction of working hours to works (to activities at Shaft 4 and the final effluent outfall), provision of solid site hoarding/acoustic barriers (at Waterbeach construction compound and around pit locations for horizontal directional drilling (HDD) or open cut trenching during continuous working periods) and application of BPM.

2.5.7 The CoCP Part A section 7.7 (Noise and Vibration) sets out measures to reduce noise and vibration and requires that the Principal Contractor(s) appointed by the Applicant produce a Noise and Vibration Management Plan (NVMP) which must include those matters specified in the CoCP. This is secured through DCO requirement.

2.5.8 Based on the mitigation measures proposed and the requirement that the construction contractors adopt measures set out within the CoCP Part A Section 7.7. (Noise and Vibration) and Part B (Appendix 2.1 & 2.2, App Doc Refs 5.4.2.1 and 5.4.2.2) through the development of a Noise and Vibration Management Plan (NVMP) including the application of BPM, no noise nuisance is anticipated from the construction of the Proposed Development.

Operation

2.5.9 Acoustic modelling has been completed to predict noise levels during operation of the proposed WWTP and assessment undertaken in accordance with the methodology of BS 4142. The ES concludes that, with mitigation, noise impacts are negligible at the closest noise sensitive receptor locations surrounding the proposed WWTP and are not significant.

2.5.10 Embedded mitigation measures minimise operational noise impacts by design including consideration of location, layout and plant/equipment selections and acoustic screening from the earth bank and enclosures to reduce noise emissions. Noise at the proposed WWTP will be controlled under the terms of an Environmental Permit, which requires the adoption of best available techniques (BAT) to control noise at source.

2.5.11 Operational procedures and controls will be secured through the Environmental Permit for the proposed WWTP. The Environmental Permit will require the operator to have a written management system. This is an Environmental Management System (EMS) which includes a set of plans and procedures describing measures to avoid, reduce and eliminate potential environmental impacts associated with the activities covered by permit. This would include mitigation measures within an operational noise management plan as part of the EMS which would be approved and implemented prior to commencement of operation.

2.5.12 Therefore, based on the proposed mitigation measures and reasonable working practices, incorporating BAT, that will be adopted by on-site operators, no noise nuisance is anticipated from the operation of the Proposed Development.

2.6 Insect nuisance (S.79(1)(fa))

2.6.1 The elements of the assessment which are relevant to s79(1) (fa) are those relating to insect nuisance from industrial premises that may be being prejudicial to health or a nuisance. These elements are encompassed within the assessment of operational impacts on health contained in Chapter 12 (Health) of the ES (App Doc Ref 5.2.12).

Construction

2.6.2 The scoping phase of the Environmental Impact Assessment (EIA) process concluded that the potential effects, as a result of risks from pests, could be scoped out in relation to the construction phase (PINS response ID 3.7.2 within the Scoping Opinion (Appendix 4.3, App Doc Ref 5.4.4.3).

2.6.3 Notwithstanding there are general measures as part of proposed construction management measures that relate to the prevention of nuisances set out within the Code of Construction Practice (CoCP) Part A Section 5.3 (Site compound set up, security and fencing) (Appendix 2.1, App Doc Ref 5.4.2.1).

2.6.4 The CoCP Part A measures include the requirement for all sites and work areas to have closed skips and bins for waste management, a requirement for cleaners to be present at the main site compounds, a requirement for all areas around the bottom of temporary offices, welfare and storage containers to be netted to avoid nesting. A requirement for the use of netting (or other suitable materials) to be used along the base of site hoardings, a requirement for vermin management and control to be identified and covered in the site induction and toolbox talks, requirements for all construction work areas to be regularly checked for signs of vermin or pests, and if vermin are found to be present in an area, that area will be segregated and specialist contractors brought in to manage pest incidences.

2.6.5 The CoCP requires that the Principal Contractor(s) appointed by the Applicant produce a CEMP which must include those matters specified in the CoCP. This is secured through DCO requirement.

2.6.6 In line with the scoping stage conclusion that implementation of the general measures outlined in the CoCP Part A through the preparation and adherence to a CEMP by the construction contractors, no odour nuisance is anticipated from the construction of the Proposed Development.

Operation

2.6.7 During operation (and maintenance) of the proposed WWTP, if there is an increase in pests at the proposed WWTP there could be adverse health outcomes as a result of the potential spread of disease. Chapter 12 (Health) of the ES considers the likely health effects of the Proposed Development during it operation.

2.6.8 The ES concludes that, with mitigation, the residual effects on health arising from pests (which could include nuisance insects) will be neutral which is not significant.

2.6.9 Waste water treatment facilities may act as a source of insect nuisance most typically from filter beds, as there are no filter beds proposed at the proposed WWTP this risk is unlikely. Mitigation measures have been included to avoid and minimise adverse effects during the operation phase. These include the covering of areas within the proposed WWTP to reduce opportunity for pest issues (Terminal Pumping Station (TPS), inlet screens, sludge holding tanks); the securing of buildings, ducting etc. from pest infestation, and the design and orientation of skip areas to allow easy to wash down.

2.6.10 Operational procedures also serve to minimise the risk of conditions that may lead to the presence of nuisance pests. These include completion of inspections on fixed equipment such as screens and compactors and checks on skips and waste storage areas.

2.6.11 Operational procedures and controls will be secured through the Environmental Permit for the proposed WWTP. The Environmental Permit will require the operator to have a written management system. This is an EMS which includes a set of plans and procedures describing measures to avoid, reduce and eliminate potential environmental impacts associated with the activities covered by permit, including measures related to the control of pests. These measures would be set out either within operational procedures, such as waste management or within a Pests Management Plan. The requirement for a standalone Pests Management Plan will be determined through the Environmental Permit application process.

2.6.12 Based on the proposed mitigation measures and reasonable working practices, adopted by on-site operators, no insect nuisance is anticipated from the operation of the Proposed Development.

3 Conclusion

3.1.1 This statement reports the conclusions of the ES in respect of the potential statutory nuisance resulting from the construction and operation of the Proposed Development.

3.1.2 In respect of each category of potential statutory nuisance, due to the proposed mitigation detailed in the ES and secured by the DCO or other consents and licences, it is considered that no statutory nuisance will result from the construction or operation of the Proposed Development.

3.1.3 Whilst this statement concludes that no statutory nuisance is likely to occur, the Applicant has included in the draft DCO an article (based on the standard model provisions for DCOs) which would provide a defense against cases of nuisance in order that the defense can be relied upon in circumstances where a statutory nuisance cannot be avoided.

Get in touch

You can contact us by:


Emailing at **info@cwwtpr.com**


Calling our Freephone information line on **0808 196 1661**

Writing to us at **Freepost: CWWTPR**


Visiting our website at [redacted]

You can view all our DCO application documents and updates on the application on The Planning Inspectorate website:

https://infrastructure.planninginspectorate.gov.uk/projects/eastern/cambridge-waste-water-treatment-plant-relocation/