



## **Application by Anglian Water Services Limited for an Order Granting Development Consent for the Cambridge Waste Water Treatment Plant Relocation project**

### **The Examining Authority's third written questions and requests for information (ExQ3)**

**Issued on 21 March 2024**

The following table sets out the Examining Authority's (ExA's) third written questions and requests for information – ExQ3.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 19 September 2023. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

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.

Each question has a unique reference number which starts with a number (indicating that it is from an ExQs round of that number) then has an issue number and a question number. For example, the first question on General and Cross Topic issues is identified as Q3.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

Responses should be sent to the [mailbox](#) for the Examination. If you are responding to a small number of questions, answers in an email or 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.

**Responses are due by Deadline 6: Tuesday 2 April 2024.**



## Abbreviations which may be used:

<b>A</b>	Article	<b>LDS</b>	Lighting Design Strategy
<b>AAP</b>	Area Action Plan	<b>LERMP</b>	Landscape, Ecological and Recreational Management Plan
<b>AIA</b>	Arboricultural Impact Assessment	<b>LIR</b>	Local Impact Report
<b>AIL</b>	Abnormal Indivisible Load	<b>LLFA</b>	Lead Local Flood Authority
<b>ALC</b>	Agricultural Land Classification	<b>LOAEL</b>	Lowest Observed Adverse Effect Level
<b>AQMA</b>	Air Quality Management Area	<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>AWS</b>	Anglian Water Services	<b>M</b>	Metres
<b>BMV</b>	Best and Most Versatile	<b>m<sup>3</sup></b>	Metres cubed
<b>BNG</b>	Biodiversity Net Gain	<b>MHCLG</b>	Ministry of Housing, Communities and Local Government
<b>BOD</b>	Biological Oxygen Demand	<b>MoD</b>	Ministry of Defence
<b>BoR</b>	Book of Reference	<b>MWIA</b>	Mental Wellbeing Impact Assessment
<b>CA</b>	Compulsory Acquisition	<b>MWLP</b>	Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
<b>CC</b>	County Council	<b>NB</b>	Northbound
<b>CCA</b>	Cambridge City Airport	<b>NCSC</b>	National Cyber Security Centre
<b>CCC</b>	Cambridge City Council	<b>NE</b>	Natural England
<b>CCoC</b>	Cambridgeshire County Council	<b>NEC</b>	North-East Cambridge
<b>CCTV</b>	Closed Circuit Television	<b>NEP</b>	National Environment Programme
<b>CEAS</b>	Cambridge Eastern Access Scheme	<b>NH</b>	National Highways
<b>CEMP</b>	Construction Environmental Management Plan	<b>NO<sub>2</sub></b>	Nitrogen Dioxide
<b>CHP</b>	Combined Heat and Power	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CNI</b>	Critical National Infrastructure	<b>NPPF</b>	National Planning Policy Framework
<b>CoCP</b>	Code of Construction Practice	<b>NPPW</b>	National Planning Policy for Waste



<b>COMAH</b>	Control of Major Accident Hazards Regulations 1999	<b>NPSWW</b>	National Policy Statement for Waste Water
<b>CPNI</b>	Centre for the Protection of National Infrastructure	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>CSO</b>	Combined Sewer Overflow	<b>NT</b>	National Trust
<b>CTMP</b>	Construction Traffic Management Plan	<b>NTS</b>	Non-technical Summary (of the ES)
<b>CWS</b>	County Wildlife Site	<b>OHID</b>	Office for Health Improvement and Disparities
<b>CWTP</b>	Construction Workers Travel Plan	<b>OLTP</b>	Operational Logistics Traffic Plan
<b>CWWTP</b>	Cambridge Waste Water Treatment Plant	<b>OMMP</b>	Outfall Management and Monitoring Plan
<b>CWWTPR</b>	Cambridge Waste Water Treatment Plant Relocation	<b>OMP</b>	Odour Management Plan
<b>DAS</b>	Design and Access Statement	<b>oSMP</b>	outline Soil Management Plan
<b>dB</b>	Decibel	<b>OWTP</b>	Operational Workers Travel Plan
<b>DCLG</b>	Department for Communities and Local Government	<b>PA2008</b>	Planning Act 2008
<b>dDCO</b>	Draft Development Consent Order	<b>PCU</b>	Passenger Car Unit
<b>DCO</b>	Development Consent Order	<b>PDF</b>	Portable Document Format
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs	<b>PE</b>	Population Equivalent
<b>DLUHC</b>	Department for Levelling Up, Housing and Communities	<b>PICP</b>	Pollution Incident Control Plan
<b>DM0</b>	Delivery Milestone Zero	<b>PM<sub>(x)</sub></b>	Particulate Matter (size in microns)
<b>DMP</b>	Decommissioning Management Plan	<b>PRoW</b>	Public Rights of Way
<b>DoS</b>	Degree of Saturation	<b>R</b>	Requirement
<b>DSEAR</b>	Dangerous Substances and Explosive Atmosphere Regulations 2002	<b>RES</b>	Recycling Environmental Services
<b>ECoW</b>	Ecological Clerk of Works	<b>RR</b>	Relevant Representation
<b>EA</b>	Environment Agency	<b>RSA</b>	Road Safety Audit



<b>EEAST</b>	East of England Ambulance Service NHS Trust	<b>RWCS</b>	Reasonable Worst Case Scenario
<b>EIA</b>	Environmental Impact Assessment	<b>SAC</b>	Special Area of Conservation
<b>EM</b>	Explanatory Memorandum	<b>SB</b>	Southbound
<b>EMS</b>	Environmental Management System	<b>SCDC</b>	South Cambridgeshire District Council
<b>EqIA</b>	Equalities Impact Assessment	<b>Sch</b>	Schedule
<b>ES</b>	Environmental Statement	<b>SMP</b>	Soil Management Plan
<b>EV</b>	Electric Vehicle	<b>SOAEL</b>	Significant Observed Adverse Effect Level
<b>EWCA</b>	His Majesty's Court of Appeal in England	<b>SoCG</b>	Statement(s) of Common Ground
<b>ExA</b>	Examining Authority	<b>SoS</b>	Secretary of State
<b>FRA</b>	Flood Risk Assessment	<b>SoR</b>	Statement of Reasons
<b>FS</b>	Funding Statement	<b>SSSI</b>	Site of Special Scientific Interest
<b>GCLP</b>	Greater Cambridge Local Plan	<b>STC</b>	Sludge Treatment Centre
<b>GCSPS</b>	Greater Cambridge Shared Planning Service	<b>SWMP</b>	Site Waste Management Plan
<b>GPS</b>	Global Positioning System	<b>tCO<sub>2e</sub></b>	Tonnes of Carbon Dioxide Equivalent
<b>HART</b>	Hazardous Area Response Teams	<b>TA</b>	Transport Assessment
<b>HDD</b>	Horizontal Directional Drilling	<b>TCPA</b>	Town and Country Planning Act 1990
<b>HDV</b>	Heavy Duty Vehicle	<b>TP</b>	Temporary Possession
<b>HEMS</b>	Helicopter Emergency Medical Services	<b>TRICS</b>	Trip Rate Information Computer System
<b>HGV</b>	Heavy Goods Vehicle	<b>UKHSA</b>	UK Health Security Agency
<b>HIF</b>	Housing Infrastructure Fund	<b>VP</b>	Viewpoint
<b>HRA</b>	Habitats Regulations Assessment	<b>WAML</b>	West Anglia Mainline
<b>HSE</b>	Health and Safety Executive	<b>WTBCN</b>	Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire
<b>IED</b>	Industrial Emissions Directive	<b>WHMP</b>	Wildlife Hazard Management Plan



<b>IEMA</b>	Institute of Environmental Management and Assessment	<b>WINEP</b>	Water Industry National Environment Programme
<b>IP</b>	Interested Party	<b>WMPE</b>	Waste Management Plan for England
<b>J</b>	Junction	<b>WWTP</b>	Waste Water Treatment Plant
<b>km</b>	Kilometres	<b>ZTV</b>	Zone of Theoretical Visibility



## The Examination Library

References in these questions set out in square brackets (e.g. [APP-010]) are to documents catalogued in the [Examination Library](#). It will be updated as the Examination progresses.

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ExQ3	Question to:	Question:
<b>1. General and cross-topic questions</b>		
1.1	Applicant	<p><b>Mitigation</b></p> <p>The ExA notes that the Applicant appears to envisage some construction environmental management plan documents, as listed in Requirement (R) 9 of the draft Development Consent Order (dDCO), to assist with mitigating effects during operation (e.g. the Emergency Preparedness Plan is cited under Operation mitigation in Table 5-1 on page 74 of ES Chapter 12 [REP5-034] and the response to ExQ1.17.17 [REP1-079] indicates that the Environmental Statement Errata [REP1-081] updates ES Chapter 16 relating to operation and the Code of Construction Practice (CoCP) Part A (albeit that the final word in the ExQ1 response states ‘operation’, whereas the final word in the Errata entry states ‘construction’)).</p> <p>Please clarify / justify how any construction environmental management documents would secure any necessary mitigation during operation, on the basis that by their very nature, and as set out under R9 of the dDCO, they would relate to the construction phases.</p>
1.2	Applicant	<p><b>Document errors</b></p> <p>The clean and tracked changed versions of the Statement of Common Ground (SoCG) with Cambridge City Council (CCC) [REP5-091 and REP5-092] refer to ‘SCDC’ within some of the tables (e.g. climate resilience, community, health, land quality, odour, noise and vibration sections). Please review these documents and ensure that all references to ‘SCDC’ are updated.</p>
1.3	Applicant	<p><b>Document errors</b></p> <p>The submitted clean and tracked versions of the Design Code [REP5-109 and REP5-110] have incorrect page numbering under the contents page. A list of the tables under the contents page does not feature in the clean version [REP5-109], but does in the tracked changed version [REP5-110]. The tracked-changed Design Code [REP5-110] does not identify all of the amendments made to the document at Deadline (D) 5 (e.g. see CAR.01), and changes made in the tracked changed version [REP5-110] are not carried through in totality in the clean version [REP5-109] (e.g. see CAR.10). The word ‘and’ is erroneously duplicated in the first sentence of design code OFT.06. Please ensure that these matters are corrected.</p>
1.4	Cambridgeshire County Council (CCoC)	<p><b>Planning history</b></p>

ExQ3	Question to:	Question:
		Is CCoC aware of any planning history of relevance to the determination of the DCO application (the ExA asked this question of the Applicant, South Cambridgeshire District Council (SCDC) and Cambridge City Council (CCC) at ExQ1.2.16)?
1.5	Applicant, CCoC, SCDC, CCC	<b>Ministerial Statements</b> The Applicant provided two Ministerial Statements at Appendix C of, and in response to ExQ2.1.4 [REP5-111]. Please provide your view on the status of these statements.
<b>2. Principle (including policy and legislative context, need and alternatives)</b>		
No further questions at this stage.		
<b>3. Agricultural land and soils</b>		
3.1	Applicant	<b>Farm holdings clarification</b> It is unclear from ES Figures 6.11 to 6.14 [AS-049] which farm holdings Plots 036b, 036c, 038c, 042a and 046b relate to. Please clarify / rectify.
<b>4. Air quality</b>		
No further questions at this stage.		
<b>5. Biodiversity</b>		
5.1	Natural England, Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire (WTBCN), National Trust, CCoC, SCDC	<b>Recreational pressure on Stow-cum-Quy Fen SSSI</b> The Applicant proposed during ISH4 that changes to ES Chapter 22: Cumulative Effects [REP2-009] to recognise potential recreational pressure on the SSSI as a result of the Proposed Development and a s106 agreement to secure a financial contribution towards measures to mitigate recreational effects on the SSSI will be provided by D6. Would these amendments adequately address your concerns regarding potential recreational impacts on the SSSI? If not, why not?
5.2	WTBCN, National Trust	<b>Outline water quality monitoring plan</b> Noting that the Environment Agency (at ISH3) and Natural England [AS-188] confirmed that the outline water quality monitoring plan [REP5-083] is now acceptable, do you also consider that water quality monitoring as proposed to be acceptable?
5.3	Natural England	<b>Biodiversity Net Gain (BNG)</b> Do you consider that the dDCO [REP5-003] adequately secures Biodiversity Net Gain (BNG)?



ExQ3	Question to:	Question:
5.4	CCoC	<p><b>BNG</b></p> <p>Please set out clearly why you consider that R25 of the dDCO [REP5-003] would not adequately secure BNG, and what additionally a s106 agreement would achieve in comparison to R25 alone? Please clearly set out what the s106 would seek to capture and why this would be required.</p>
5.5	SCDC	<p><b>Bats</b></p> <p>Do you consider that your comments [REP5-122] regarding the potential for a single retained tree with bat roost potential which could be affected by the Proposed Development were addressed sufficiently at ISH4? If not, please explain why and what amendments could be made to the submitted documents to address this concern.</p>
5.6	CCoC	<p><b>Bats</b></p> <p>Review and provide a comprehensive response to comments from Chris Smith [REP4-098], with consideration of the comments from the Applicant in Appendix A of [REP5-112] and SCDC [REP5-122] on this matter.</p>
<b>6. Carbon emissions and climate change mitigation and adaptation</b>		
6.1	Applicant	<p><b>ES Chapter 10</b></p> <p>The key to Figure 4.9 of ES Chapter 10: Carbon [REP5-032] does not identify the purpose of the red line and red dotted line. Please update the key for completeness.</p>
6.2	Applicant	<p><b>Design Code</b></p> <p>Please respond to comments made by CCoC [REP5-117] relating to carbon matters and the design code [REP5-109].</p>
6.3	Applicant	<p><b>Operational carbon emissions per mega litre</b></p> <p>The ExA understands that the figures presented under Table 4-6 of ES Chapter 10 [REP5-032] for the alternative option CHP model are without the carbon management plan [REP4-064] taken into consideration. What would the predicted gross and net carbon emissions per mega litre be for the CHP option with the carbon management plan [REP4-064] taken account of?</p>
6.4	Applicant	<p><b>Whole life carbon assessment</b></p> <p>If the whole life carbon assessment [REP5-032] excludes transport movements, such as imports of sludge, to what extent can this assessment be considered as “whole life”?</p>
<b>7. Community</b>		

ExQ3	Question to:	Question:
No further questions at this stage.		
<b>8. Compulsory Acquisition (CA) and Temporary Possession (TP)</b>		
8.1	Applicant	<p><b>Specific plots and related matters</b></p> <p>Para 6.2.12 of the Statement of Reasons [REP1-009] highlights that the freehold acquisition (subsoil greater than 7m) associated with the transfer tunnel (including in respect of plot 027a) would be required given its strategic importance and permanence. Please further justify the need for this, noting that no freehold acquisition is sought for, for example, any land associated with the Waterbeach pipeline north and final effluent and storm pipelines, which would also be permanent and likely to be of importance, and that it is not uncommon for statutory undertakers' infrastructure to pass through land outside of their ownership. In answering this question, please also consider whether Article 29 of the dDCO should be subject to Article 30 of the dDCO, and provide an explanation for your views on this.</p>
8.2	Applicant	<p><b>Specific plots and related matters</b></p> <p>Notwithstanding previous ExQs and discussions during hearings on the matter, please further clarify the need for freehold acquisition of Plots 021s and 021r, noting that there would be plots within the Order limits not subject to freehold acquisition powers where subsurface infrastructure would be located and which the Applicant may need to access / monitor / repair from time to time.</p>
8.3	Applicant	<p><b>CA Schedule</b></p> <p>The CA Schedule [REP5-013] does not set out details of negotiations with SCDC. Please clarify matters, albeit noting that Plot 030a, in which SCDC has a landowner interest, would be subject to TP only.</p>
8.4	Applicant	<p><b>Statutory Undertakers / Protective Provisions</b></p> <p>Please provide an update in relation to discussions concerning all Protective Provisions which are not yet agreed with the relevant IPs.</p>
8.5	Applicant	<p><b>Statutory Undertakers Progress Schedule</b></p> <p>Clarify whether the Statutory Undertakers Progress Schedule [REP5-015] should identify s138 of PA2008 as relevant to the Environment Agency.</p>
8.6	Applicant	<p><b>Crown land</b></p> <p>Please provide an update in relation to discussions with the relevant Crown authorities concerning consent under s135 of PA2008.</p>

ExQ3	Question to:	Question:
8.7	Applicant	<p><b>Funding Statement</b></p> <p>Noting your response to ExQ2.8.13, please provide an update regarding how the identified shortfall in funding for the proposed Waste Water Treatment Plant (WWTP) would be met, and if not yet determined, the likelihood of this happening before the close of the Examination. Please update the Funding Statement accordingly.</p>
8.8	Applicant	<p><b>Funding Statement</b></p> <p>The SoCG with Cadent Gas Limited [REP5-089] indicates potential costs of up to £957,000 (dating from 2021) for gas connection. How would this be funded and should the Funding Statement [REP4-009] be updated to reflect this?</p>
8.9	Applicant	<p><b>Funding Statement</b></p> <p>Your response to ExQ2.8.14 indicated that the Funding Statement would be updated at D5. However, no updated version was provided at this deadline. Please provide an updated Funding Statement at D6 as necessary.</p>
<b>9. Design</b>		
9.1	Applicant	<p><b>National Planning Policy Framework (NPPF)</b></p> <p>NPPF para numbering for the 'Achieving well designed places' section of the NPPF Accordance Table document [REP1-053] does not appear to correctly accord with the relevant paras of the NPPF. Please: a) correct this (and review <u>all</u> other para numbers referred to in the document for consistency with NPPF paras); and b) also ensure that NPPF para 135(a-f) is addressed in detail.</p>
<b>10. Draft Development Consent Order (dDCO)</b>		
No further questions at this stage.		
<b>11. Green Belt</b>		
No further questions at this stage.		
<b>12. Health</b>		
No further questions at this stage.		
<b>13. Historic environment</b>		
13.1	Applicant, CCoC	<b>Lighting</b>

ExQ3	Question to:	Question:
		Please explain the reasons why street lighting would be required to extend along Horningsea Road to the junction with Low Fen Drove Way (opposite which is located the access to Biggin Abbey Grade II* listed building) as described in para 5.2.1 (bullet point 3) of the Lighting Design Strategy [REP5-054]? Is there any scope to reduce the amount of street lighting proposed along this part of Horningsea Road?
<b>14. Landscape and visual</b>		
<b>14.1</b>	Applicant	<b>Lighting</b> The Lighting Design Strategy [REP5-054] was updated at D5 to make provision for some lighting to the proposed pathway from Horningsea Road to the proposed WWTP, as per the response to ExQ2.20.7. Does this have any implications for the landscape and visual assessment (or any other assessments)?
<b>14.2</b>	Applicant	<b>Landscaping</b> Please clarify the landscape works proposed for Plot 036b, as part of Work No. 23, and where in the application documents this is addressed.
<b>14.3</b>	Applicant	<b>Flare Stack</b> During the Accompanied Site Inspection, the ExA observed an existing flare stack. It appeared to be of a considerably lower height than the one proposed. Please explain the reason for this.
<b>15. Land quality</b>		
No further questions at this stage.		
<b>16. Major accidents and disasters</b>		
No further questions at this stage.		
<b>17. Material resources and waste</b>		
No further questions at this stage.		
<b>18. Noise and vibration</b>		
<b>18.1</b>	SCDC	<b>Complaints procedure</b> At ISH4 you stated that you do not have concerns regarding complaints procedures for noise and vibration. However, paragraph 15.11 of your Local Impact Report (LIR) [REP5-120] makes a recommendation for an amendment to the dDCO to ensure that updates on any complaints received throughout construction are reported to the Council's Environmental Health department. Please clarify whether this matter is resolved? If it is not, please liaise with the Applicant to ensure that it is aware of

ExQ3	Question to:	Question:
		your concerns and outline any potential changes to the submitted documents you seek to the Applicant and ExA.
<b>19. Odour</b>		
19.1	Applicant	<p><b>Ventilation Stack</b></p> <p>In response to ExQ2.19.1 [REP5-118], CCoC requested a description of the ventilation stack to clarify its function, how often it would be likely to emit odour, and its scale. CCoC requested that this information, along with details which have been provided by you to CCoC regarding the ventilation stack are included within the preliminary odour management plan [AS-106]. Do you intend to provide this information and include it within the preliminary odour management plan [AS-106] as requested? If not, why not?</p>
19.2	Environment Agency	<p><b>Assessment</b></p> <p>Within your response to ExQ1 [REP1-152], you stated that you were not able to respond to ExQ1 questions 19.5, 19.7, 19.11, 19.12, 19.13, 19.20 and 21.30 because this information was contained within permit applications which were yet to be Duly Made. Please provide any update on the permit applications (if possible) and whether you are now in a position to answer the aforementioned questions?</p>
19.3	SCDC	<p><b>Conclusion on odour</b></p> <p>Do you consider all matters concerning odour to now be resolved, such as regarding concentrated influent and impacts from climate change raised in your LIR [REP5-120]?</p>
19.4	Applicant	<p><b>Requirement 7 of the dDCO</b></p> <p>CCoC suggests [REP5-117] that the dDCO [REP5-003] should define “sensitive receptors” and include recreational users, which is referred to under R7(2). Please provide a response to this.</p>
<b>20. Traffic and transport</b>		
No further questions at this stage.		
<b>21. Water resources</b>		
21.1	Environment Agency	<p><b>Flood Risk</b></p> <p>Please confirm whether you consider there would be an increase in flood risk as a result of the proposed relocation of the WWTP in isolation (discounting any cumulative effects), or a slight betterment as suggested by the Applicant at ISH4?</p>

**ExQ3: 21 March 2024**

**Responses due by Deadline 6: Tuesday 2 April 2024**

<b>ExQ3</b>	<b>Question to:</b>	<b>Question:</b>
<b>21.2</b>	Applicant	<b>Flood Risk</b> At ISH4 you suggested that there would be a slight betterment in terms of flood risk as a result of the proposed relocation of the WWTP – please provide further justification for your stance.
<b>21.3</b>	Applicant, CCoC	<b>Outline drainage strategy</b> CCoC’s response to ExQ2.21.9 [REP5-118] states that the updated drainage strategy [REP4-074] submitted at D4 is acceptable. However, the Applicant’s response to ExQ2.21.9 [REP5-111] suggests that CCoC questioned the use of two models within the outline drainage strategy, and that ‘Model 1’ has been agreed upon. The ExA notes that the SoCG [REP5-095] was updated to reflect this agreement. However, does the outline drainage strategy [REP4-074] also need to be updated to reflect this?