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To the Applicant, Cambridgeshire County Council and the Environment Agency Our Ref: WW010003

(By email only)

Date: 8 April 2024

Dear Sir / Madam

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17

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

The Examining Authority (ExA) is writing to request further information from the **Applicant, Cambridgeshire County Council** and the **Environment Agency**, under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended), following its observations and considerations of submissions made at Deadline (D) 6. The ExA is not expecting any other Interested Parties to respond to this request for further information, but they may do so should they wish to.

All documents referred to in the questions below can be found in the [Examination Library](#), which can be found on the [project page](#) of the National Infrastructure Planning website.

Request for further information from THE APPLICANT and CAMBRIDGESHIRE COUNTY COUNCIL

1. The submitted final draft section (s) 106 agreement [REP6-098] requires that the Applicant makes a contribution of £500 to Cambridgeshire County Council (CCoC) prior to, or upon submission of any updated Biodiversity Net Gain (BNG) Report. Please clarify whether this contribution would also cover CCoC's monitoring of biodiversity net gain over a period of 30 years (as Requirement 25(1) of the draft Development Consent Order (dDCO) [REP5-003] only requires the submission of an updated BNG Report prior to each phase of the Proposed Development). If so, please ensure, for clarity, that the completed s106 includes such a provision.

Request for further information from THE APPLICANT

2. The ExA is unclear whether you consider the Proposed Development in isolation would result in an increase in flood risk on third party land, so please clarify your position. For example, the Flood Risk Assessment (FRA) [REP6-084] states *Relocating the waste water treatment plant will not significantly increase flood risk*, which suggests there

could be an increase in flood risk, but not significantly. The summary in the FRA suggests that a comparison between the existing and proposed Waste Water Treatment Plant would have a *negligible impact on fluvial flood risk* – does this mean there would be no impact, or that there still would be an increase in flood risk? However, your response to D5 submissions [REP6-115] states *the modelling shows that flood impacts will not arise from the Proposed Development* on pages 19 and 35, suggesting no increase in flood risk.

3. Notwithstanding the aforementioned question, the Environment Agency (EA) states that the Proposed Development in isolation would result in an increase in flood risk on third party land [REP6-128], which appears to differ from your stance taken in the FRA [REP6-084]. Please provide a response to the EA's comments and your view as to why the EA has taken the view that the Proposed Development would result in an increase in flood risk.
4. The EA suggests that a solution to its concerns regarding an increase in flood risk would be to contact the relevant landowners informing them of the increase in flood risk to their land and provide evidence that the landowners accept this increase [REP6-128]. Do you intend to do this, and if not, please clarify how you intend to resolve the EA's concerns?
5. Please explain the 2041 population assumption referred to under the heading *Fluvial Impact due to relocation of WWTP* within the summary of the FRA (page v) [REP6-084] – if the model is taken to 2041, why does this not take account of population growth which is referred to separately under the heading *Fluvial Impact due to population growth*. What assumptions does the 2041 model make?
6. If the EA still has concerns and maintains an objection to the Proposed Development when the Examination closes, please set out how you consider that the application conforms with paragraph 4.4.12 of the National Policy Statement for Waste Water (NPSWW).
7. PER.03 of the Design Code [REP6-113] only refers to the Gateway Building - should it also refer to the Workshop building to ensure compliance with Cambridge Local Plan 2018 Policy 28, noting that you previously indicated that the Workshop building would also achieve this standard (see your response to ExQ2.21.3 [REP5-111])?
8. Part of the Design Code [REP6-113] is illegible (see page iv blue text box - *The purpose of these Design Codes, therefore, is to...*). Please correct this and check the rest of the document for any formatting issues and ensure that they are resolved.
9. There are a number of instances where the ExA has identified that updates to documents referenced within the Statement of Common Ground (SoCG) with CCoC [REP6-104 (clean) / REP6-105 (tracked)] have not been actioned within the associated documents. Please either update the SoCG or the relevant documents to ensure consistency between all of the submitted information (the Applicant may wish to do a general check of all SoCG in this regard). The discrepancies include the following (page numbers relate to the track changed version):
 - a) Page 44 suggests that ES Chapter 17 [REP6-033] should have been updated to include the briefing note sent to CCoC regarding the scoping out of emergency

generators, but it was not. However, the ExA notes that it has been updated to scope in emergency generators to the noise and vibration assessment, resulting in the SoCG being incorrect.

- b) The wording in green on page 47 regarding the ventilation shaft has not been included within the design code VST.02 [REP6-113].
 - c) The amendment in red on page 14 regarding “other arable flora of interest” is not contained within the Code of Construction Practice (CoCP) Part A [REP6-049], which refers to “other species identified as notable”. NOTE: the changes in red on page 15 contradict that contained on page 14 and accord with the CoCP Part A – please clarify which is correct?
 - d) Page 19 suggests that the header title of the outline Outfall Management and Monitoring Plan (oOMMP) [REP6-067] should be amended from ‘Operation’ to ‘Feature, activity or area’ – this has not been amended.
 - e) Page 19 suggests an amendment in red to row 2 page 40 of the oOMMP [REP6-067] – this has not been actioned.
 - f) Page 20 suggests amendments in red within the first line of the table - the word “success” has been erroneously deleted from the oOMMP [REP6-067] which is not in accordance with the SoCG.
 - g) Page 23 proposes wording to be replaced in the CoCP Part B [REP6-051] – this has not been amended.
 - h) Page 27 proposes changes to the CoCP Part A [REP6-049] to include reference to a ‘translocation programme’ for reptiles and reference to HDD techniques and reptile populations – this has not been included in the CoCP Part A.
 - i) Page 28 proposes wording to be added to the CoCP Part A [REP6-049] regarding cumulative effects and a reptile mitigation strategy – this is not included in the CoCP Part A.
10. The SoCG with South Cambridgeshire District Council [REP6-109 (clean) / REP6-110 (tracked)] (e.g. page 27 of the track changed version) suggests that additional wording has been agreed to be added to the CoCP Part B [REP6-051]. However, this wording is not contained in the updated CoCP Part B [REP6-051]. Please update the relevant document(s) to ensure that the agreed position is accurately reflected within all submitted documents.
11. An updated Book of Figures – Noise and Vibration [REP6-047] and Book of Figures – Biodiversity [REP6-046] were submitted at D6. Please clarify what changes were made to these documents and any implications of this as it is unclear to the ExA.
12. An updated Hedgerow Regulations and Tree Preservation Plan [REP6-005] was submitted at D6. Some of the changes were explained in the D6 cover letter and other relevant documents were updated as a result. However, the change relating to the removal of the hedgerow between points H5 to H6, which went from a hedgerow (orange) to an important hedgerow (pink), does not appear to have been explained. Please address this point (noting that this is also identified as an important hedgerow on Figure 18.3 Sheet 6 the Book of Figures – Biodiversity [REP6-046]).
13. The ExA notes that a final draft of the s106 relating to anti-social behaviour [REP3-052] was not submitted at D6. Please confirm whether a completed one is to be submitted at D7.

14. Please provide evidence that the Secretary of State for Transport (appropriate Crown authority) consents to your proposed provisions for compulsory acquisition under s135 of PA2008. If you cannot provide this evidence, please explain how you intend to satisfy s135 of PA2008.
15. Please ensure that Schedule 18 of the dDCO is updated to reflect any revised documents (or any other relevant documents) submitted up to and at D7.
16. Please confirm whether all entries in the Errata List [REP1-081] have been transposed into the relevant revised documents. If not, please provide a revised Errata List and include this in Schedule 18 of the dDCO, as necessary.
17. The ExA would remind you of the provisions of s127 / s138 of PA2008 and notes that some objections from Statutory Undertakers (SU) remain, including in relation to reaching finalised agreement on Protective Provisions (PP) and / or related side agreements. In the absence of confirmation from relevant SUs with regard to: withdrawal of outstanding objections; agreeing finalised PPs; and / or reaching agreement with regard to any side agreements required, the ExA would urge you to resolve these matters with SUs as a matter of urgency and would remind you that the ExA will be unable to consider any matters resolved after the close of the Examination.
18. The ExA notes that a number of negotiations related to Affected Persons (as listed in the Compulsory Acquisition Schedule) remain outstanding. As such the ExA urges you to: resolve any outstanding matters where possible and prior to the close of the Examination, confirming where such agreements have been concluded; or provide a detail explanation as to why you have not been able to conclude agreement(s).
19. Please submit all outstanding final and completed (signed and dated) SoCG. In the absence of any final and completed SoCG, the ExA requests that you provide a detailed written explanation as to why it has not been possible to submit these.

Request for further information from THE ENVIRONMENT AGENCY

20. The Applicant suggests within its FRA [REP6-084] that there would be no increased flood risk on third party land as a result of the Proposed Development in isolation (see paragraphs 4.1.17 – 4.1.21 of the FRA), which appears to be different to your stance taken on this matter [REP6-128]. Please provide further justification for your stance on increased flood risk as a result of the Proposed Development in isolation.
21. If you continue to have concerns regarding the Proposed Development and increase in flood risk on third party land at the close of the Examination, do you consider that the Applicant has taken all reasonable steps to try and resolve these concerns in accordance with paragraph 4.4.12 of NPSWW? If not, please confirm what additional steps the Applicant could take to resolve your concerns.

Responses should be submitted by **Deadline 7 – Friday 12 April 2024**.

Yours faithfully

Alex Hutson

Lead Member of the Examining Authority

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