



## Meeting note

<b>Project name</b>	Cambridge Waste Water Treatment Plant Relocation
<b>File reference</b>	WW010003
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	22 September 2022
<b>Meeting with</b>	Anglian Water
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Project Update meeting
<b>Circulation</b>	All attendees

## **Summary of key points discussed, and advice given**

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

### ***Project Update***

The Inspectorate noted that the Applicant will need a clear definition of the proposed development and the associated development. The Inspectorate also explained that there will need to be a clear needs case to justify development in the Green Belt. The Applicant explained that the needs case is set out in the Planning Statement as part of the justification why the Applicant considers that the proposed development constitutes 'very special circumstances'.

The Applicant explained that the submission date for the Development Consent Order (DCO) application is planned for January 2023. The Applicant explained that the slight revision in programme was necessary to align the submission to the delayed publication of the Reg.18 version of the emerging Greater Cambridge Local Plan which the development is closely linked to.

### ***Revised Programme document***

The Applicant's revised programme now anticipates a DCO submission date of 31 January 2023. The Applicant explained that the draft Local Plan is expected to have progressed to a stage by the end of January 2023 sufficient for the Applicant to be ready to submit it at that time.

The Applicant explained that the additional time from October 2022 to January 2023 will allow for further legal and consistency audit of application documents, and continued engagement with stakeholders on Statements of Common Ground (SoCG). The Applicant explained that landowner engagement is progressing and noted that the date for the earliest entry to land for compulsory acquisition has not been impacted by the delay to programme.

The Inspectorate queried how long the Applicant intends to consult during the Relevant Representation period, if the application is accepted for examination. The Applicant suggested a 6-week timeframe for Relevant Representations. The Inspectorate advised that the Applicant considers a week extension due to the 2023 Easter holiday.

The Applicant agreed to provide the Inspectorate with a document containing the revised programme.

The Applicant queried whether hearings are likely to be in-person or hosted on a blended platform. The Inspectorate suggested that blended events are becoming more commonplace.

The Applicant outlined its approach to the needs case within the Planning Statement. It explained that the Planning Statement will acknowledge that the Secretary of State (SoS) may decide the application in accordance with Section 104 or Section 105 of the Planning Act 2008 (PA2008). The Applicant queried whether it could send the Planning Statement to the Inspectorate for their review, prior to DCO submission. The Inspectorate explained that it does not often take a two-phased approach to draft documents, however, in this instance, it was agreed that the Applicant could send the Planning Statement for comment should it wish to do so.

### ***Discussion on the Inspectorate's draft document feedback***

The Inspectorate welcomed a conversation on any parts of the draft document feedback it had issued to the Applicant. The draft document feedback can be found appended to this meeting note.

Reference Number 38:

The Applicant explained that it is not proposing to include a decommissioning article in the DCO, as the proposed development does not have a lifespan. The Applicant explained that decommissioning of the existing Cambridge Waste Water Treatment Plant is included in the DCO. The Inspectorate advised the Applicant to make sure that the approach to decommissioning is well explained in the Planning Statement.

The Inspectorate explained that there was often less explanation given to how the proposed development would operate. The Inspectorate reiterated that the crossover between the decommissioning of the existing plant and the flow of elements transferred to the new site needs to be clearly explained and assessed.

Reference Number 111:

The Applicant sought clarification of several points raised in reference number 111.

The Inspectorate explained that it would expect evidence to support any conclusions made in the HRA – for example, evidence to support conclusions that because the discharge standard will improve, there will be no significant effects.

The Inspectorate added another general observation it had from the draft Habitats Regulations Assessment (HRA). It explained that it can be difficult to determine which sites and features were being screened into the assessment, and that some tables contained substantial amounts of information.

The Applicant explained that the new works will have a higher capacity and is able to operate to a higher standard than the existing works. The Applicant explained that the existing works will be operating whilst the new works are constructed and explained that the transfer is a gradual process.

Reference Number 122:

The Applicant explained that the Drainage Strategy had been further developed to include operational drainage management and noted that the Strategy will underpin the Flood Risk Assessment and the mitigation measures therein.

The Inspectorate advised that if the Applicant is to refer to a specific document, it is useful to understand whether the document is being relied upon as a means of mitigation.

The Applicant explained that the flood risk arises from surface water management within the earthworks bank. The Applicant considers this a low risk as water drains away from the site.

The Applicant queried whether there was anything it could provide to the Inspectorate during the pre-application period to help better understand the waste water plant process. The Inspectorate noted that this was partially explained by a schematic in the Environmental Statement and explained that this would be useful for all stakeholders involved. The Inspectorate added that the Planning Statement or the Non-Technical Summary of the Environmental Statement may be an appropriate place to include such information. The Inspectorate advised the Applicant to clearly define certain technical terms. The Applicant explained that it will be providing a glossary of terms.

The Applicant explained that it is not seeking significant flexibility in respect of the size and location of the proposed development, but that some flexibility is needed for the depth and lateral deviation of the pipelines.

### ***Next Steps***

The Inspectorate noted that it would appreciate any updates on the proposed submission date so that it can resource accordingly.

It was agreed that the next meeting would be held in the week commencing 12 December 2022.

## **AOB**

The Inspectorate advised the Applicant to continue its progress with Technical Working Groups and SoCGs.

The Inspectorate queried whether Statements of Uncommon Ground that highlight areas of disagreement are becoming more common with Nationally Significant Infrastructure Planning (NSIP) schemes. The Inspectorate noted that this is at the discretion of the Examining Authority (ExA), and that outstanding matters of disagreement could be helpful during an Examination, if accepted.

### ***Specific decisions/ follow-up required?***

The following actions were agreed:

- Applicant to send the Planning Inspectorate a schematic of the revised programme.

The Applicant submitted a document which included focus areas it wished for the Planning Inspectorate to review which is referred to above. A link to this is shown below.

**Draft Development Consent Order and supporting plans**

Ref No.	Article, Requirement or Schedule	Comment/Question
1.	General	<p><b>Drafting</b></p> <p>The Development Consent Order (DCO) should be:</p> <ul style="list-style-type: none"> <li>• In the Statutory Instrument (SI) template</li> <li>• Follow guidance and best practice for SI drafting (for example avoiding “shall/should”) in accordance with the latest version of guidance from the Office of the Parliamentary Counsel;</li> <li>• Follow best practice drafting guidance from the Planning Inspectorate and the Departments in <a href="#">Advice Note 15</a> – <i>Drafting development consent orders</i> (and see specific references to Advice Note 15 below);</li> <li>• Fully audited to ensure that that there are no inconsistencies within the DCO and its constituent parts such as definitions or expressions in the articles, requirements, protective provisions, other schedules and any Book of Reference (BoR) that all legislative references in the DCO are to extant provisions and all schedules refer to the correct articles. (See for example Article 2 ‘access and traffic regulations order plans’ which refers to Schedule 15, when it should be Schedule 17; or Article 2 ‘appeal documentation’ which uses of ‘discharging body’ rather than the defined term ‘discharging authority’;</li> </ul>

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
		<ul style="list-style-type: none"> <li>• Also, definitions should be precise, accurate and relatively easily understandable. (e.g. if a definition is drafted in a way that obliges the reader to cross refer to wording in multiple other documents in order to understand the definition, then it is not easily understandable). Where any registered company is referred to in the DCO (it should be defined by using its full and precise company name and company registration number (as those appear on the register held by Companies House).</li> <li>• Kept under constant review by the applicant throughout any examination so that definitions are kept up to date by them as matters evolve – e.g.: any definition of ‘Environmental Statement’ (ES) in the context of how/the purposes for which it is referred to in the DCO; or how plans and drawings are defined (and where possible include drawing/revision numbers).</li> <li>• Where the Explanatory Note at the end of a draft DCO states that documents will be available for inspection at a third-party location, it should be confirmed in writing that the stated third party has agreed to that; and</li> <li>• The drafting should be, unambiguous, precise, and achieve what is intended, be consistent with any definitions or expressions in other provisions of the DCO, follow guidance and best practice for SI drafting referred to above.</li> </ul>
2.	Articles 5 and 6 and Schedule 1 ‘Site Wide works’	<p><b>Flexibility</b></p> <p>The extent of any flexibility provided by the DCO should be fully explained, such as the scope of maintenance works and ancillary works, limits of deviation and any proposed ability (through tailpieces) of discharging authorities to authorise subsequent amendments.</p> <p>The preferred approach to limiting this flexibility is to limit the works (or amendments) to those that would not give rise to any materially new or materially different environmental effects to those identified in the ES. Also, further as to tailpieces, see section 17 of <a href="#">Advice Note 15</a>.</p>

<b>Draft Development Consent Order and supporting plans</b>		
<b>Ref No.</b>	<b>Article, Requirement or Schedule</b>	<b>Comment/Question</b>
		<p>The drafting which gives rise to an element of flexibility (or alternatives) should provide clearly for unforeseen circumstances and define the scope of what is being authorised with sufficient precision.</p> <p>There does not appear to be a definition of 'commence'. In relation to flexibility to carry out advance works, any "carve out" from a definition of "commencement" should be fully justified and it should be demonstrated that such works are de minimis and do not have environmental impacts which would need to be controlled by requirement. See section 21 of Advice Note 15. Pre-commencement requirements should also be assessed to ensure that the "carve out" from the definition of "commencement" does not allow works which defeat the purpose of the requirement.</p>
<b>3.</b>	<b>Article 3</b>	<p><b>Development Consent etc. Granted by the Order.</b></p> <p>It may be appropriate to include reference to Schedule 2 to more precisely identify the requirements that the authorisation for development consent is subject to.</p>
<b>4.</b>	<b>Article 6 and Explanatory Memorandum</b>	<p><b>Limits of deviation</b></p> <p>It is noted that in accordance with Advice Note 15 the article does not include a tailpiece. The Explanatory Memorandum (EM) does not include an explanation of the need for the amount of the potential deviation. It would be helpful if this were included, and justification is likely to be needed during examination, including in relation to the broad scope of Article 6 (c) ii 'downwards as may be found to be necessary or convenient' and the impact such deviation may have on the construction use of the development. It is noted that the EM anticipates that a requirement will be included to ensure that the development is confined to the parameters assessed within the ES, and we encourage this. See comments above regarding 'flexibility'.</p>
<b>5.</b>	<b>Article 6</b>	<p>While the wording broadly seems fine (some concerns with wording set out in subsequent points), the works plans do not indicate the limits of deviation. Without the limits of deviation clearly marked, the article does not stand.</p>



Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
		In terms of wording, further justification in the EM for what constitutes positioning is suggested. A 2-metre vertical limit of deviation could be 10-20% more than the proposed height, which seems excessive. Cross reference in the EM where this has been justified in the ES.
6.	Article 8	Is the word 'above' required in paragraph 2?  Notwithstanding the provision for consent from the SoS and applications of the restrictions of the Order, Article 8 does not provide for the qualification of the transferee. Given the specialist nature of this work, the lack of qualification for the person that the benefits of the order can be transferred to, needs to either be included in the draft DCO or justified in the EM.
7.	Article 12	The provisions of Article 12 are too broadly drawn. Like Articles 10 and 11, the reference to relevant Schedules should provide a bar to the limitlessness of 'any street' and for 'any reasonable time' in paragraph (1) which the wording in the articles does not appear to provide. There also appears a contradiction between paragraphs 1(b) and 3. It is unclear why the condition for consultation and consent in paragraph 5 is only for the provisions in paragraph 4 and not also for paragraph 1.
8.	Article 20	The provision to enter ' <i>land which is adjacent to the building or structure but <u>outside</u> the Order limits</i> ', needs further justification. Notwithstanding the 14 days' notice period, this provision could mean effecting a party that has not been consulted with for the Proposed Development (PD). Definition is needed of land outside order limits, the extent of it, who it belongs to, have they been consulted, and so on.
9.	Article 21	The provision to ' <i>enter on any land shown within the Order limits or which may be affected by the authorised development</i> ', could again include land outside the order limits. This needs further justification, or the definition of what land which may be affected by the authorised development means, the extent of it, who it belongs to, have they been consulted, and so on.

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
10.	Articles 26-34	<p><b>Compulsory acquisition and extinguishment of rights</b></p> <p>These provisions (and any relevant plans) should be drafted in accordance with the guidance in Advice Note 15, in particular sections 23 (extinguishment of private rights over land) and 24 (restrictive covenants).</p> <p>Justification and explanation for the creation of any new rights, or extinguishment of existing rights should be provided. These rights must be clearly identified and described to enable affected persons to have sufficient information for meaningful consultation. Where an applicant wishes to create and compulsorily acquire new rights over land, those rights should be fully, accurately and precisely defined for each relevant plot and the compulsory acquisition should be limited to the rights described. This could be achieved by limiting the compulsory acquisition of new rights to those described in a schedule in the DCO or to those described in the BoR.</p> <p>While noting from the draft Statement of Reasons (SoR) that the Order Land does not include Crown Land, compulsory acquisition of an interest in land held <u>by</u> or on behalf of the Crown, cannot be authorised through this or any other article. The DCO should reflect this. Where the intention is to compulsorily acquire some other person's interest in that same land, that can only be done if the appropriate Crown authority consents to it under section 135(1) of the Planning Act 2008 (PA2008).</p> <p>In all respects (including in relation to the BoR), the applicant should follow <i>Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land</i> published by DCLG (now DLUHC) in September 2013.</p>
11.	Article 30	<p><b>Acquisition of land limited to subsoil</b></p> <p>The approach is noted. Whether the acquisition is justified is something which is likely to be explored during examination (if the application is accepted).</p>

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
12.	Article 35	It is possible that 14 days' notice may not be considered adequate, especially where TP is being acquired from farmland where more formal notice could be needed for farming operations.
13.	Article 41	<p><b>Statutory undertakers and Apparatus</b></p> <p>Where a representation is made by a statutory undertaker (or some other person) that engages section 127(1) of the PA2008 and has not been withdrawn, the SoS will be unable to authorise compulsory acquisition powers relating to that statutory undertaker land unless satisfied of specified matters set out in section 127. If the representation is not withdrawn by the end of the examination, the ExA will need to reach a conclusion whether or not to recommend that the relevant statutory test has been met in accordance with section 127.</p> <p>The SoS will be unable to authorise removal or repositioning of apparatus (or extinguishment of a right for it) unless satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the order relates in accordance with section 138 of the PA2008. Justification will be needed to show that extinguishment or removal is necessary.</p>
14.	Articles 11-18	<p><b>Streets</b></p> <p>These are broad powers, and notwithstanding other precedents, justification should be provided as to why these powers are appropriate and proportionate having regard to the impacts on road users, residents and pedestrians.</p> <p>We note that 'guillotine clauses' are included meaning that deemed consent is granted if the other party does not respond within the specified time limit. Given that it is important that applications for consents are properly considered, and that upon receiving an application the authority may not be aware that the guillotine is in place, it might assist if there was a condition that any application must include suitable wording to bring the authority's attention to the guillotine.</p> <p>The timescales should be adequately justified.</p>

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
		<p>We note from paragraph 6.12 of the EM that there is ‘safeguarding provision’ for Article 11 that ‘sufficient information must be provided’. It would be helpful if there was an explanation as to what is meant by ‘sufficient information’, and who decides whether the information provided is ‘sufficient’.</p> <p>Further, should the ‘safeguarding position’ of the condition that ‘all the relevant information’ must be provided with any application for consent be included in other articles where deemed consent is possible by way of a guillotine clause (for example Articles 12, 14 and 17).</p>
15.	49 and Explanatory Memorandum	<p><b>Disapplication or amendment of legislation/statutory provisions</b></p> <p>The guidance in section 25 of Advice Note 15 should be followed, and the following information provided:</p> <ul style="list-style-type: none"> <li>• the purpose of the legislation/statutory provision</li> <li>• the persons/body having the power being disappplied</li> <li>• an explanation as to the effect of disapplication and whether any protective provisions or requirements are required to prevent any adverse impact arising as a result of disapplying the legislative controls</li> <li>• by reference to section 120 of and Schedule 5 to the PA2008 how each disappplied provision constitutes a matter for which provision may be made in the DCO.</li> </ul> <p>Where the consent falls within a schedule to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 evidence will be required that the regulator has consented to removing the need for the consent in accordance with section 150 PA2008.</p>
		<p><b>Crown Rights</b></p> <p>Noting paragraph 1.1.6 of the draft SoR, if there is a restrictive covenant for the benefit of the Crown, then consent under section 135 (1) and (2) should also be obtained from the Crown authority.</p>

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
16.	Articles 22-25	<p><b>Felling or lopping of trees, removal of hedgerows and trees subject to preservation orders</b></p> <p>The guidance in section 22 of <a href="#">Advice Note 15</a> should be followed. It is noted that schedules relating to the felling and lopping of trees, and trees in a conservation area and/or subject to a tree preservation order is not included. See section 22.1 and good Practice point 6 of Advice note 15. There does not appear to be an explanation for this in the EM.</p> <p>The 'felling or lopping' article is drafted to allow such actions to trees both within and 'near any part of the authorised development. Consideration should be given to whether this should be amended so that it only applies to trees within or encroaching upon the Order Limits.</p>
17.	Article 48 and Schedule 2	<p><b>Procedure for discharge of Requirements</b></p> <p>Advice Note 15 provides standard drafting for articles dealing with discharge of requirements. If this advice hasn't been followed (for example the omittance of '3. 1 Fees') justification should be provided as to why this is the case.</p>
18.	Article 19	<p><b>Discharge of Water</b></p> <p>Be aware of and mindful of section 146 of the PA2008.</p>
19.	Articles 35-36	<p><b>Temporary Use of Land</b></p> <p>Given the parliamentary approval to the temporary possession regime under the Neighborhood Planning Act 2017 ('NPA 2017'), which were subject to consultation and debate before being enacted, should any provisions relating to notices/counter notices which do not reflect the NPA 2017 proposed regime (not yet in force) be modified to more closely reflect the incoming statutory regime where possible? As examples:</p> <ul style="list-style-type: none"> <li>The notice period that will be required under the NPA 2017 Act is 3 months, substantially longer than the 14 days required under Article 35. Other than prior precedent, what is the justification for only requiring 14 days' notice in this case?</li> </ul>

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
		<ul style="list-style-type: none"> <li>• Under the NPA 2017, the notice would also have to state the period for which the acquiring authority is to take possession. Should such a requirement be included in this case?</li> <li>• Powers of temporary possession are sometimes said to be justified because they are in the interests of landowners, whose land would not then need to be acquired permanently. The NPA 2017 Act provisions include the ability to serve a counter-notice objecting to the proposed temporary possession so that the landowner would have the option to choose whether temporary possession or permanent acquisition was desirable. Should this article make such provision – whether or not in the form in the NPA 2017?</li> </ul> <p>There should be justification as to why the undertaker would need to remain in temporary possession of the land for one year after the relevant construction has been completed.</p>
20.	Article 9	<p><b>Defence to proceedings in respect of statutory nuisance</b></p> <p>Justification for inclusion of this this protection against claims for statutory nuisance is likely to center around whether there is sufficient mitigation secured through the DCO or elsewhere to justify the defense to a statutory nuisance claim provided by this article. It would be helpful if these could be signposted in the EM.</p>
21.	Requirements	<p>It is noted that requirements have not been included in the dDCO provided. This limits the ability to make meaningful comments. It is noted that there is a distinct lack of the appearance of the PD, its visual impact and related provisions to control the design process and outcomes post consent, or at least it is difficult (in the absence of the requirements and full document suite) to understand how this is proposed to be secured.</p>
22.	General	<p>The Draft Works Plans appear to largely meet the requirements of Regulation 5(2)(j)(i) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 in so far as the Works Plans show the proposed location and alignment of the development and works.</p>

<b>Draft Development Consent Order and supporting plans</b>		
<b>Ref No.</b>	<b>Article, Requirement or Schedule</b>	<b>Comment/Question</b>
		The Draft Works Plans do not appear to meet the requirements of Regulation 5(2)(j)(ii) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 as the Draft Works Plans do not clearly show the limits of deviation described in Article 6 of the draft Development Consent Order (dDCO). Limits of deviation are not represented in the legend shown on the Draft Works Plans. Overall, it is unclear where limits of deviation apply to individual works (i.e. – Work no. 15).
<b>23.</b>	<b>General</b>	The Draft Works Plans appear to meet the requirements of Regulation 5(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 in so far as the Works Plans are no larger than A0 size; show the direction of North and are drawn to an identified scale (albeit the scales are not consistent across the suite of Draft Works Plans).
<b>24.</b>	<b>General</b>	The Draft Works Plans appear to meet the requirements of Regulation 5(4) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 as a Key Plan showing the relationship between the different Draft Works Plans sheets is provided.
<b>25.</b>	<b>General</b>	It can be difficult to identify the specific works within each Work Number. For example, identifying the individual highway works (Work No. 1) (a) – (j) on Draft Works Plans Sheet 2.
<b>26.</b>	<b>Works Plans Sheets 2 and 10</b>	Works No. 1 in the dDCO is Highways Works. This is shown highlighted in yellow on Sheet 2. However, Works No. 1 is also shown as Gateway/Welcome Building on Sheet 10. These are different works and therefore should have different Work Numbers in Schedule 1 of the dDCO.
<b>27.</b>	<b>Works Plans Sheet 10</b>	The Works Plans should clearly show how the Works relate to one another. This is not always the case. For example, Works No. 4 (Inlet Works and Preliminary Treatment) could more clearly show 'connections' (4(i)) to Work Nos. 6, 8 and 16 on Draft Works Plans Sheet 10.

Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
28.	<b>Works Plans Sheet 10</b>	<p>Works No. 5 is shown as 'Electrical Supply and Power Generation' in Schedule 1 of the dDCO. This is reflected in the legend on the Draft Works Plans however the label on Sheet 10 reads '05 – Electrical Substation'. There should be consistent labelling across the documentation.</p> <p>Similarly, Works No. 7 is shown as 'Workshop &amp; Parking' in Schedule 1 of the dDCO but labelled as 'Site Offices and Parking' in Draft Works Plans Sheet 10.</p> <p>Furthermore, why do Works No. 7 and Works No. 31 both refer to Workshop? Works No. 31 is described as a Temporary Compound Area in Schedule 1 of the dDCO but is referred to as Workshop, Laboratory and Maintenance Area in Draft Works Plans Sheet 10.</p>
29.	<b>Works Plans Sheet 10</b>	<p>Works No. 9 is shown as 'Gas to Grid <b>and/or</b> Combined Heat and Power (CHP)' in Schedule 1 of the dDCO (our emphasis). There appears to be no explanation as to why Works No.9 is shown as 'Gas to Grid <b>or</b> Combined Heat and Power (CHP)' (our emphasis) on Draft Works Plans Sheet 10. It should be clearly identified whether this is 'and' or 'and/or'.</p>
30.	<b>Works Plans Sheet 1</b>	<p>It could seem that the arrow to Works No. 18 (Interception Shaft) is showing Works No. 21 (Transfer Tunnel) on Draft Works Plans Sheet 1. The distinction between Works should be clear and easily identifiable.</p>
31.	<b>Works Plans Sheet 2</b>	<p>Works No. 23 is shown as 'Temporary Access Works to Works 30, 33 &amp; 36 (West of Horningsea Road)' in Schedule 1 of the dDCO. The label on Draft Works Plans Sheet 2 for Works No. 23 also references temporary access works for Work No. 21. Why is Work No. 21 not mentioned under the description of Work No. 23 of the dDCO?</p>
32.	<b>Works Plans Sheet 3</b>	<p>The Legend for Work No. 30 (Waterbeach Pipeline North) does not appear to correspond to the shading/hatching given to Work No. 30 on Draft Works Plans Sheet 3.</p>



Draft Development Consent Order and supporting plans		
Ref No.	Article, Requirement or Schedule	Comment/Question
33.	Works Plans Sheet 2	Works No. 32 (New Bridleway) is shown as '32. Waterbeach Pipeline Construction Area' on Draft Works Plans Sheet 2. This needs to be corrected.
34.	Works Plans	Where is Works No. 38 (Gateway Building) on the Draft Works Plans?
35.	Access & TRO Plans	<p>There is no key provided on Sheet 10 of the Access &amp; TRO Plans.</p> <p>There should be consistency between the dDCO and the Access &amp; TRO Plans. For example, the stopping up of the A14 Mainline Eastbound between points SU1 and SU2 appears to be shown as Westbound (rather than Eastbound) on Sheet 10.</p> <p>The key provided on the Access &amp; TRO Plans contains 'Article 13 Temporary Stopping Up of Streets'. This is Article 12 in the dDCO. Similarly Article 19 in the key is not correctly cross referenced to the relevant Article in the dDCO.</p> <p>The labelling of any access to works should be clear and consistent. It is not clear where the reference OA2-2 is shown on Sheet 2 of the Access &amp; TRO Plans.</p>
36.	Rights of Way Plans	It is unclear where the new permissive path/cycle track between points C1 and C2 is shown on Sheet 4, as described in the dDCO. There should be consistency between the Rights of Way Plans and the dDCO.
37.	General	<b>Requirements:</b> it is difficult to provide a full review of the dDCO without seeing the draft requirements and thus being able to understand how necessary control documents, mitigation and potentially compensation are secured.
38.	General	<b>Decommissioning:</b> it is noted that there is no article in relation to the decommissioning of the project. Will this be provided and has this been assessed?

Explanatory Memorandum		
Ref No.	Article, Requirement, Schedule or Paragraph	Comment/Question
.	<b>General</b>	Guidance in Advice Note 15 should be followed. In particular section 1.4 and to note that as well as providing an explanation as to what a particular provision does, to explain why it is necessary for this particular dDCO. The extent of the justification should be proportionate to the degree of novelty or likely controversy that is expected from the inclusion of the particular provision.
<b>40.</b>	<b>General</b>	Cross referencing between the EM, the DCO and other documents should be checked and updated. (For example, the reference to Article 10.41 to Article 41 appears to be incorrect). The document will also need to be checked for typographical errors before the final version is submitted.  If a justification that one could reasonably expect to be contained in the EM is in fact contained in another document, then this should be clearly signposted.
<b>41.</b>	<b>General</b>	Notwithstanding that the drafting precedent has been set by previous DCOs or similar orders, full justification should be provided for each power/provision, taking into account the facts for this particular dDCO.  Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed in the most recent DCOs so that the DCO provisions reflect the SoS' current policy preferences.  If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and DCO) actually differ in any way from corresponding provisions in the SoS' most recent made DCOs, it would be preferable for an explanation to be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).
<b>42.</b>	<b>General</b>	All instances of novel drafting should be clearly identified in the EM. The purpose of and necessity for any provision which uses novel drafting, and which does not have precedent in a made DCO or similar statutory order should be explained in the EM.

Explanatory Memorandum		
Ref No.	Article, Requirement, Schedule or Paragraph	Comment/Question
		The PA2008 power on which any such provision is based should also be identified in the EM.

Statement of Reasons		
Ref No.	Paragraph/ Section Ref	Comment/Question
43.	Para 4.3.4	STC and FFT should be set out in full as first (possibly only) time used.
44.	Para 4.3.21	Should national grid be capitalised? Also confirm whether this means National Grid Electricity Transmission or another company. Please confirm whether the connection agreements are in place and if not, when they will be secured or what would happen if the connection agreements are not secured.
45.	Para 4.3.30	Typographic error – Spacing required between ‘9mtall’.
46.	Para 9.1.4	Typographic error – Sentence does not make grammatical sense.
47.	General	Inconsistent spelling throughout – see ‘Metres’ and ‘Meters’.
48.	Para 6.4.5	<p>Incorrect referencing to paragraphs within the Planning Inspectorate’s <i>Advice Note Fifteen: Drafting Development Consent Orders</i>.</p> <p>Paragraph 6.4.5 refers to paragraphs 26.1-26.3 of the Inspectorate’s Advice Note. Paragraph 6.4.5 notes that these paragraphs ‘advise that it may be appropriate to include a power to impose restrictive covenants over</p>

		part of the land which is subject to compulsory acquisition or use under the DCO'. This is incorrect. Paragraphs 26.1-26.3 refer to the geographical scope of DCO and Deemed Marine Licenses.
<b>49.</b>	<b>Table 6-3</b>	The table following Table 6-3 is not labelled.
<b>50.</b>	<b>Para 7.3.1</b>	This paragraph refers to 'Appendix A' of the SoR. This is shown as 'Appendix 1'.
<b>51.</b>		Level of detail in Powers sought in the Order (1.3) – should this be Section 1.5 as Section 1.3 is blank? The categorisation of the types of powers sought appears overly complicated. Feedback on this has been covered in greater detail under the land plan feedback section.
<b>52.</b>	<b>Section 5</b>	Reference to work numbers and plots numbers, associated with each component of the project is missing. This is essential for the affected persons to understand why their land is required for the project, and the ExA will rely on it in their reasoning to the SoS.
<b>53.</b>	<b>Section 6</b>	The purpose for which land may be acquired in all tables in Section 6 are inadequate. This should provide further justification, for instance where it says plot 4a is required for landscaping, why is this landscaping essential and how does that reason meet section 122 of the PA2008? It is noted that further justification is provided in the BoR, but Section 5 and 6 should set out the narrative why each plot of land is essential for the PD.  Reference to relevant Articles cannot be tested because the Articles are not specified. The corresponding explanation in the EM should be complimentary and not conflicting.
<b>54.</b>	<b>Appendix B</b>	Appendix B: Current status of negotiations with landowners and occupiers  The summary of negotiations is inadequate, it should show if negotiations are far enough progressed for the case to be examinable. A clearer picture should be provided, potentially using a scale of progression, highlighting any major objections, and reasons for objections. It is unclear what stage 'lengthy negotiations' are at. It would also be helpful to indicate next steps for negotiations.

<b>Book of Reference</b>		
<b>Ref No.</b>	<b>Ref</b>	<b>Comment/Question</b>
<b>55.</b>	<b>General</b>	'Introduction' sections are not prescribed so not needed, but sometimes they can be helpful if they are concise.
<b>56.</b>	<b>General</b>	Further (non-prescribed) parts to a BoR should not be provided, all of the required information should be included in the prescribed parts.
<b>57.</b>	<b>Parts 2a and 2b</b>	The BoR should comprise of 5 parts. We note that part two is split into two 2a and 2b. This means that contrary to the legislation and guidance there appears to be 6 parts to the book reference. Furthermore, while 2b helpfully states that this part relates to Category 3 land, 2a does not.
<b>58.</b>	<b>Parts 3-5</b>	These are unpopulated, however the description of what might be included appears to be consistent with the legislation and guidance.

<b>Land Plans</b>		
<b>Ref No.</b>	<b>Plan ref</b>	<b>Comment/Question</b>
<b>59.</b>	<b>General</b>	The Draft Land Plans appear to meet the requirements of Regulation 5(2)(i) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 in that the Plans show; the land required for, or affected by, the PD; any land over which it is proposed to exercise powers of compulsory acquisition; and any land in relation to which it is proposed to extinguish easements, servitudes and other private rights.
<b>60.</b>	<b>General</b>	The Draft Land Plans appear to largely meet the requirements of Regulation 5(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 in so far as the Plans are no larger than A0 size and are drawn to an accurate scale (not smaller than 1:2500). However, the Applicant should ensure that any plan clearly shows the direction of North (see Draft Land Plan Sheet 1).

<b>Land Plans</b>		
<b>Ref No.</b>	<b>Plan ref</b>	<b>Comment/Question</b>
<b>61.</b>	<b>General</b>	<p>Regulation 5(4) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 state that, where a plan comprises three or more sheets (such is the case for the Applicant), a key plan must be provided showing the relationship between the different sheets.</p> <p>Although a Location Plan is shown in the bottom right corner of each Draft Land Plan Sheet, it could be clearer if this was enlarged and shown on a separate sheet. This could act as a reference point and could help Affected Persons visualise the scale of the PD, and the relationship between the Sheets.</p>
<b>62.</b>	<b>General</b>	<p>The number of inset maps provided appears adequate. When providing an inset map, the portion of the map being referred to should be easily identifiable. This is not consistent throughout the Sheets (see Sample Extract of Land Plans).</p>
<b>63.</b>	<b>Sheet 2</b>	<p>The 'Continuation to Sheet X' labelling should be accurate and reflect the distribution of the Draft Land Plan Sheets displayed in the Location Plan.</p> <p>Draft Land Plan Sheet 2 states 'For Continuation see Sheet 2' on the left of the Sheet. Should this read 'For continuation see sheet 1' instead?</p> <p>Should Draft Land Plan Sheet 2 have a label showing 'For Continuation see Sheet 3' on the right of the Sheet?</p>
<b>64.</b>	<b>General</b>	<p>Schedules 10, 11 and 12 of the dDCO do not contain the plot numbers shown on the Draft Land Plan Sheets. When populating this, the plots should be in the correct place (i.e. – if land on the Plans is identified as permanent, it should be under the correct Permanent article and Schedule in the dDCO.)</p>
<b>65.</b>	<b>General</b>	<p>The categories for the types of acquisition proposed for Compulsory Acquisition and Temporary Possession in the Draft Land Plan Sheets appears to be more than seen across other Nationally Significant Infrastructure Projects. This needs further explanation in the SoR.</p>

Land Plans		
Ref No.	Plan ref	Comment/Question
66.	General	<p>Paragraph 1.5.6 of the SoR provides a generic explanation of the three types of acquisitions. It could be beneficial if this is explained further, setting out:</p> <ol style="list-style-type: none"> <li>what rights it intends to acquire.</li> <li>for what period (temporary or permanent).</li> <li>was this clarified to the Affected Persons during consultations (along with necessary references to the Consultation Report where that is evidenced; and</li> <li>the article and schedule in the dDCO where this is secured, along with signpost to the explanation in the EM.</li> </ol> <p>For example, could the blue shading with green hatch be explained? Is it permanent new right or new rights over a temporary period? Given that it could be either, how has this been consulted on with the landowners?</p>
67.	General	Are the New Rights with blue shading Permanent New Rights?
68.	General	There is no reference in the SoR and dDCO to Highway Land (shaded in orange in the Draft Land Plan Sheets). What is the proposal here; and if there isn't an acquisition proposed, could it be explained why it is in the Draft Land Plans?
69.	General	Why has 'Intervention with Third Party Rights' been identified? What is Third Party? Paragraph 1.5.9 of the SoR is unclear in this regard. Affected Persons must always be identified as Category 1 or 2 (or 3) persons, and that should be identified in the Book of Reference only, not in the Land Plans. If Third Party refers to a party that the undertaker may transfer DCO powers to, that too does not need to be identified because the DCO powers will be given only to the undertaker in the first instance.

<b>Land Plans</b>		
<b>Ref No.</b>	<b>Plan ref</b>	<b>Comment/Question</b>
<b>70.</b>	<b>General</b>	Clarity is crucial in Land Plans, especially for consulting with Affected Persons. The several colours are not helpful in this regard. Could the purple colour ('No Rights Being Sought') be explained? Is this outside the Order Limits? If so, could it be shaded grey (i.e. – same as 'Land Outside Of Order Limits').
<b>71.</b>	<b>General</b>	There appears to be a disconnect between the Sample Extract of Land Plans, the Draft Land Plans and the BoR.  There is also a disconnect between the colour coding in the Sample Extract of Land Plans and the Draft Land Plans.  The variables listed under the Legend and overall map layout is not consistent between the Sample Extract of Land Plans and the Draft Land Plans. Consistency is needed here.
<b>72.</b>	<b>General</b>	The referencing in the Sample Extract of Land Plans corresponds with the BoR. The Inspectorate notes that the referencing shown in the Sample Extract is quite simplistic and notes that Compulsory Acquisition plans are often more nuanced.  The unique references in the Sample Extract of Land Plans correspond with the BoR, but the Draft Plans do not. The same land parcels identified in the Sample Extract of Land Plans and the Draft Plans share different unique reference numbers.
<b>73.</b>	<b>General</b>	The description given to the location of the land plots in the BoR corresponds to the siting of the land plots on the Sample Extract of Land Plan.
<b>74.</b>	<b>General</b>	Parcel boundaries are generally clear and identifiable. However, it is advised that the plots on the Land Plan sheets are searchable to help Interested Parties easily identify certain plots.



<b>Environmental Statement – Project Description</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
<b>75.</b>	<b>General</b>	The ES should include a reference list as required by Schedule 4 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and consider the use of a glossary for technical terms. It is not always explained in the project description what different technical terms mean.
<b>76.</b>	<b>General</b>	<p>The project description contains a lot of information about the built elements of the PD but is less detailed in terms of its operation, particularly in relation to discharges to the river (both during ‘normal’ and ‘storm’ operation).</p> <p>The Inspectorate understands that there is not a “single point” between operations ceasing at the existing Cambridge Wastewater Treatment Works (WWTW) / Waterbeach Water Recycling Centre (WRC) and operation beginning at the PD. We note that this would be phased (for example the potential for adding further treatment at a later date noted in paragraph 2.2.3), and the transfer of operation between the old and new works, including the interim permit stages that are indicated will be needed are not included. There is also an indication that there will be an interim stage where the existing Cambridge WWTW will be treating additional flow from new housing development until the new Cambridge WWTW is fully operational, and it is unclear whether this is within its current capacity.</p> <p>We also note that the discharge from the new works will be different in quality and quantity from the existing works, and that these details are matters of ongoing discussions with the Environment Agency. The ES should explain the stages of the PD and where there is a phased approach to construction and operation, including details of these phases and their timings (including any interim stages of operational development that would result in future changes to the permitted discharge standards). This is so it is possible to understand how this affects the assessment, what assessment years are considered in the ES and to see that a consistent position has been applied across the ES.</p>
<b>77.</b>	<b>General - options</b>	The project description makes reference in several places to elements where options are still under consideration, such as the technology for effluent treatment and energy generation from gas. An explanation of the options still under consideration, and a description of what they will be, should be included within the ES

<b>Environmental Statement – Project Description</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
		including how the options are capable of being delivered under the DCO consent. (See also general points below about the ‘Rochdale envelope’).
<b>78.</b>	<b>Section 1.2</b>	<p>This section could benefit from reference to plans and figures at the outset that show the location of the various elements described in the text. In addition, where locations or structures are referred to in the text, these should be shown on a figure for ease of reference (for example – at paragraph 1.3.9 Waterbeach New Town Development Area and Waterbeach Train Station are mentioned without reference to where these are on a map).</p> <p>References to any features should also be kept consistent across the chapter and where possible, consider whether there is a need for multiple names for the same feature to avoid confusion. For example, the document begins by referring to the ‘existing Cambridge Wastewater Treatment Works’, but later in the chapter this site becomes referred to as ‘Milton’ or ‘Milton WRC’.</p>
<b>79.</b>	<b>Para 1.3.4</b>	Paragraph 1.3.4 begins by discussing current operational permits without describing where these discharge to, to what standard, and how this would change. It isn’t clear from the project description how and when the phased transfer of current operations at Cambridge WWTW to the new STW will occur nor what parameters the assessment has been based on.
<b>80.</b>	<b>Section 2</b>	Section 2 and Figure 2-1 ‘main development design’ provide a simple introduction to the sewage treatment process but do not cover all of the processes that would be part of the PD. There seem to be other processes at the new operational works that are not included (such as storm treatment, inlet and pumping stations) within this section. The subsequent sections of the Project Description introduce new treatment features such as ‘terminal pumping station’ and inlet pumping station’, ‘valve chambers’ and ‘flow monitoring devices’ that are not included in this ‘main development design’ section for example making it difficult to understand where they occur in the treatment process. The project description might benefit from a more general description of the process, and block diagrams showing the features of the process that are relevant to the assessment, to provide further context for the descriptions of each feature.

Environmental Statement – Project Description		
Ref No.	Paragraph or Section	Comment/Question
81.	General	Given the technical nature of the PD, any features described in the text should be shown on an accompanying plan. There are several references to – for example – inlet and terminal pumping station – that are introduced with limited explanation and their locations should be shown on accompanying diagrams or figures.
82.	Section 1.4	<p>Rochdale Envelope. This section is key to the assessment of effects but only dealt with very briefly. Please refer to our Advice Note Nine (Rochdale Envelope) for further advice on how to approach the Rochdale Envelope.</p> <p>It is not clear which elements of the PD are fixed and which elements of the PD require more flexibility from the information provided so far. While details of the aspect – specific parameters are proposed to be contained within aspect chapters, for consistency there should be an over-arching approach such that is possible to see:</p> <ul style="list-style-type: none"> <li>• Those elements of the design where flexibility is sought and those elements where it is not.</li> <li>• The elements of the PD where options remain, what these options are and what has therefore been assessed;</li> <li>• The chapters where further information can be found.</li> </ul> <p>Elsewhere in the chapter there are numerous references to potential options still being considered for example, in working methods for road crossings and the technology within the treatment process. However, the options are presented in limited detail to be able to understand what has been considered and / or assessed.</p>
83.	Para 2.2.3	<b>Phasing</b> – it is not clear what activities will be potentially carried out in the second phase of construction and how this will be assessed. For example, a description of the effect on the operation of the PD at the two stages of delivery and what parameters have been assumed for the purposes of the assessment(s).
84.	Para 2.2.14	The sizing of the storm tanks to be complete in the first phase is not described i.e., their future design capacity with climate change allowances etc.

Environmental Statement – Project Description		
Ref No.	Paragraph or Section	Comment/Question
85.	Para 2.3.15	This section introduces piling as a method, but no details are included as to the method, durations, locations or numbers of piles that have been assumed in the assessment.
86.	Para 3.3.2	This paragraph indicates that the new town development will start to become operational before the PD is fully operational requiring an interim situation where the existing Cambridge WWTW still operates. It is unclear what (if any) additional capacity is expected during this period and what work is required for the existing Cambridge WWTW to treat the additional flows, and whether there are any implications in terms of the PD.
87.	General	<p>The project description is missing details of the sludge treatment centre (during construction and operation on site and the quantity of sludge transfers from other sites), the operation of the PD, the operation and construction of the energy recovery systems (such as CHP and potential Battery Storage), including possible gas flares. It is also missing details of, for example, the operational vehicle movements (or cross references to further details in this respect).</p> <p>The chapter also omits reference to the relationship with existing and new environmental permits and any assumptions that have been made as part of the EIA as to how the works will operate (e.g., water quality elements which are key to the assessment of water resources and the changes that will occur to the “baseline” once the PD is operational). The Inspectorate understands that a separate “other consents and licenses” document is being prepared as part of the application and so the ES should cross refer to further detail / explanation in this and any other relevant documents in clearly explaining the position.</p> <p>Although the proposed landscape, recreation or enhancements proposed are captured elsewhere in the ES (paragraph 1.3.6) it should be clear what information the assessment has been based on in the project description.</p> <p><b>Phasing</b> - there appear to be ‘interim’ stages of development before the new works is in operation. These appear to be stages between the new works being operational and the old works being decommissioned, the interim situation where the new works is not complete and the old works needs to continue operating to cover the increased capacity from additional housing, and another interim stage where the new works will be a</p>

<b>Environmental Statement – Project Description</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
		<p>phased development with some elements of the treatment process being built out at a later date once the new works is completed. We note from our review of the HRA that there is reference to an ‘interim permit’.</p> <p>These should be represented in the assessment years for the assessment which may be within other chapters of the ES, but for ease of reference, it should link to the way in which the project description is also set out.</p> <p>The project description currently focusses on the built infrastructure and less on the operational changes / characteristics of (for example) flow, quality, water levels during normal and storm events.</p>
<b>88.</b>	<b>Figure 4-1</b>	The construction phasing packages figure refers to ‘demolition existing site’ which involves ‘site clearance and demolition’. However, demolition as part of the decommissioning activities at the existing Cambridge WWTW is excluded from the assessment in paragraph 1.3.4 of the chapter. This is a little unclear and perhaps could be better clarified in terms of the assessment of construction effects.
<b>89.</b>	<b>Page 53</b>	The figure (no reference number) on this page indicates a construction programme between 2024 and 2028. Paragraph 2.2.3 of the chapter however also refers to a second potential future phase of construction in the 2030’s which is not described in this figure. The potential for future construction phases (their necessity, optionality and extent) should be clearly set out in the ES in so far as they are within the scope of the consent for which the DCO is seeking.

<b>Environmental Statement – Odour Chapter</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
<b>90.</b>	<b>General</b>	There are a number of grammatical errors, incorrect references and units of measure throughout the document.
<b>91.</b>	<b>Para 1.3.6</b>	The odour chapter refers to both an Operational Management Plan and an Odour Management Plan, abbreviating both to OMP making it unclear in places which the chapter is referring to. The ES should clearly set out which documents abbreviations refer to and how the two plans co-exist in terms of mitigating potential odour effects.
<b>92.</b>	<b>Table 1-3 ID Para 3.14.5</b>	The odour chapter does not provide consideration or further information relating to odour impacts from surface manhole vents as was set out in the Scoping Opinion. The ES should provide this information and assessment and/or clearly justify the basis on which it has been considered and excluded from the need for further assessment.
<b>93.</b>	<b>Para 3.1.2</b>	The odour chapter states that the existing Cambridge WWTP is located approximately 1km from the proposed WWTP. Paragraph 1.2.2 of the project description states the distance is approximately 2km. Please ensure consistency throughout the ES.
<b>94.</b>	<b>Figure 4.1</b>	Figure 4-1 provides a useful contour plot; however, a key would be useful and increased visibility of the earth bank which demarcates the proposed WWTP perimeter.
<b>95.</b>	<b>Para 5.1.3</b>	The conclusion and summary of the odour chapter refer to minor adverse effects during abnormal operation of the proposed WWTP. The effects of abnormal operation are only referred to as negligible within paragraphs 4.2.35 and 4.2.37 and Table 6-1. The odour chapter should clearly detail where minor adverse effects are anticipated to occur and ensure consistency throughout the chapter and ES.

<b>Habitats Regulations Assessment</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
<b>96.</b>	<b>Table 1-1</b>	For GDPR purposes in particular, it would assist if this table was anonymised or redacted at the point of submission.
<b>97.</b>	<b>Tables 5-2 to 5-10 (General)</b>	<p>These are large tables holding a lot of information. We would suggest considering the presentation of the information within them to ensure it is possible to follow the process of the assessment for each site and qualifying feature. This is particularly where these tables spread across multiple pages.</p> <p>In some cases, the table presentation makes it difficult to identify the effects on each qualifying feature and whether the features listed in the first column of the tables correspond to specific paragraphs in the text in the columns to their right. Mitigation is currently presented as general text points making it difficult to link effects on specific qualifying features with mitigation and thus the given conclusions. The assessment sometimes appears quite generic and could be applied to any site or feature rather than a specific assessment taking account of the site, its features, status and conservation objectives.</p> <p>The text sometimes muddles, for example, construction with operational effects or mitigation and there is sometimes repetition in the points under discussion within sections. Mitigation measures could be more clearly tied to the impacts and features they are intended to address.</p> <p>Measures such as agreement with the Environment Agency of the standards for the environmental permit are provided as evidence to demonstrate that changes from the new effluent discharge will not lead to adverse effects on integrity, however, these standards do not appear yet to have been confirmed and / or are reliant on separate consent under the environmental permit. The SoS as the competent authority will need to be satisfied that reliance can be placed on any measures necessary to avoid (beyond reasonable scientific doubt) adverse effects on the integrity of any European site(s). This applies particularly to the text at paragraphs 5.4.21 of the HRA Report.</p> <p>For some features, the 'risks' identified in column 2 are not specifically followed through to the narrative in column 3. In some cases (for example Fenland SAC, Table 5.3) new impacts are considered in column 3 that were not raised in column 2 as a risk.</p>

<b>Habitats Regulations Assessment</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
		Where effects are discounted, evidence should be provided to support the conclusions (such as the statement in relation to Fenland SAC that distance means it is concluded there will be no appreciable change in temperature within the site).
<b>98.</b>	<b>Para 1.2.2</b>	<p>Although there is no specific need to duplicate a project description in the HRA appropriate assessment report, if reference is made to this being available in the EIA and the HRA Screening Report, it would be useful to understand what changes may or may not have occurred between the preparation of the screening report and the preparation of the EIA and HRA Screening Report and whether this has affected the conclusions of Stage 1. The screening report that was appended to the HRA Report reviewed by the Inspectorate had a number of comments and tracked changes. The Inspectorate suggests that in finalisation of the report(s), the screening report would perhaps benefit from more prominence as a standalone document with clear conclusions which then lead directly into the HRA Appropriate Assessment report. This would aid clarity in the reasons for sites being taken forward to AA and those that are screened out.</p> <p>In addition, it is noted from the review of the EIA Project Description that there are several elements of the PD where flexibility is sought or where options are still under consideration, such as the inclusion of a Combined Heat and Power plant. It would be helpful to highlight this in the HRA along with any implications for the assessment in demonstrating that a “worst case” has been adopted and that HRA has accounted for the full extent of the consent sought by the DCO.</p>
<b>99.</b>	<b>Baseline</b>	The HRA Report does not contain a section on the baseline or reference to how baseline conditions have been established (for example, through reference to the EIA).
<b>100.</b>	<b>Para 3.1.0</b>	It would be useful to also include in this section any other comments from / engagement with other agencies, NGO's (e.g. RSPB, the Wildlife Trusts etc) or local planning authorities in a HRA context.



Habitats Regulations Assessment		
Ref No.	Paragraph or Section	Comment/Question
101.	Para 4.1.2	<p>It would be useful to have an explanation of the reasoning behind the selection of a 10km radius from the Proposed Development with reference to the potential effects of the proposed development and any standard guidance.</p> <p>In addition, given that sites are screened in at a much greater distance than 10km, the approach taken to determining which sites further afield, or sites where factors other than distance were considered, were screened into the assessment should be expanded on.</p>
102.	Table 5-1	<p>This table to a certain extent appears to duplicate the 'mitigation' column of the following tables 5-2 to 5-10. It notes management measures to prevent contamination of groundwater and from there, pollution to sensitive sites. It is noted in the EIA Project Description that there is potential for soakaways to be used as part of the drainage strategy which are not considered here as part of the drainage design.</p>
103.	Table 5-3	<p><b>Wicken Fen Ramsar</b> – column 2 indicates there is potential for loss of functionally linked habitat and some confusion as to whether direct habitat losses are predicted. It isn't clear why the assessment focusses on birds when this is not a stated qualifying feature of the site.</p>
104.	Table 5-4	<p><b>Devils' Dyke SAC</b> – column 2 refers to impacts on populations of 'qualifying species' without explanation of what species it is referring to. (Reference to the reasons for selection of this site shows no Annex I or II species).</p> <p>The table concludes that air quality effects will be small from the emission sources within the WWTW without further evidence. The Inspectorate notes that slightly more information is provided on this point in the integrity matrices and that it is however reliant on modelling outputs not yet completed.</p> <p>Modelling for both traffic and emissions sources has not yet been complete and so the Inspectorate has not commented further on this section. However, the conclusions for air quality emissions should provide further evidence to support the conclusions that emissions will be small and controlled through stringent emission requirements.</p>

<b>Habitats Regulations Assessment</b>		
<b>Ref No.</b>	<b>Paragraph or Section</b>	<b>Comment/Question</b>
<b>105.</b>	<b>Table 5-5</b>	<p><b>Fenland SAC</b> – column 2, operational effects, begins by noting the potential for changes in water chemistry and water quantity from the new works’ discharges, but the subsequent text only addresses effects from water level and temperature. The assessment does not consider the phased approach to operation indicated in the project description.</p> <p>The conclusion that there will be a requirement for no deterioration in quality in the River Cam and thus there will be no Adverse Effects on Integrity on the SAC would benefit from further supporting evidence on the basis of the current status of both the river and Fenland SAC. The conclusion is supported with limited evidence / discussion on the effects of any variations to the discharge permit standards (and what these may be), nor changes that might occur that are not related to quality, such as changes in flow or storm events.</p>
<b>106.</b>	<b>Para 5.4.10 and Para 5.4.13</b>	<p><b>Mitigation</b> – this section refers to the control measures within the noise and vibration section of the Code of Construction Practice and a noise and vibration management plan but does not mention specific effects to sites or qualifying features that this is designed to mitigate (or whether this is cited as a general provision).</p>
<b>107.</b>	<b>In-combination assessment</b>	<p>This assessment is supported by more information in the integrity matrices but the Inspectorate recommends the detail / supporting evidence should be set out in full in the report, and that additional / new detail should not be deferred to the matrices, they should merely summarise / signpost to that evidence where it is presented in the report. The Inspectorate also notes that the assessment of in-combination effects in table 6-1 does not go to individual sites and individual qualifying features, only in broad terms against each of the identified projects. It may therefore be useful to be categorical in these conclusions being applicable to all sites and features and for the Applicant to be prepared that the examination may lead to exploration of these matters on a site / qualifying feature specific basis.</p> <p>It is also unclear if there are any offshore plans or projects that require consideration for the downstream in combination effects, for example changes in effluent nutrient levels affecting the availability of prey for qualifying species of birds.</p>

Habitats Regulations Assessment		
Ref No.	Paragraph or Section	Comment/Question
108.	Appendix A, Table 3-2	<b>Eversden and Wimpole Woods SAC</b> – it is assumed that the HRA screening will provide an update on the position with this site, which has been screened out at Stage 1 of the process. We note Natural England is due to comment further on this site and whether it should be considered further at Stage 2.
109.	Appendix A	<p>It is noted that the advice from Natural England states that the Ouse Washes SPA, SAC and Ramsar sites should be screened into the assessment and that these sites are therefore considered in the integrity matrices. However, as a late addition, it appears that the document does not contain information about these sites; e.g. conservation objectives or conservation status, nor are there screening matrices for them.</p> <p>It is also noted that not all of the qualifying features for the Ouse Washes Ramsar have been included in the integrity matrices.</p>
110.	Appendix B	The consultation records appendix was not included in the version reviewed by the Inspectorate
111.	Appendix C	<p><b>Integrity matrices</b> – these contain more information than the tables within the main text and therefore present a better picture of the conclusions presented in the main report tables. There remain, however, gaps in the evidence to support statements that have been made and/or the conclusions that have been reached. For example, there is a general statement relevant to several of the conclusions that the final effluent quality standard is ‘expected to improve’ without saying what the standard will be, or how the SoS as the competent authority can rely on these assertions in concluding no adverse effect on integrity (AEoI) within the provisions of the DCO.</p> <p>There appear also to be gaps in the assessment of in-combination effects in terms of consideration of population growth and the extent of increase of flow into the river Cam. At present this results in a qualitative conclusion not supported by specific evidence.</p>

Consultation Report		
Ref No.	Report ref	Comment/Question
112.	<b>Covid-19 restrictions</b> <b>Para 11.2.1</b>	<p>It is noted that a “Covid secure” approach was taken by carrying out small group meetings that did not exceed the “6-person rule” during phase one consultation. Once restrictions had eased during phase 2 statutory consultation, the Applicant took on board phase one statutory and non-statutory feedback and took a largely “face-to-face” approach, reintroduced larger group meetings and individual meetings.</p> <p>While unfortunate that non-statutory consultation could not be undertaken in person, the Applicant was guided by Government restrictions and recommendations during the non-statutory consultation period.</p>
113.	<b>Executive Summary</b>	<p>Typographic error on page 6 of the Executive Summary. Date range of phase three consultation given as “24 February 2022 – 27 April 202”. A “2” is missing from the year “2022”.</p> <p>The Executive Summary appears to give a good overview of the project, why it is necessary and some key data from the Applicant’s consultation efforts. There are several references to yet unallocated chapters/figures/tables which should help to give further clarity in the final submission but at this time cannot be commented on.</p> <p>The restrictions dealt with during phase one non-statutory consultation should be explained, particularly where it prevented face-to-face events. The COVID-19 Pandemic and subsequent difficulties with consultation does not appear to have been mentioned in the Executive Summary.</p>
114.	<b>Structure and Content</b>  <b>Para 4.1.1</b>  <b>Para 4.2.8 &amp; 9.2.4</b>	<p>During previous project update meetings, the Applicant has highlighted what they call “negligible odour” and explained how they planned to communicate and clarify what classes as “negligible odour” to the local community. While the Consultation Report does mention odour being raised as a concern during consultation, the Consultation Report does not appear to make any reference to this having happened, or how “negligible odour” is classified and communicated to the local community.</p> <p>“between 25 June 2020 and the start of non-statutory community consultation on 08 July”. For clarity to the reader and to avoid any doubt, the year non-statutory community consultation started on 08 July should be included.</p>

Consultation Report		
Ref No.	Report ref	Comment/Question
		The use of statistics is useful in giving a thematic overview of the feedback received during statutory consultation and highlighting.
<b>115.</b>	<b>Distinction between non-stat and stat consultation</b>	<p>There is a clear distinction regarding the activities carried out by the Applicant in both non-statutory and statutory consultation.</p> <p>Section 42 consultees were given between 24 February 2022 and 27 April 2022 (63 days) to engage in the consultation which exceeds the 28-day minimum requirement.</p> <p>Non-statutory consultation provided 68 days for responses between 08 July 2022 and 14 September 2020.</p> <p>It is clear within the Consultation Report that face-to-face consultation was unable to be conducted (for non-statutory consultation) due to the COVID-19 pandemic and has clearly detailed the materials (such as a digital engagement platform and digital webinars). Supporting tables and appendices are yet to be populated.</p> <p>Section 9.3 “Ongoing non-statutory consultation” still to be populated.</p>
<b>116.</b>	<b>General</b>	The Community Consultation Timeline on page 9 should be less pixelated.
<b>117.</b>	<b>General</b>	Typographic error on page 28 – repetition of ‘facility’.
<b>118.</b>	<b>Para 5.4.1</b>	<p>Paragraph 5.4.1 states that ‘The local authorities consulted by the Applicant on the SoCC are listed in Table 7.1.’</p> <p>Table 7.1 of the report lists the Community Access Points for statutory consultation.</p> <p>Should Paragraph 5.4.1 instead refer to Table 7.2?</p>
<b>119.</b>	<b>Table 7.3</b>	Part of the comment on the draft SoCC by Greater Cambridgeshire Shared Planning Service is repeated – see paragraph starting ‘Community Working Groups plural...’.

Flood Risk Assessment		
Ref No.	Paragraph or Section	Comment/Question
120.	Section 5	The flood risk assessment contains limited detail on the residual flood risks / changes to flooding associated with the decommissioning of the existing waste water treatment plant (to the extent that these may be a consequence of the Proposed Development).
121.	Section 5	The flood risk during construction section does not describe (if any) potential flood risks to / from the Proposed Development during the period of overlap between the commissioning of the new facility and the phasing out of the existing facility (and / or the duration of this).
122.	Sections 2, 6.5 and 7	<p>The Inspectorate has not reviewed or commented on the drainage strategy. However, it is noted that it will form an appendix to the FRA. What is unclear is the extent to which this will be provided in detail at the application stage, such that the SoS can have confidence in the FRA mitigation measures that are said to be secured and delivered as part of the drainage strategy.</p> <p>There is also reference to “<i>an operational management plan for flood risk</i>” and it is assumed that this will be provided, at least in outline, as part of the application documents so as to understand the measures that it will contain and the governance / approval process for it being reviewed (and / or updated) periodically.</p>

## General

1. Where references are provided to other draft application documents it would be beneficial to provide the full title thereof inclusive of document reference number. Should further draft documents be provided for review, the Applicant may wish to consider providing a full list of known application documents (for purpose of signposting) as well as their respective reference number.
2. [\[MHCLG\] Application form guidance](#), paragraph 3, states: “*The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6.*”