



Meeting note

Project name	Cambridge Waste Water Treatment Plant Relocation Project
File reference	WW010003
Status	FINAL
Author	The Planning Inspectorate
Date	9 March 2023
Meeting with	The Applicant, Anglian Water
Venue	Online
Circulation	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.

Scope of meeting agreed

The Applicant requested that we focus on the issues which would impact Acceptance to allow them to re-submit by the end of March.

Overall standard of the application

The Inspectorate stated that some of the issues are not standalone, and the number of errors had contributed to a consideration of whether the application was of a satisfactory standard under s55(3)(f). If an application does not reach that standard there becomes a risk that the application cannot be examined within six months. The Inspectorate suggested that the Applicant look to what can be resolved and how that will be reflected within the application documents before re-submission. The Inspectorate advised that the Applicant make a full review of all documents to check for missing figures, text, inconsistencies and presentational errors. These corrections will ensure that the information available at the start of Examination is sufficient for the ExA and participants of the process to make fully informed assessments.

Pre-application engagement

The Applicant queried the effectiveness of pre-application engagement with the Inspectorate. The Inspectorate confirmed that this had been useful to understand the project. The Inspectorate went on to explain that the Acceptance decision is taken on the basis of the content of the application documents submitted. The Inspectorate advised that the application must contain all information to enable interested parties to understand the proposal and engage with the application process.

The Applicant stated that in its view, some much of the feedback received from the Planning Inspectorate on 3 March related to issues that it expected would form part of the

Examination on the project but did not agree that they were Acceptance issues. The Inspectorate explained that all issues found had been provided to the Applicant to assist them in providing an improved application.

The Applicant explained that their review of the feedback was ongoing and where any quality assurance issues are found they will be fully addressed.

In its feedback (appended to this note) the Inspectorate had highlighted that several documents were not provided with the application, and the Applicant explained that some documents listed in the 'Guide to the Application' had intentionally not been submitted. The Inspectorate explained that all documents are expected to be submitted, however, it is recognised that documents will continue to be revised throughout Examination. This includes Statement of Commonality; Draft s106 Agreements; Statements of Common Ground; and Commitments Register.

The Applicant expressed its surprise at the extent of questions raised on the structure and extent of the project given the considerable pre-application engagement it had undertaken with the Inspectorate and that had not been raised at any of those meetings, Scoping or the review of the Applicant's draft documents in September. The Inspectorate explained that the feedback was in relation to the application documents, and that the application must contain sufficient detail for the public and other parties to understand the project using the submitted documents. The results of discussions with either the Inspectorate or the public is expected to be included in the application.

Cumulative effects

The Inspectorate advised that the cumulative effects of the total demolition and remediation of the existing site should be covered in more detail in the Environmental Statement (ES). It should describe the relationship and interactions between the relocation of the treatment plant and the requirement for housing. The Inspectorate stated that the application must provide people with the information they need to make a judgment and come to reasonable conclusions about the likely significant effects on the environment, including any cumulative effects. The Inspectorate also advised the Applicant to clearly set out how they reached the conclusions in the ES.

The Inspectorate agreed that the works and activities sought by the dDCO is for the Applicant to decide, however the ES must assess the interaction between other foreseeable developments.

The Applicant clarified to the Inspectorate that no remediation or demolition would take place other than as part of any future redevelopment proposals for housing, and that this would be undertaken by the future developer of the existing site and not by Anglian Water. The Applicant also confirmed that it considered that the submitted ES had included the future redevelopment of the existing site for housing (including remediation and demolition) in the cumulative chapter as a Tier 3 project in line with PINS Advice Note 17 and the advice detailed therein on the proportionate nature of that assessment. Nevertheless, the Applicant agreed to revisit these sections with a view to explaining this point in greater clarity. Furthermore, the Applicant contended that this matter was an Examination issue and the Inspectorate agreed that it would be, subject to this further clarification of the cumulative assessment undertaken.

Major Accidents and Disasters

The Inspectorate advised the Applicant to provide an assessment of the potential sources of major accidents and disasters, as well as considering likely risks and receptors. The Inspectorate further emphasised that the application should help people to understand what risks have been identified and how they will be mitigated.

The Applicant agreed to strengthen the text describing the vulnerability of the development as a whole, and individual residual risks, mitigation and conclusions. They went on to state that the assessment had been carried out and the detail of the conclusions were contained in a separate section within the ES Project Description and that this information could be described in more detail with more signposting within the documentation. The Applicant also described an emergency management plan which sits within the permit, and agreed to provide a description of this within the application.

Need case, National Policy Statement, and Section 35 Direction

The Applicant explained that the need for the proposed development is to relocate the existing Cambridge WWTP and deliver a decommissioned site to enable subsequent development for housing. They confirmed that there is no operational need to relocate, and the need and benefits of the project arise principally from the delivery of housing.

The Inspectorate advised that if the relocation will go ahead regardless of the delivery of any separate housing proposals this should be made clear in the application. The Inspectorate advised that the need case can be considered a matter for Examination however, at Acceptance it must be determined whether sufficient information has been provided as part of the satisfactory standard test and advised the Applicant to provide greater detail on the link between this project and the subsequent delivery of land for redevelopment.

The Inspectorate requested clarity around the application of s104 and/or s105 of the Planning Act to the development proposals. The Applicant stated that the Planning Statement submitted makes clear that in the Applicant's opinion the application should be determined under s104 and gives reasons for this but that, given the Secretary of State could take a different view in light of the circumstances here, the Planning Statement also considers the scheme under s105. It was agreed this would be a matter to be discussed in an Examination. The Inspectorate suggested that providing as much information and justification as possible at this stage as to how either section would apply to the proposed development would assist the examination.

Discussion was held around the commentary from the Inspectorate that ambiguity existed in the dDCO in its description of the Works for which development consent is sought, including which Works comprise the NSIP and which comprise associated development. The Applicant noted that the project is subject to a direction under section 35 of the Planning Act and that it is not seeking to argue that the project is a nationally significant infrastructure project within the meaning of section 14(1) Planning Act 2008. The Applicant also cited Thames Tideway Tunnel (TTT) as a precedent.

The Inspectorate agreed that under the section 35 direction, the project is not a nationally significant infrastructure project within the meaning of section 14(1) Planning Act 2008. Rather, it is a project which the SoS considers to be of national significance under s35 of the Planning Act 2008 and hence treated as being a project for which development consent is required. The Inspectorate advised that efforts should be made to distinguish

between the project of national significance (rather than a NSIP) in the direction and any associated development included within the application, with careful regard to the content of the s35 and the works for which it as the Applicant seeks development consent.

The Applicant stated that it did not consider further evidence was required as it is covered by the s35 direction given by the SoS. The Inspectorate agreed to include more detailed advice on this point in a post-meeting note.

Limits of deviation

The Applicant stated that an explanation of limits of deviation was provided in the Explanatory Memorandum and requested confirmation as to whether this was sufficient. The Inspectorate's response will be added as a post-meeting note.

General

In general the Inspectorate advised that all consideration and reasons as to how conclusions were reached must be reflected in the documentation. The application must contain sufficient information for all parties to be able to consider their opinion. The Inspectorate also confirmed that if any documents are being relied upon, they must be included to allow the relevant topic to be assessed.

Re-submission date

The Applicant stated that they intended to re-submit within a matter of weeks.

Post-meeting notes

DCO description of the Works and the Section 35 Direction

In the meeting, discussion was held around the description of the Works in the dDCO and the section 35 Direction.

It is noted that the s35 Direction, amongst other things, directs in any associated development (within the meaning of s115(s2) of the Planning Act 2008). Hence, as well as the project which the SoS considers to be of national significance under s35, the Direction also directed into the regime any associated development, any ancillary matters and any other matters which may properly be included in a DCO. Such matters can be included by virtue of s35ZE(5)(a).

Whilst the Direction sets what the Applicant considers to be the 'project' in five itemised descriptions of different elements of the proposed project, which the SoS directed in, it does not separately set out in terms what associated development and ancillary matters the Applicant wished to be directed in, and which the SoS also directed in.

While it can be broadly understood that the scope of any associated development to be any development in the dDCO not included in that itemised description of the 'project' in the Direction, it will be important for the dDCO to distinguish and include the details of the proposed project not specifically directed in by the SoS (especially considering the details of the project may have changed since the issuing of the s35 Direction).

Addressing the reference to TTT, it is noted that in Schedule 1 of the TTT DCO the numbered works are split into those that require development consent and those that are associated development. These are separately listed at the top of Schedule 1 and then those works that require development consent are marked with an asterisk. Schedule 1 in the CWWTPR Project draft DCO refers to development that requires development consent and associated development by reference to the relevant statutory provisions, but these are not then separately listed or otherwise distinguished in Schedule 1. In this regard the dDCO does not therefore reflect the approach in the TTT DCO or of the majority of other DCOs, which generally draw that distinction.

The Inspectorate advises that the draft DCO should distinguish between those works that require development consent and those that are associated development. Otherwise, it is not possible to cross-reference the works in Schedule 1 with the SoS's direction letter where those works that require development consent were set out in terms, nor is one able to ascertain how (if at all) the associated development is associated with those works that require development consent.

With reference to the DCLG associated development guidance (April 2013), it is for the SoS in each case to decide whether development should be treated as associated development, having regard to the core principles that are set out in the guidance. In paragraph 10 of the guidance it is advised that, "*As far as practicable, applicants should explain in their explanatory memorandum which parts (if any) of their proposal are associated development and why*".

Paragraph 2.9 of PINS Advice Note 13 advises that a draft DCO should include a, "*full, precise and complete description of each element of any necessary 'associated*

development" (See s115), which should be clearly identified in a Schedule to the draft DCO" and that development requiring development consent and associated development should be set out in a schedule to the DCO as separate numbered works by reference to the works plan.

If the Applicant chooses not to apply this advice and guidance, the explanatory memorandum submitted with the application should explain why (eg why is it not practicable). It would also be advisable to explain why the approach taken differs to that taken in the TTT DCO and to set out which previous DCOs (if any) have taken this approach or whether it is actually a novel approach.

Works plans

The Applicant asked for clarification on issues 85 and 86. The Inspectorate also provides comments on issue 88.

PINS issue 85

PINS notes that the wording in Article 6 of the dDCO is not quite the same as the explanation set out in the EM at 5.2.6. and that there is a lack of clarity and possibly consistency between the dDCO, the EM and the Works Plan in respect of the various Works that lie within Work No. 15.

It would seem that most of the Works within Work No. 15 effectively have two 'layers' of limits of deviation, firstly those set by the boundaries marked on the Works Plan plus a specified lateral allowance, and, secondly, the brown hatched line that follows the inner boundary of Work No. 15. The Applicant is advised to ensure that the documentation is clear and consistent in dealing with which takes precedence and how they work together to ensure that any consented works remain within the parameters of the assessment.

The Applicant is recommended to consider whether any lack of clarity is compounded by:

- the Works Plan legend notes that Works No. 4, 6 and 16 may move laterally in any direction by 5m;
- the EM suggests that these same Works may move by *'up to 5 metres in any direction save for the eastern boundary of Work number 16 which cannot deviate beyond the boundary with Work number 15'*;
- the dDCO at Article 6a appears less precise, with neither a mention of a 5m maximum movement nor a restriction in relation to Works No. 15 and 16, stating only that they may, *'deviate laterally to any extent from the lines, situations or positioning shown or indicated on the works plans for those works to the extent of the limits of deviation for those works'*.

PINS issue 86

The Applicant's response is taken to mean that Work No. 12 could indeed be located immediately south-east of the bund (ie immediately inside it). Any implications of this would be a matter for the Examination.

PINS issue 88

Also, in relation to the clarification of the proposed Works inside Work No. 15, the Applicant's comment that the area identified for future works immediately east of Work No. 5 is covered by Work No. 23, which includes earthworks and ground re-profiling, is noted. The full extent of Work No. 23 on the Works Plan is also noted. As the dDCO would appear to allow 'earthworks and ground re-profiling' anywhere within Work No. 23, the

Applicant may wish to be prepared for any examination of the maximum extent of such activities outside Work No. 15, how any lateral, depth and height parameters are secured, and how any such works have been allowed for in the environmental impact assessment.

The Applicant may also wish to consider whether the purple line delineating Work No. 23 on the Works Plan could be more clearly shown, as it coincides with, and is in part obscured by, the red line delineating the Order limits.

Appendix 1 – Acceptance documents feedback table

Cambridge Waste Water Treatment Plant Relocation Project

Advice on documentation following the withdrawal of the application

On 22 February, Anglian Water withdrew its application for the Cambridge Waste Water Treatment Plant Relocation Project. The Planning Inspectorate provides these comments as feedback on the submitted documentation. A meeting will be held to discuss this document. A note of the meeting and this feedback will be published on the National Infrastructure (NI) website.

The advice recorded in this document relates solely to matters raised during the Planning Inspectorate's review of the submitted application documents. The advice is limited by the time available for consideration. It is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.

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Abbreviation list

Abbreviations	Definition
AGL	Above Ground Level
AOD	Above Ordnance Datum
ASP	Activated Sludge Plant
BMV	Best and Most Versatile (agricultural land)
BoR	Book of Reference
BT	British Telecom
CA	Compulsory Acquisition
CEMP	Construction Environmental Management Plan
CoCP	Code of Construction Practice
COPA 1974	The Control of Pollution Act 1974 (COPA)
CSO	Combined Sewage Overflow
CTMP	Construction Traffic Management Plan
DAS	Design and Access Statement
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
dDCO	Draft Development Consent Order
DECC	The Department of Energy and Climate Change
DfT	Department for Transport
DWMP	Drainage and Wastewater Management Plan
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
EMF	Electromagnetic Fields
ES	Environmental Statement
EWCA	England & Wales Court of Appeal
ExA	Examining Authority
FRA	Flood Risk Assessment
HDD	Horizontal Directional Drilling
HRA	Habitats Regulations Assessment
IED	Industrial Emissions Directive
LERMP	Landscape, Ecological and Recreational Management Plan
LNG	Liquefied Natural Gas
LNR	Local Nature Reserve
LPG	Liquefied Petroleum Gas
LSE	Likely Significant Effects
LVIA	Landscape and Visual Impacts Assessment
MABR	Membrane Aerated Biofilm Reactor
MoD	Ministry of Defence
MW	MegaWatts
NEP	National Environment Programme
NI	National Infrastructure
NNR	National Nature Reserve
NPSWW	National Policy Statement for Waste Water

NSIP	Nationally Significant Infrastructure Project
PA2008	Planning Act 2008
PD	Proposed Development
PE	Population Equivalent
PRoW	Public Right of Way
SAC	Special Area of Conservation
SSSI	Site of Special Scientific Interest
STC	Sludge Treatment Centre
TCE	The Crown Estate
TCPA	Town and Country Planning Act
WRC	Water Recycling Centre
WWTP	Waste Water Treatment Plant
WWTW	Waste Water Treatment Works

Principal areas of concern

The following principal areas of concern were summarised in the meeting on 22 February 2023.

Definition of the 'project' and cumulative effects

The stated need for the proposed development (PD) (in, for example, the Statement of Reasons) is to deliver new housing for the continued growth of Cambridge. To achieve this, the WWTP will be relocated to release the existing plant area for housing development. The application does not include the total demolition and remediation of the existing site, and states that this, and the redevelopment, would require separate consents and EIA. None of these elements is considered as part of a cumulative assessment.

Description of construction and operation

The description of the PD does not include information on construction access or the provision of compounds. The description of the PD does not include any operational matters, other than the use of a new vehicle access from Horningsea Road for Heavy Goods Vehicles during the operational phase.

DCO

The dDCO is ambiguous in its description of the Works for which development consent is sought, and it is not clear which Works comprise the NSIP and which is associated development.

There are several discrepancies between parameters in the dDCO and the project description in the Environmental Statement (ES), including dimensions of proposed plant, tanks and depth of pumping station(s).

It is not clear how the dDCO would secure and deliver the closure and decommissioning of the existing works, the rescinding of existing operational consents, or the transfer of the released land to facilitate the housing development that represents the principal need for the PD.

Habitats Regulations Assessment (HRA)

The HRA screening report identifies the potential for likely significant effects during construction and operation of the PD on the Wicken Fen Ramsar site and Fenland Special Area of Conservation (SAC). However, these two sites have not been assessed in the submitted HRA Report.

Major Accidents and Disasters

The Major Accidents and Disasters appraisal in Table 5.1 of ES Chapter 2 does not assess the potential inherent risks from (*inter alia*) storage of Liquefied Natural Gas

(LNG) fuel (listed in dDCO, Schedule 1 Work No. 7), nor the resulting vulnerability of the PD to natural or man-made disasters and potential consequent likely significant environmental effects. Whilst a general comment relating to potential fire and explosion risk of 'stored gas' is made in Table 5.1, no description of risks or potential effects associated with the storage of LNG is provided, nor are any relevant mitigation or reactive measures explored.

Commitments Register

ES Chapter 5, paragraph 3.7.6 refers to the Commitments Register for details of mitigation measures and how they will be secured. This document is missing but is required to cross check the measures used to avoid, reduce or offset significant environmental effects.

Works Plans

The Works Plans do not identify any specific Works relating to the decommissioning of the existing WWTP. The only references to such works in the dDCO Schedule 1 (the Authorised Development) are in the final list of site wide works.

It is unclear why several of the 'site wide Works' are referred to as such, as many will be confined by their function to specific locations. As they stand there is uncertainty as to where they will be located, and thus how the relevant assessments were undertaken.

It is unclear in several 'site wide Works' entries which relate to the existing plant, and which relate to proposed new plant.

It is not clear from these plans if any of the proposed decommissioning activities require development consent, though the Land Plans show that CA rights are sought for this purpose. It would be expected that this is included in the dDCO and Works Plans.

A 'blank' area immediately east of Work No. 5 is shown as 'Future Works' without a Work No. It is unclear how activities for the surrounding Works could be achieved without ground levelling. If such preparatory engineering works are indeed necessary on this plot, then it is not clear why they would not need a Works No. and explicit consent through the dDCO.

The project description makes reference to the potential need for a 5,000m² lagoon of 1m depth to supply water for the water tests, which could be retained beyond the testing stage. It also makes reference to the diversion of the Fen Ditton rising main. However, it is not clear where the dDCO and Works Plans make provision for these, or where their environmental effects are assessed.

All documents

Several documents, appendices and figures are missing, and some text is omitted or obscured, contributing to the overall unsatisfactory standard of this application. The

missing documents apparently include, for example, the photomontage visualisations of the PD (5.4.15.1). The missing documents add to the evidence that the ES is not compliant with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

Detailed table

The following table sets out in detail the issues that were found in the documentation.

In addition to the information in this document further feedback is available in the [Feedback on draft documents from the Inspectorate](#) provided on 22 September 2022.

General principles

Issue ref	Doc/ para/ section Ref	Comment
1.	Planning Statement (Doc 7.5)	<p>It is not clear why the Applicant believes that this should be a s104 application/ determination. From the NPSWW:</p> <p><i>'2.5.3 The Government therefore considers that the need for new waste water treatment infrastructure will have been demonstrated if the Environment Agency has concluded that the project is necessary for environmental reasons and included it in its National Environment Programme.</i></p> <p><i>2.5.4 The projects which have been identified through the Environment Agency's NEP, and for which need should be considered to have been demonstrated, are discussed below. Should other, unforeseen projects come forward, they should similarly be considered as being needed if they satisfy the criteria in paragraph 2.5.3 above.'</i></p> <p>It is understood that the PD is not in the Environment Agency's NEP.</p> <p>The 'need case' would therefore have to be explicitly demonstrated through the application and Examination, and the benefits would have to be demonstrated to outweigh the adverse impacts. As the PA2008 regime relates to NI projects, the Applicant should consider if the 'need case' should relate to the NI project for which development consent is sought.</p> <p>In terms of the scope of the PD, definition of 'the project', and its EIA, the Applicant is recommended to consider the potential relevance of the Court of Appeal's recent judgement in <i>R. (oao Ashchurch Rural Parish Council) v Tewkesbury Borough Council [2023] EWCA Civ 101.</i></p>
2.	Statement of Requirement (Doc 7.2)	<p>Apparently inconsistent with some other documents in terms of the Population Equivalent that the PD would serve – the threshold for NSIP is 500,000 and it is assumed that the s35 request was made because the PD failed to reach that. It is unclear how the figure for the sludge treatment aspect is reached, and whether this can be additive to the waste water element:</p>

		<ul style="list-style-type: none"> • <i>'The capacity to deal with the waste water from the Cambridge catchment (together with an element of growth) and the capacity for the integrated STC, equates to a PE of 548,000. The requirement is, therefore, for a waste water treatment plant with a total overall PE in excess of 500,000.'</i> • <i>The Consents and Other Permits Register states: 'Application for Phase 1 (275,000 Population equivalent) submitted to The Environment Agency August 2022 following engagement to discuss standards and conditions and use of pre-application service. Anticipated duly made status December 2023. Variation to permit extending to Phase 2 300,000 Population Equivalent anticipated between 2039 and 2050.'</i> • <i>The Planning Statement at 2.2.11 states: 'The capacity to deal with the waste water from the combined Cambridge and Waterbeach catchment (together with an element of growth) equates to a population equivalent ("PE") of 300,000 and the capacity for the integrated STC is 16,000 tonnes of sludge per year which equates to a population equivalent of 548,000.'</i>
3.	General	The PD includes compulsory acquisition proposals for Works that represent beneficial enhancements (as opposed to mitigation), for example to public access and to biodiversity. The Applicant is advised to consider whether these proposals will satisfy the tests in s122 of the Planning Act 2008.
4.	Para 3.4, Chapter 2, Project Description, ES (Doc 5.2.2)	<p>Scope of the PD and EIA: 3.4 describes the decommissioning activities at the existing Cambridge WWTP and how the assessment took account of them. This leaves a clean, disconnected works. The Applicant is advised to consider whether total remediation and demolition should be considered as part of the PD assessment, or at least as part of a cumulative assessment, up to making the site suitable for redevelopment.</p> <p>It is noted that the cumulative effects chapter of the ES (Ch 21) simply states: <i>'Redevelopment of the existing Cambridge WWTP would be subject to separate consents and supported by an assessment of environmental impacts including the development of mitigation measures. These measures would cover demolition activities and be controlled via a CEMP/CTMP.'</i></p>
5.	General	Decommissioning of the new works is not covered in the draft DCO or application, as it is not envisaged. Consider whether there a need for a Requirement to ensure that a suitable

		decommissioning plan is produced and approved by the relevant authority prior to any future decommissioning.
6.	Decommissioning Strategy (section 2 of the Outline Decommissioning Plan. Doc 5.4.2.3)	The strategy appears to be to wash down and isolate but leave structures such as the terminal pumping station and various pipes and tanks <i>in situ</i> , albeit with drainage holes made where necessary to prevent rainwater collection. It is unclear how these activities have been accounted for in the EIA.
7.	Para 6.5.13 Outline Decommissioning Plan Doc 5.4.2.3.	An explanation is required of how the Biosolids Compliance Action Plan and the Process Change Plan would be drawn up, approved and secured prior to the works to which they relate. There no outline of these for the Secretary of State to consider in the Decommissioning Strategy.
8.	Outline Decommissioning Plan (Doc 5.4.2.3)	Many of the decommissioning activities listed appear to involve the removal of solids and liquids (eg sludges, effluent from spray cleaning, sand from redundant sand filter beds). The Applicant should clarify: <ul style="list-style-type: none"> • if these would be removed from the site, and, if so, to where, • how disposal is controlled, • how the EIA has taken account of these activities, including traffic movements.
9.	Outline Decommissioning Plan (Doc 5.4.2.3)	Appendix B, the Existing Cambridge WWTP Ground Contamination Investigation, seems to suggest that ground contamination surveys at the existing works have not yet taken place. The Applicant should include in the application if (and how) the surveys and any necessary remedial and disposal activities would be controlled by the dDCO, and how the EIA took any such activities into account in the absence of ground surveys, including any associated traffic movements. If the control of any such activities would be subject to permit control by the Environment Agency, the Applicant should clarify how this would work in detail. In general, whilst the statement at 8.1.3 is noted, (<i>'All these activities comply with the Applicant's normal operational procedures to decommission the plant without creating any likely significant effects on nearby sensitive receptors'</i>), greater clarity and more detailed information about remediation and site preparation for its new use is required.

Draft Development Consent Order

Issue ref	Doc/ para/ section Ref	Comment
10.	Para 1.1.3, Planning Statement (Doc 7.5)	The application should set out how the draft DCO delivers closure, decommissioning, rescinding of operational consents, and transfer of the land to facilitate the housing development. Schedule 1(p) includes <i>'works associated with decommissioning the existing Cambridge Waste Water Treatment Works and assets in Cowley Road'</i> only.
11.	Schedule 14, dDCO (Doc 2.1)	<p>Describe why finished ground level in each Part shown as +/- 0.5m. Given the parameter in each case is intended to be a maximum, consider whether this could be omitted and the maximum parameter changed from, for example '9.5m +/- 0.5m AOD' to '10m AOD'.</p> <p>Typo in entry 2 of Part 1 – 'if'.</p> <p>Some footprint areas are indicated as square metres followed by the two dimensions in brackets (eg Part 5, <i>'overall footprint of activated sludge process area, 15,525m² (115m x 135m)'</i>). It is not clear if it is the intention that the parameter applies only to the overall area, or that the two dimensions quoted are also maxima.</p> <p>Part 6 – there are no parameters for the return activated sludge/ surplus activated sludge pumping stations.</p> <p>Part 11 - clarify how the dDCO controls the maximum depth of the sludge tanks. The parameter table refers to building height but not to the depth of the lagoon itself.</p> <p>Part 20 –the entry for Shaft 1 includes the word 'maximum' 9m which provides clarification. Other entries do not state whether they are maxima.</p> <p>Part 20: typo '12,5m'.</p> <p>Part 23 – the parameter for maximum ground level is imprecise: <i>'Varies across the works packages but no greater than 10.0m AOD'</i>. It should simply read <i>'10m AOD'</i>.</p>
12.	dDCO Articles (Doc 2.1)	<ul style="list-style-type: none"> • There appears to be no service of notice Article. • Article 10 relates to the proposed outfall, with 10(4) referring to an Operational Outfall Management and Monitoring Plan. The application documents note that access may be

		<p>required from the river on an ongoing basis for outfall maintenance. Please clarify how free access to the outfall can be maintained for this purpose, and where and how this is facilitated through the dDCO and CA proposals.</p> <ul style="list-style-type: none"> • Article 13(4): <i>'The undertaker must in connection with the carrying out of the authorised development provide the new public right of way specified in column (2) of Part 2 of Schedule 6 (new public right of way to be created) to the extent specified in column (3) of that Part of that Schedule at the stage of the authorised development in column (4) of that Part of that Schedule.'</i> There does not appear to be a mechanism for complying with this. The Applicant should note that s26 of the Highways Act 1980 provides compulsory powers for the creation of footpaths and bridleways and that the power to make an order in the 1980 Act applies to local authorities. The dDCO should allow for its addition to the definitive map. • Article 19 – the Applicant should consider whether this should explicitly make reference to the exceptions noted in the protective provisions, as detailed at EM 7.1.2.
13.	Schedule 1, dDCO (Doc 2.1)	<ul style="list-style-type: none"> • The Applicant is advised to review the Works for which development consent is sought set out in Schedule 1 of the draft DCO, and to explicitly identify which Works comprise the Nationally Significant Infrastructure Project (as defined in sections 14 and 29(1A) of the Planning Act 2008) and which is associated development (within the meaning of section 115(2) of the Planning Act 2008). The Applicant should satisfy itself that all of the proposed Works and elements of those Works for which development consent is sought falls within the legal definition of a Nationally Significant Infrastructure Project and associated development. In doing so, the Applicant's attention is drawn to the former DCLG publication, <i>'Planning Act 2008, Guidance on associated development for major infrastructure projects'</i> (April 2013). This advice is particularly relevant, but not restricted to, the proposed discovery centre. • There is a minimum parameter of 0.0ha for the solar installation. As such, it does not secure the provision of any solar power. The application should set out how is this assessed in the ES and in the need case/ benefits/ carbon calculations. • Work No. 39: clarification is required as to the identified ecological impacts that are to be mitigated by these works. • Site wide works: clarify whether (r), (s), (t) and (z) relate to existing or proposed structures. (Also relevant to ES Ch2 section 3.5.).

14.	Part 1, Schedule 2, dDCO (Doc 2.1)	<p>1. A number of the definitions include a tailpiece (<i>'... or any revision to it as may be agreed from time to time with the relevant planning authority'</i>) that may require further justification. Similarly, draft Requirement 18. The Applicant should clarify if the inclusion of draft Requirement 6 fully addresses the possibility that any change agreed by the local authority could lead to environmental effects that the Secretary of State could not have taken into account at determination.</p> <p>1. Enabling works include some activities that have the potential to lead to significant environmental effects. The Applicant should detail the safeguards that would be in place to ensure this does not happen (eg access road construction, land drainage works, the installation of up to 50 metres of the Waterbeach pipeline under and extending from both sides of the Cambridge to King's Lynn railway line).</p> <p>7. Confirm how this requirement for prior approval of detailed design relates to the enabling phase, and how the dDCO secures that prior approval for the enabling phase activities.</p> <p>11. The odour control unit can be delivered in either Work No. 4 or Work No. 16. The ES should set out how this was assessed in the ES (odour and visual – stack, especially). The Work descriptions may need to be amended to explicitly reflect this.</p> <p>16/ 19/ 21. The Applicant should consider whether these requirements relating to the approval of final plans based on the preliminary plans should use the wording 'must accord with', as used in, for example, Requirement 12 (rather than 'the principles of' or similar).</p> <p>18. Requires the undertaker to commence decommissioning of the existing Cambridge WWTP (<i>'the process for decommissioning the existing Cambridge WWTW as described in the outline decommissioning plan'</i> – Requirement 1) no later than 3 months following the completion of commissioning of the new WWTP (or such longer date as may be agreed with the relevant planning authority). There is no timescale for the completion of decommissioning, remediation and release of the land for redevelopment. As this is the driver for the PD and the Order that is sought a timescale would be expected.</p> <p>20. There is no outline operational logistics travel plan on which the final plan must be based.</p> <p>22. <i>'The gas recovery plant forming Work No. 9 is not to be operated or come into use until a carbon management plan has been submitted to and agreed in writing by the relevant planning authority.'</i> There is no explanation to what happens to the gas if the rest of the PD starts operation. It is not clear if and how this is assessed in the ES. There is no justification provided</p>
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		for the absence of an outline carbon management plan on which the final plan must be based, and consideration should be given to inclusion of such a document in the application.
15.	Part 1, Schedule 2, dDCO (Doc 2.1)	<p>'Site wide works', Associated Development: it is unclear why these are referred to as site wide as many will be confined by their function to specific locations. As they stand there is uncertainty as to where they will be located, and thus how the relevant assessments were undertaken. The Applicant is advised to allocate a Works No and provide a more precise description of the locations of those with potential environmental effects, cross-referenced to the Works Plans. This includes those elements currently listed in (aa) as being within the inner boundary of Work No. 15. This advice should be considered in particular in relation to buildings and large structures, the solar panel array, battery buildings and masts. (It is noted that a location for the solar panel array is defined on the LERMP masterplan – a certified document.) (Also relevant to ES Ch2 section 3.5.).</p>
16.	Part 2, Schedule 2, dDCO (Doc 2.1)	Gives 42 days for a discharging authority to issue a response. Several recent made Orders use 8 weeks. The Applicant should consider providing a justification for the proposed time scale.
17.	Part 6, Schedule 14, dDCO (Doc 2.1)	<p>Please undertake a complete review of the parameters, providing the resubmitted information as AOD. Where changes are made to parameters, the project description and assessment within the ES should also be reviewed to ensure consistency.</p> <p>For example, the following discrepancies noted between parameters in dDCO and the Project Description in ES (Doc 5.2, Chapter 2.):</p> <p>Storm tanks –</p> <ul style="list-style-type: none"> • ES has a height above finished ground level of 14.5m Above Ordnance Datum (AOD). • DCO it is described as 5m above finished ground level. <p>Terminal Pumping Station –</p> <ul style="list-style-type: none"> • DCO - Formation level of terminal pumping station no deeper than 25.5m below AOD. • Table 1.4 ES – foundation level of TPS up to 35m below finished ground level. <p>Activated Sludge Plant –</p>

		<ul style="list-style-type: none"> • DCO – blower building height above AOD 14.5 • ES - blower building height above AGL 14m <p>Nutrient recovery plant –</p> <ul style="list-style-type: none"> • DCO – scrubbing column 27mAOD • ES – scrubbing column 25m AOD <p>Steam raising boiler capacity –</p> <ul style="list-style-type: none"> • DCO – 3.4 MWth each (one operational, one standby) • ES – 2 MWth (total maximum 7 MWth) <p>Workshop building height –</p> <ul style="list-style-type: none"> • DCO – 18.5m AOD • ES - 10m above finished ground level <p>District network operator enclosure –</p> <ul style="list-style-type: none"> • DCO – 12.5m AOD • ES - 3m above finished ground level
18.	Page v, Chapter 18, Odour, ES (Doc 5.2.18)	Clarify the reference in the summary text to the need for a 10m vent stack at the existing Cambridge WWTP: this does not seem to be included in the dDCO.

Consents and Other Permits Register

Issue ref	Doc/ para/ section Ref	Comment
19.	Para 1.1.1, Consents and Other Permits Register (Doc 7.1)	The Applicant should consider the inclusion of decommissioning and remediation of the existing WWTP. A full description of any other consents and permits that may be required for those decommissioning and remediation works that are included in the dDCO should be included in the application.
20.	Para 2.1.1, Consents and Other Permits Register (Doc 7.1)	Include an explanation of why the 'strategy' only looks at construction consents, not operational.
21.	Para 3.1.5, Consents and Other Permits Register (Doc 7.1)	<p>The consents, licences and agreements that may need to be sought separately, as identified in Appendix A, are said to depend on final detailed design and construction methodologies, and '<i>discussions with the consenting authorities from whom consents may be required</i>'. They are said to be insufficiently developed to seek disapplication in any DCO.</p> <p>The Applicant notes ongoing negotiations with the relevant consenting bodies, with an aim of reaching agreement for disapplication during Examination. For information, the Applicant should note that the ExA will expect all such agreements to be in place by the start of the Examination, and that any agreement that is delayed could lead to a requirement for changes to the draft DCO that cannot be accommodated later in the Examination.</p> <p>Whilst the ExA will not seek to duplicate the detailed consideration of matters or processes associated with construction and operational permits that will not be disappplied by the DCO, it will require evidence to be submitted into Examination to provide adequate comfort that those permits are likely to be forthcoming from the relevant consenting authorities. At present, the table indicates that some</p>

		may not be made until December 2023, which could be after the close of the Examination.
22.	Table 1.1, Appendix A Consents and Other Permits Register (Doc 7.1)	The Applicant should clarify its intentions in relation to Crown land interests. (Appendix A, Table 1.1. Crown Land: Consent to acquire interests other than the Crown in Crown land (MoD and DfT) is not sought through DCO, and Article 50 requires such consent before exercising acquisition powers under the DCO.) It is noted that Appendix A of the Other Consents and Permits application document at Table 1.1 suggests that consent to acquire interests other than those of the Crown in Crown land would not be sought through the DCO. Article 50 of the dDCO relates to this. The Book of Reference and Statement of Reasons (Table 7-1) list parcels that are said to include a Crown interest through the Secretaries of State for Transport and Defence. Clarify if any rights held by the Crown in the plots concerned would be extinguished by Article 31 (etc) of the dDCO.
23.	Table 1.1, Appendix A, Consents and Other Permits Register (Doc 7.1)	Appendix A, Table 1.1. Protected Species: errors in legislative references and licence type references. Badgers included twice (and incorrect references to protection in both). Appendix A, Table 1.1. Discharge Permit: text missing. Appendix A, Table 1.1. Minerals and Waste, Waste Exemptions for Operations: the text for this entry refers to construction not operations. Clarify. Appendix A, Table 1.1. Noise: suggests that s61 consent may be needed in relation to noise during construction, and <i>'not seeking to disapply this consent within the DCO'</i> . However, it goes on to say that <i>'the DCO does include a statutory defence and disapplies s61(9) COPA 1974'</i> . Clarify.
24.	Table 2.1, Appendix A, Consents and Other Permits Register (Doc 7.1)	Building Regulation Approval: clarify if and what the Applicant is seeking to disapply through the DCO – table says, 'operational buildings', but Requirement 3 in the dDCO refers to buildings, <i>'for the purposes of the authorised development before completion of construction'</i> . Please clarify what is intended and what powers are sought.

Planning Statement

Issue ref	Doc/ para/ section Ref	Comment
25.	Para 1.2.3, Planning Statement (Doc 7.5)	The description of the PD does not include any operational matters, other than the use of a new vehicle access from Horningsea Road for Heavy Goods Vehicles bringing sludge onto the site for treatment – which is assumed to be during the operational phase. There is no reference to a construction access. (N.B. 1.4.1: ' <i>The application is for the construction <u>and operation</u> of a <u>WWTP</u>...</i> '). (Noted that ES Ch2 section 4 includes some information about maintenance activities but nothing about operation. See earlier s51 advice.)
26.	Para 1.2.3, Planning Statement (Doc 7.5)	The Applicant is advised to consider if it would be useful for this list to encompass all works that the draft DCO seeks consent for. Temporary construction elements, for example, are missing, as well as operational matters.
27.	Figure 1-1, Planning Statement (Doc 7.5)	The PD 'overlay' seems to have an oblique perspective laid onto a plan view map.
28.	Para 3.3, Planning Statement (Doc 7.5)	The Applicant should clarify the relevance of the draft National Policy Statement for Water Resources Infrastructure to waste water treatment.
29.	Para 2.4.3, Planning Statement (Doc 7.5)	The Applicant is advised to make a thorough check for acronyms and abbreviations that are not defined eg DWMP.

Design and Access Statement

Issue ref	Doc/ para/ section Ref	Comment
30.	Para 11.2.5, DAS (Doc 7.6)	'Any further detailed design to be carried out after DCO approval must be developed in general accordance with these objectives, subject to reasonable practicality.' (sic) Within the application explain or define 'reasonable practicality'. The Applicant should consider how this should be reflected in Requirement 7 in the dDCO.
31.	General	<p>Clarify what is secured by Requirement 7 of the dDCO in relation to the DAS. 7(2) reads: '<i>The details submitted must include an explanation of how they accord with the design principles set out in section 11 of the design and access statement.</i>' However, the 'design principles' are set out in section 2 of the DAS, with 'design objectives' set out in section 11 of the DAS.</p> <p>Chapters 7 to 10 reflect the development of an indicative approach to detailed design, based on consultation and the design team's ideas. Whilst the need for some flexibility is recognised, detail how the benefits of the design principles established here are carried through to the final design, noting that the 'design objectives' are high level.</p>
32.	Page 109, DAS (Doc 7.6)	This visualisation does not seem to accord with the layout on other plans or the masterplan. Its function and relationship to these plans should be explained if included.
33.	Executive Summary, DAS (Doc 7.6)	'The proposed WWTP should provide greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows (CSOs) are far less likely to occur.' The Applicant is advised to clarify where the evidence that demonstrates this can be seen.
34.	Para 2.2.2, DAS (Doc 7.6)	'Rather than being a mere like for like replacement of the existing plant, the design of the proposed WWTP must be improved:

		<ul style="list-style-type: none"> • <i>To comply with legislative changes to the Industrial Emissions Directive (IED) permit, for example by utilising secondary containment on all sludge related pipework and assuring the digesters are easily inspected and not hidden in the ground</i> • <i>To include the latest innovations in treatment technology, for example the Membrane Aerated Biofilm Reactor (MABR) technology for the secondary treatment process.</i> • <i>To minimise odour emissions by reducing or removing odour from source, for example by covering the TPS and inlet works, reducing turbulence where possible.'</i> <p>The Applicant should clarify where and how these three 'improvements' are secured.</p>
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ES Chapter 2 Project Description		
Issue ref	Doc/ para/ section Ref	Comment
35.	Summary, Chapter 2, Project Description, ES (Doc 5.2.2)	Correct the language in the Summary, which describes the access road and gateway building (etc) as 'ancillary development'. These are Works in the draft Order.
36.	Para 2.3, Chapter 2, Project Description, ES (Doc 5.2.2)	<p>No information (other than at one habitat feature 2.3.11) is given about how the Waterbeach pipeline would be installed, for example if and where trenchless techniques are committed to. The Applicant should consider expanding the description.</p> <p>In general – Horizontal Directional Drilling (HDD) etc: some sections of the pipelines are said to be installed through HDD. Others (eg the railway line) by pipejack micro-tunnelling. Clarify how these are secured in the DCO, and how they have been assessed. In general, for all pipeline installation works, the Applicant should consider whether sufficient explanation is given in the application documents about where and which type of trenchless techniques are committed to, how the dDCO</p>

		secures the use of trenchless techniques where these are said to be used, and if the assessment has been undertaken with that assumption (eg see 3.3.82 where assessment of impacts on a PROW relies on HDD as mitigation).
37.	Section 2, Chapter 2, Project Description, ES (Doc 5.2.2)	Clarify why section 2 on 'Connecting Infrastructure and Ancillary Development' includes a summary section on operational traffic (but not construction traffic). More generally, the use of the word 'ancillary' in this context should be reviewed for clarity.
38.	Section 2, Chapter 2, Project Description, ES (Doc 5.2.2)	The Applicant is advised to review the structure and content of section 2 to provide greater clarity and precision. It is noted that it includes some partial, incomplete information on construction. Consideration should be given to deleting any reference to construction phasing, techniques and methodology that is repeated in section 3, Construction and Decommissioning, or to moving any such additional information on construction from section 2 to section 3 if that provides greater coherence.
39.	Para 3.3.16, Chapter 2, Project Description, ES (Doc 5.2.2)	The project description makes reference to the potential need for a 5,000m ² lagoon of 1m depth to supply water for the water tests. This could be retained beyond the testing stage. Please indicate where the dDCO and Works Plans make provision for this.
40.	3.3.34, Chapter 2, Project Description, ES (Doc 5.2.2)	Please indicate where the Works associated with the Fen Ditton rising main diversion are allowed for on the Works Plans and in the dDCO.
41.	Para 5.1.3, Chapter 2, Project Description, ES (Doc 5.2.2)	5.1.3. has missing text.
42.	Tables 1-5, 1-8, 1-9 and 1-10, Chapter 2, Project Description, ES (Doc 5.2.2)	Some entries (eg ASP tanks) suggest that the parameter given is both AGL and AOD. Only one can be correct. The Applicant is advised to check all parameters and to ensure accurate and consistent cross-referencing with Schedule 14 of the dDCO.

43.	Para 2.6.6, Chapter 2, Project Description, ES (Doc 5.2.2)	Notes that, ' <i>Power frequency electric, magnetic and electromagnetic fields (EMFs) arise from the generation, transmission, distribution and use of electricity and occur around power lines and electric cables as well as around domestic, office or industrial equipment that uses electricity. For the Proposed Development, EMFs may arise close to the power cables supplying the proposed WWTP or within the solar array. The Department of Energy and Climate Change (DECC) provide guidance on public exposure guidelines and any solar array will be designed so that exposure guidelines are not exceeded (DECC, 2012).</i> ' Advise where this is assessed in the ES, and how any required mitigation is secured through the dDCO.
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Other ES Chapters		
Issue ref	Doc/ para/ section Ref	Comment
44.	General point	Multiple instances of chapters and appendices missing paragraph numbers or contain errors in referring to supporting information such as figure numbers. Table references often replaced with 'error' references instead of links to correct tables or figures.
45.	General point	Numbering of figures and appendices using the long document reference numbers (which are very similar for both – 5.3.x.x for figures, 5.4.x.x for appendices) makes navigation confusing. Figures embedded within the text of some chapters also do not follow the same numbering convention as those presented in the separate figures volumes. More than one chapter contains a 'Figure 4.1' for example (embedded within the text) whilst also then referring to another set of figures numbered '5.3.x.x. The Applicant could consider whether a different method could be found to aid ease of reference.
46.	Chapter 3, Site Selection and Alternatives, ES (Doc 5.2.3)	ES Figures 2.2 to 2.6 are unclear and hard to read.

47.	Para 1.2, Chapter 3, Site Selection and Alternatives, ES (Doc 5.2.3)	<p>This section provides a rationale behind the need to relocate the WWTP. A 'do-nothing' option was considered, but the only reasoning behind not choosing the option relates to housing delivery: <i>'Such an approach would result in the failure to fully deliver on required housing numbers in Greater Cambridgeshire and/or necessitate the delivery of housing at less sustainable locations.'</i> No comparative environmental assessment is provided for this alternative. The Applicant is advised to consider whether this complies with the EIA Regulations.</p> <p>For example, given the focus in the application documents on providing a carbon efficient WWTP, consideration should be given to the inclusion of a comparative assessment for reasonable alternatives, including the 'do-nothing' option or the provision of the upgrades at the existing WWTP. Without these, the environmental benefits of the PD are unclear.</p>
48.	Chapter 6, Agricultural Land and Soils, ES (Doc 5.2.6)	Some acronyms are not defined in this chapter (or in the general glossary document). For example, the CCOP - this document is also missing from the reference list.
49.	Chapter 6, Agricultural Land and Soils, ES (Doc 5.2.6)	The Applicant is recommended to review the summary tables (5-1 and 5-2) and to consider adding quantitative data, where available – for example the actual areas of BMV lost for each component of the Proposed Development, and the total.
50.	Chapter 6, Agricultural Land and Soils (Doc 5.2.6)	Blank pages 29 and 30. Missing table 2.14.
51.	Para 2.2.5, Chapter 8, Biodiversity, ES (Doc 5.2.8)	Paragraph references the Town and Country Planning Act EIA Regulations 2017.
52.	Para 2.6.1, Chapter 8, Biodiversity, ES (Doc 5.2.8)	Confirm if the survey and assessment does not cover all of the land within the Order limits. If so, justify how the limitations <i>'are not thought to have affected the robustness of this ecological assessment'</i> .

53.	Table 32, Chapter 8, Biodiversity, ES (Doc 5.2.8)	Table 3-2 lists 11 SSSIs and 14 LNRs. This seems to be inconsistent with 3.1.5: ' <i>Thirty-two nationally designated statutory sites are present within the 10km study area. These include 19 SSSIs, one of which is also classified as a NNR (Wicken Fen) and 13 LNRs. Of these, nine SSSIs, including Wicken Fen NNR and all 13 LNRs are designated for biodiversity features, as shown in Table 3-2.</i> ' Similarly, table 3-3 lists 17 non-statutory sites. This seems to be inconsistent with 3.1.9: ' <i>... The remaining 14 non-statutory sites are shown in Table 3-3.</i> ' Please amend.
54.	Chapter 8, Biodiversity, ES (Doc 5.2.8)	Even taking into account the explanation provided in 4.1.2, construction effects do not seem to be assessed for the majority of non-statutory sites. (Only two appear to be assessed.) Similarly later in the Chapter, very few non-statutory sites are addressed in relation to operational impacts. Include an explanation within the documentation.
55.	Para 4.2.335, Chapter 8, Biodiversity, ES (Doc 5.2.8)	' <i>During the construction phase, monitoring will be in accordance with section(s) 7.8 of the CoCP Part A (Application Document Reference: 5.4.2.1). This requires the development of a reptile mitigation strategy which will specify monitoring.</i> ' It is not clear where and how the CoCP secures reptile measure monitoring or who would undertake this monitoring, noting that the CoCP suggests that contractors would be responsible for drawing up and implementing CEMPs.
56.	Para 4.4.3, Chapter 8, Biodiversity, ES (Doc 5.2.8)	During decommissioning of the existing works, ' <i>Spills and contamination events would be planned for within a CEMP, with best practice guidance followed to prevent spills and leakages before they are able to occur, and should they occur, a plan for their immediate remediation and reporting.</i> ' It is not clear how this is secured through the dDCO.
57.	Summary tables, Chapter 8, Biodiversity, ES (Doc 5.2.8)	The summary tables at the end of the Chapter note that Natural England mitigation licences will be required for water vole and bat species. In the application clarify if a mitigation licence would be required for otter and, if not, include a justification.
58.	Chapter 10, Carbon, ES (Doc 5.2.10), page 51	A figure appears in the text, but this is not labelled and is off the page. This appears to be a duplication of Figure 4.1 later on in the main text.
59.	Table 2-5, Chapter 12, Health, ES (Doc 5.2.12)	Clarify if there is an error in the significance matrix table in relation to the significance of the effect when a high sensitivity receptor experiences a minor magnitude impact.

60.	Para 2.8.9, Chapter 12, Health, ES (Doc 5.2.12)	Missing reference.
61.	Table 5-1, Chapter 12, Health, ES (Doc 5.2.12)	Table 5-1 concludes that there will be a moderate residual significant effect on health and wellbeing due to changes in the environment on Horningsea and users of Low Fen Drove way during construction. The significant effect is not discussed in Section 4 Assessment of Effects and the summary at the start and conclusion do not mention any significant effects being recorded for the health chapter. Clarify what is concluded and any measures taken to mitigate effects.
62.	Chapter 13, Historic Environment, ES (Doc 5.4.13.4)	Table 1-1 formatting/ presentation makes it very difficult to read (multiple very narrow columns). Please amend.
63.	Chapter 13, Historic Environment, ES (Doc 5.2.13)	Ten figures (5.3.13.6 to 5.3.13.16) are provided in separate volume 5.3: These are not referred to in the text of the chapter.
64.	Chapter 17, Noise and vibration, ES (Doc 5.2.17)	This chapter has a different naming convention for figures – so Figures 4.1 and 4.2 are provided embedded in the text. Figures 5.3.17.1 to 5.3.17.5 are provided in a separate volume of figures. Figure 5.3.17.4 is labelled as operational noise locations but referred to in the chapter text as construction and decommissioning noise locations. Figure 5.3.17.1 is provided in the volume of figures but not referred to in the chapter text.
65.	Chapter 19, Traffic and Transport, ES (Doc 5.2.19)	References to figures in appendices are incorrect or documents are missing – ‘Traffic survey locations’ referenced as provided as Figure 11.37 in Document 5.4.19.3.
66.	Chapter 21, Cumulative assessment, ES (Doc 5.2.21)	Page numbering problem – restarts at section 2.
67.	Para 2.3.9, Chapter 21, Cumulative assessment, ES (Doc 5.2.21)	Text missing.

68.	Page 11, Chapter 21, Cumulative assessment, ES (Doc 5.2.21)	Text, header and table overlapping and illegible (to 2.6.3).
69.	Para 2.7.4, Chapter 21, Cumulative assessment, ES (Doc 5.2.21)	2.7.4: ' <i>... where plans are not yet adopted or relevant reasonably foreseeable activities are not yet scheduled, (i.e. demolition of the existing Waterbeach WRC and Cambridge WWTP), assumptions have been made to provide a reasonable basis for assessing the likely effects.</i> ' Section 3.9 covers the demolition of the existing Cambridge WWTP, but no detail of environmental effects is included. These two positions in this Chapter should be reconciled.

Habitats Regulations Assessment		
Issue ref	Doc/ para/ section Ref	Comment
70.	Habitats Regulations Assessment Report (Doc 5.4.8.16)	Missing Conservation Objectives for the Ouse Washes Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site.
71.	Habitats Regulations Assessment Screening Report (Doc 5.4.8.15) Habitats Regulations Assessment Report (Doc 5.4.8.16)	Doc Ref 5.4.8.15 identifies potential LSE on Wicken Fen Ramsar site and Fenland SAC. However, these two sites are not carried through and assessed in the HRA Report. Please amend where necessary.
72.	Habitats Regulations Assessment Screening Report (Doc 5.4.8.15)	No hyperlinks in contents pages.

	Habitats Regulations Assessment Report (Doc 5.4.8.16)	
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Document or information covering major accidents or control of such risks		
Issue ref	Doc/ para/ section Ref	Comment
73.	Document covering major accidents or control of such risks	Covered in Chapter 2 of ES but does not include the approach to selecting the short list/ methodology which was requested in EIA Scoping Opinion. Possibly missing assessment of potential risks from storage of Liquified Natural Gas fuel (listed in dDCO, Schedule 1 Work No. 7), assessment considers 'stored gas' generally rather than specific descriptions.
74.	Tables 1.1 and 5.1, Chapter 2, Project Description, ES (Doc 5.2.2)	<p>Accidents and disasters/ EIA Regs: the appraisal summarised in table 5.1 appears to be a risk assessment of each type of accident occurring, and the measures used to reduce that risk. The EIA Regulations require another stage, Schedule 4(8), to address vulnerabilities, effects and response measures should a low-probability event of this nature occur: '<i>A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned... Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.</i>' The application should set out where this is addressed.</p> <p>In addition to inherent risks associated with the LPG storage noted above, consider (<i>inter alia</i>) a fire and explosion risk associated with battery storage and vulnerabilities/ potential</p>

		secondary impacts on other receptors associated with lightning strike, overflows, major spills, and drainage/ surface water flooding.
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Flood Risk Assessment (FRA)		
Issue ref	Doc/ para/ section Ref	Comment
75.	Flood Risk Assessment (Doc 5.4.20.1)	No hyperlinks in contents pages.
76.	Para 6.4.6, Flood Risk Assessment (Doc 5.4.20.1)	Para 6.4.6 of the FRA states that “ <i>construction compounds [are] to be located in Flood Zone 1 where possible</i> ”. How does the dDCO secure the location of construction compounds in Flood Zone 1 with no fluvial flood risk to access.
77.	Para 2.5.1, Flood Risk Assessment (Doc 5.4.20.1)	Missing reference.
78.	Para 3.2.3, Flood Risk Assessment (Doc 5.4.20.1)	Missing reference.

Statutory Nuisance Statement		
Issue ref	Doc/ para/ section Ref	Comment
79.	Para 2.3.9, Statutory Nuisance Statement (Doc 7.13)	It appears that text might be missing, please clarify within the document.

Land Plans and BoR

Issue ref	Doc/ para/ section Ref	Comment
80.	Book of Reference and all sheets	<p>The legend descriptions within all sheets does not match with the Book of Reference table 2.1 or the plot descriptions. For example:</p> <p>Legend blue: “Permanent New Rights And/ Or Restrictive Covenants” BoR Table 2.1: This could refer to colours – pink, blue or brown Plot examples: 021a, 021q, 022h, 022i, 038d</p> <p>Legend pink: “freehold acquisition” BoR table 2.1: This term is not used in the table Plot examples: all plots coloured pink within the plans</p> <p>Legend brown: “Permanent access rights” BoR table 2.1: In first line of the ‘brown’ row, this is described as ‘permanent new rights of access’. However, this colour also covers “temporary use of land...” and “...easements and other private rights” Plot examples: all plots coloured brown within the plans</p> <p>Legend green: “Temporary possession” BoR table 2.1: Temporary use is mentioned in rows for pink, blue, brown, green Plot examples: all plots coloured green within the plans</p>
81.	Book of Reference and all sheets	Plots that fit into more than one category are coloured using the “most onerous power sought over that land” (para 2.1.2 BoR). The Applicant should consider if this provides a sufficiently clear explanation for each Affected Person.

82.	Para, 2.1.2, BoR (Doc 3.3)	References Table 7.1, there is no Table 7.1.
83.	General	There are some substantial areas subject to proposed CA freehold acquisition in addition to the main site, including strips along the transfer tunnel route (subsoil only) and the new rising main, the new bridleway, and an area around the proposed new outfall location. The Applicant is advised to provide a clearer reasoning for this in the documentation.
84.	Part 2, BoR (Doc 3.3)	There is an extensive list of Category 3 parties in Part 2 of the Book of Reference. Many are simply referenced as 'the owner'. Given the PA2008 requirement for 'diligent inquiry', the Applicant is advised to continue work to update these.

Works Plans		
Issue ref	Doc/ para/ section Ref	Comment
85.	Sheet 11, Work Plans (Doc 4.3.11)	Most of the Works within Work No. 15 (the bund) are shown to be subject to 50m limits of deviation. Clarify if the purpose of the brown line delineating ' <i>limits of deviation of the Works... Work No. 15 excluding Work Nos. 4, 6 and 16</i> ', which is coincident with the outer edge of all such works (except Work No. 12), is to remove the ability to move Works past that line.
86.	Sheet 11, Work Plans (Doc 4.3.11)	Clarify if the 50m limits of deviation apply to Work No. 12 such that it could be located immediately south-east of the bund. If so, the Applicant is advised to consider if this is sufficiently precise.
87.	Sheet 11, Work Plans (Doc 4.3.11)	Explain how the EIA took account of the availability of these 50m limits of deviation (particularly odour modelling and the LVIA), and describe the implications, in turn, for the Statutory Nuisance Statement.

88.	Sheet 11, Work Plans (Doc 4.3.11)	A 'blank' area immediately east of Work No. 5 is shown as 'Future Works' without a Work No. If there will be ground levelling and preparatory works here it will need a Work No. and explicit consent through the dDCO.
89.	General	The Works Plans do not identify any specific Works relating to the decommissioning of the existing WWTP. The only references to such works in the dDCO Schedule 1 (the Authorised Development) are in the final list of side-wide works. It is unclear in several entries which relate to the existing plant and which relate to proposed new plant. It should be explained, and reasons provided, if none of the proposed decommissioning activities require development consent. Clarification is needed as to whether these activities require specific Work Nos., descriptions and Plan entries.
90.	Relation to Land Plans and BoR	CA rights are sought on the Land Plans and through the BoR to undertake decommissioning works at the existing WWTP (eg parcel 002c). It is not clear whether this interference related to decommissioning activities for which development consent is sought, or is it to clear the site to facilitate the proposed redevelopment. (It is noted that the Statement of Reasons (page xvi) states that, ' <i>The powers in the Order are being sought by the Applicant to be able to construct, operate, protect and maintain the Proposed Development without impediment.</i> ')
91.	Relation to Land Plans and BoR	The Order limits shown on the Works Plans in the vicinity of the existing WWTP are set much wider than those that would be necessary to encompass the identified Works. It is noted that the Order limits should delineate the area within which the development and works may be carried out (including any limits of deviation provided for in the draft Order), as set out in The Infrastructure Planning (Applications) Prescribed Forms and Procedure) Regulations 2009. That is, effectively, the land required for, or affected by, the authorised development. It should be clarified why CA rights are sought on the Land Plans and through the BoR to interfere with private rights across the existing WWTP (eg 005c, UK Power Networks substation, BT cables). It is not clear if this interference is to do with decommissioning activities for which development consent is sought, or to clear the site from rights to facilitate the proposed redevelopment.
92.	Schedule 1, dDCO (Doc 2.1)	Schedule 1 does not provide sufficient description of the Work to be developed at that location.

Crown Land Plans

Issue ref	Doc/ para/ section Ref	Comment
93.	Special Category and Crown Land Plans (Doc 4.5)	The dDCO doesn't specifically list any plots as Crown Land, nor is the Crown an owner in the BoR. Some documentation states that any consent for Works associated with Crown land will be pursued with TCE or the relevant Crown agent, outside the DCO process. It would be expected that the requirement for Crown Land should be known at this stage as part of due diligence. If Crown land is not required in the application, the documentation should make this clear

Statement of Reasons

Issue ref	Doc/ para/ section Ref	Comment
94.	General/ summary	<p><i>'The need for the Proposed Development: The Proposed Development is designed to accommodate a growing population. It offers the opportunity for a joined-up solution for treating waste water from Cambridge and Greater Cambridge, including Waterbeach. The proposal is for both waste water from the existing Waterbeach waste water treatment plant and future flows from Waterbeach New Town, which proposes 11,000 new dwellings, to be treated at the proposed Cambridge waste water treatment plant.'</i></p> <p>The application does not consider whether an upgraded plant on the existing site could address waste water treatment needs. The Applicant is advised to consider whether this potential alternative approach should be considered in the application and EIA.</p>

95.	Map on page xv, Statement of Reasons (Doc 3.1)	The PD 'overlay' appears to have an oblique perspective laid onto a plan view map. If so, the scale bar will be inaccurate.
96.	Para 2 on page xvi, Statement of Reasons (Doc 3.1)	References Figure 1-1. This is assumed to be the map, though it is not numbered. Nor does Figure 1-1 appear on the figure list.
97.	Page xvi, Statement of Reasons (Doc 3.1)	There is an inconsistency between the description of the powers sought here in terms of the edging of plots on the Land Plans. The description here suggests these are edged in red while the plots on the Land Plans seem to be edged in blue. This should be clarified within the application documents.
98.	Table 13-1, Statement of Reasons (Doc 3.1)	Clarify why those plots shown on the Land Plans as being subject to interference with private rights only (coloured yellow) are shown as 'N/A' on Table 13-1, the list of land parcel numbers, type of acquisitions, Work Numbers and descriptor.

Consultation Report		
Issue ref	Doc/ para/ section Ref	Comment
99.	Appendices 6.1.1 to 6.1.16, Consultation Report (Doc 6.1)	On page 275 (Consultee Consulted under Section 42 of the Planning Act 2008), it seems that Application Document Reference should be "6.1.5" instead of "6.1.4".

Documents, appendices, figures, tables, text – missing, omitted or obscured.

Issue ref	Doc, paragraph or section	Comment
100.	Statement of Commonality (Doc 7.7)	Not available.
101.	Draft s.106 Agreement (Doc 7.9)	Not available.
102.	Statements of Common Ground (Doc 7.14)	Not available.
103.	Commitments Register (Doc 7.10)	Not available.
104.	Chapter 15, LVIA, ES (Doc 5.2)	The ES states that consultation bodies had requested specific photomontages which were set out in Appendix 5.4.15.1 - that document has not been submitted.
105.	Chapter 15, LVIA, ES (Doc 5.2)	Application documents state there are 31 viewpoints. Figure 5.3.15.6 suggests an intention to present only six photomontages in the application.
106.	Chapter 15, LVIA, ES (Doc 5.2)	<p>Chapter refers to two Application Documents (Appendices 5.4.15.1, and 5.4.15.6) that have not been supplied.</p> <p>Chapter also refers to Application Document 5.4.15.2 for summer and winter baseline photographs. This document is not supplied. Figures 5.3.15.1 to 5.3.15.7, however, would appear to contain this information. It is unclear whether this is the same information or something additional is missing.</p>

107.	Chapter 8, Biodiversity, ES (Doc 5.2)	Appendices missing: 5.4.8.3 (water vole report). 5.4.8.5 (reptile report). 5.4.8.6 (terrestrial invertebrates). 5.4.8.7 (bat report). 5.4.8.9 (otter report).
108.	Chapter 8, Biodiversity, ES (Doc 5.2)	Missing figures: ES Figure 5.3.8.4 Veteran Oak Trees ES Figure 5.3.8.5 Phase 1 Habitat Map. ES Figure 5.3.8.13 Hedgerows ES Chapter 8 figure 5.3.8.1, and figures 5.3.8.6 to 5.3.8.12 are not mentioned, so unclear if these should also have been supplied.
109.	Appendix 5.4.13.5 (Doc 5.4)	Appendix titled 'Geophysical and trial trenching surveys' only contains a geophysical survey. It does not contain the trial trenching survey report.
110.	Commitments register (Doc 7.10)	ES Ch 5, paragraph 3.7.6 refers to the commitments register for details of the embedded design measures that have been used as primary mitigation. This document is missing but required to cross check the measures used to avoid, reduce or offset significant environmental effects.
111.	Chapter 19, Traffic and Transport (Doc 5.2.19)	Missing figure 5.3.19.2 (study area and construction access routes). Figure 5.3.19.1 is not mentioned this chapter.
112.	CEMP	No Outline or Framework CEMP provided at Acceptance, with an expectation that this will be provided and refined at the detailed design stage.
113.	Chapter 12, Health, ES (Doc 5.2.12)	Missing Figures with references 5.3.12.1 to 5.3.12.9, including health study area.

114.	Chapter 11, Community, ES (Doc 5.2.11)	Missing Figures 5.3.11.1 to 5.3.11.11.
115.	Chapter 16, Materials, ES (Doc 5.2.16)	Missing Figure 5.3.16.2.
116.	Chapter 6, Agricultural Land and Soils (Doc 5.2.6)	The primary and tertiary mitigation measures section is missing from the chapter. Text is missing from 2.8.6 and the next two pages (29 and 30) are blank. Table 2-14 is referenced in the contents but does not appear in the Chapter. Text is also missing from 5.2.0.
117.	Volume 4, Chapter 20, Appendix Storm model report (Doc 5.4.20.10)	The storm model report, Chapter 20 appendix, is available but unclear why this has been submitted as a confidential document.
118.	General	Other documents contain missing information, some of which is detailed in the tables above. It is recommended to review all documents.