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Borough Council of  
**King's Lynn &  
West Norfolk**



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The Planning Inspectorate  
Major Casework Directorate  
Temple Quay House  
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**FAO Karen Wilkinson**  
**EIA and Land Rights Advisor**

20 February 2020

Dear Ms Wilkinson

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application for MVV Environment Ltd (the Applicant) for an Order granting Development Consent for the Medworth Energy from Waste Combined Heat and Power Facility**

### **Scoping Consultation**

I refer to your letter dated 5 December 2019 regarding the above. The Planning Inspectorate has issued its Scoping Response in accordance with the statutory time limits. However, I understand that the Borough Council's comments will be forwarded to the Applicant for information. The comments made are a combined response between Planning and Environmental Health and relate to the project as a whole rather than the specific aspects of the grid connection that is located within the administrative boundary of the Borough Council.

### **Chapter 5 - Traffic and Transport**

With regard to Traffic and Transport, we agree with the Inspectorate's comments that the developer should consider an alternative route to the site from the South along New Bridge Lane, instead of the proposed route along Elm High Road. The air quality implications of this new access route should be included within the EIA. Furthermore, we agree that more detail is required with regard to the number, type and timings of vehicle movements accessing the site during both the construction and operational phases.

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*Chief Executive – Lorraine Gore*

## **Chapter 6 – Noise and vibration**

With regard to Noise and Vibration we note and agree with Fenland District Council's Chapter 6 of their scoping consultation. Whilst KLWNBC is not the immediate Local Authority some works in relation to this application will be undertaken in KLWNBC district.

It is noted in the Planning Inspectorates comments 2.2.4, 2.2.5 & 2.2.6 that the grid connection and its route is yet to be determined as authorised development in the DCO. The grid connection aspect of the development needs to have sufficient detail within the ES, such as proposed routes of pipes, lines and cables, any ancillary substations and the likely noise sensitive receptors to be affected by these works both in construction phases and once works are completed. Once the routes are determined and finalised then noise sensitive receptors can be identified and monitored accordingly. Mitigation methods to reduce and control noise and vibration at receptors throughout all phases of development should be identified in a construction and operational management plan.

## **Chapter 7 - Air Quality**

The EIA Scoping Report contains a section on air quality, detailing the relevant legislation, pollutant objectives, data sources, receptors and methodology.

We agree with the Inspectorate's comments regarding Air Quality Management Areas (AQMAs) in Wisbech. There are two AQMAs within Kings Lynn, where the level of nitrogen dioxide (NO<sub>2</sub>) has exceeded the National Air Quality Strategy annual mean of 40 µg/m<sup>3</sup>. The study area for the EIA is detailed within section 7.3 of the scoping report. This states that, in line with the Environment Agency's Air emissions risk assessment for your environmental permit guidance, the study area will include an area encompassing 15km from the location of the chimney emissions and up to 350m from the boundary of any construction activity (including grid connection) in accordance with the IAQM's Guidance on the assessment of dust from demolition and construction.

As the King's Lynn AQMAs are outside the study area, and the relevant roads included within the AQMAs have not been identified as receptors for the proposed development, they have not been included in the assessment of impacts. This we agree with. However, we require an explanation of why they have not been included within the Scoping Report.

Furthermore, we welcome the Inspectorate's comments regarding the impact of construction on air quality and the uncertainty relating to this, and the satisfactory nature of the operational odour management plan proposed within the Scoping Report.

Section 7.5 and Figure 7.1 of the scoping report detail the receptors which could be significantly affected by the proposed development. We note that land and farm workers have not been identified as potential receptors for the proposed development, and that the receptor locations need to be agreed. We suggest a Human Health Risk Assessment (HHRA) is carried out to assess the potential impact of the proposed development on these additional receptors.

## **Chapter 8 – Landscape and visual**

A large scale solar farm, Rose and Crown Solar Farm, is within the grid connection corridor and is in close proximity to identified Listed Buildings. The identified viewpoints are scant within the grid connection corridor and 3km Study Area within West Norfolk. It is suggested, in accordance with Norfolk County Council's comments, that further viewpoints

are required to assess the impact of both the main building and grid connection infrastructure.

## **Chapter 10 – Biodiversity**

Please note Policy DM19 of the SADMPP 2016 relating to Green Infrastructure/Habitats Monitoring and Mitigation.

## **Chapter 11 - Hydrology**

The Borough Council has an adopted SFRA Level 1 and 2 available: [https://www.west-norfolk.gov.uk/info/20173/information\\_for\\_planning\\_agents/391/flood\\_risk\\_assessment](https://www.west-norfolk.gov.uk/info/20173/information_for_planning_agents/391/flood_risk_assessment) which is not cited within Table 11.1. All sources of flooding should be considered in accordance with the adopted SFRA, NPPF and relevant NPPG.

## **Chapter 13 - Climate Change**

With regard to Climate Change, we agree with the general approach outlined within the Scoping Report. However we anticipate recovery status will be brought up during the planning process; will the applicant be addressing this? Additionally we welcome the Inspectorate's comment that the ES should assess the potential impact of waste transportation on climate change.

## **Chapter 12 - Contaminated Land**

Chapter 12 of the Scoping Report describes a review of documentary baseline information on ground conditions and refers to relevant policy and guidance. The review describes the site's previous uses and highlights the presence of fuel storage and made ground currently on site. A description of geology, hydrogeology and hydrology are provided. It is noted that it is proposed to confirm the desk study findings through review of additional data sources, site investigation (where required) and consultation with the relevant stakeholders. A number of sensitive receptors are identified in the scoping report and we consider that a reasonable methodology is proposed to manage any potential risks.

I trust the aforementioned information and will be taken into account by the Applicant.

Yours sincerely



Stuart Ashworth  
Assistant Director – Environment & Planning

