

Medworth Energy from Waste Combined Heat and Power Facility



PINS ref. EN010110
Document Reference: Vol 6.2
Revision 1.0
June 2022

Environmental Statement Chapter 4: Approach to the EIA

Regulation reference: The Infrastructure
Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009
Regulation 5(2)(a)

**We inspire
with energy.**



Contents

4.	Approach to the EIA	4-2
4.1	Introduction	4-2
4.2	The EIA Process	4-2
4.4	EIA Scoping	4-4
4.5	Consultation and Stakeholder engagement	4-7
4.6	Design parameters and Limits of Deviation	4-7
4.7	Assessment Scope	4-8
	Identification of baseline conditions	4-8
	Spatial Scope	4-8
	Temporal Scope	4-9
4.8	Approach to environmental measures	4-9
	Embedded environmental measures	4-9
	Monitoring measures	4-10
	Securing mitigation and monitoring measures	4-10
	Types of effects	4-11
	Significance evaluation	4-12
4.10	Additional mitigation and residual effects	4-14
4.12	Other Assessments, Consents and Licences	4-16
4.13	Conclusion	4-17

	Table 4.1 Significance evaluation matrix	4-14
	Table 4.2 Summary of consents and licences	4-16

	Graphic 4.1 The EIA Process	4-3
	Graphic 4.2 Types of embedded environmental mitigation measures	4-10



4. Approach to the EIA

4.1 Introduction

4.1.1 Environmental Impact Assessment (EIA) is a process for identifying the likely significant environmental effects (positive and negative) of a Proposed Development to inform the decision-making process when considering an application for development consent.

4.1.2 As a process the preparation of the EIA comprises a number of stages which include scoping and the provision of preliminary environmental information in the form of Preliminary Environmental Information Report (PEIR). The EIA process culminates in the provision of an Environmental Statement (ES) written in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). The ES accompanies the DCO application, and the information contained within it helps inform the determination of the DCO application for the Proposed Development. The ES provides the final assessment of the likely significant effects associated with the Proposed Development during its construction, operation and decommissioning.

4.1.3 This chapter sets out the approach to the EIA for the Proposed Development. This represents the approach upon which the environmental topic chapters (**Chapters 6 to 18 (Volume 6.2)**) - see the full list at paragraph 4.4.7) are based and remains consistent with the approach used in the PEIR whose purpose was to support consultation being undertaken under Sections 42 and 47 of the Planning Act 2008. This informed the evolution of the Proposed Development that is the subject of the DCO application.

4.1.4 The environmental topic assessments (**Chapters 6 to 18 (Volume 6.2)**) have been carried out using the general approach and processes set out in this chapter. Where required, specific topics have refined the approach set out in this chapter in order to properly address particular requirements in a suitable manner. Any changes to the general approach are set out in the appropriate environmental topic chapter (**Chapters 6 to 18 (Volume 6.2)**).

4.1.5 Terms and abbreviations used within this chapter are defined in **Appendix 1F: Terms and Abbreviations (Volume 6.4)**.

4.2 The EIA Process

4.2.1 The EIA Regulations set out the procedures to be followed in relation to EIAs undertaken for NSIPs in England and Wales. The environmental information for a DCO is reported formally in two stages i.e., the PEIR (to inform the pre-application consultation with the public and other Stakeholders) and the ES (to accompany the DCO Application).

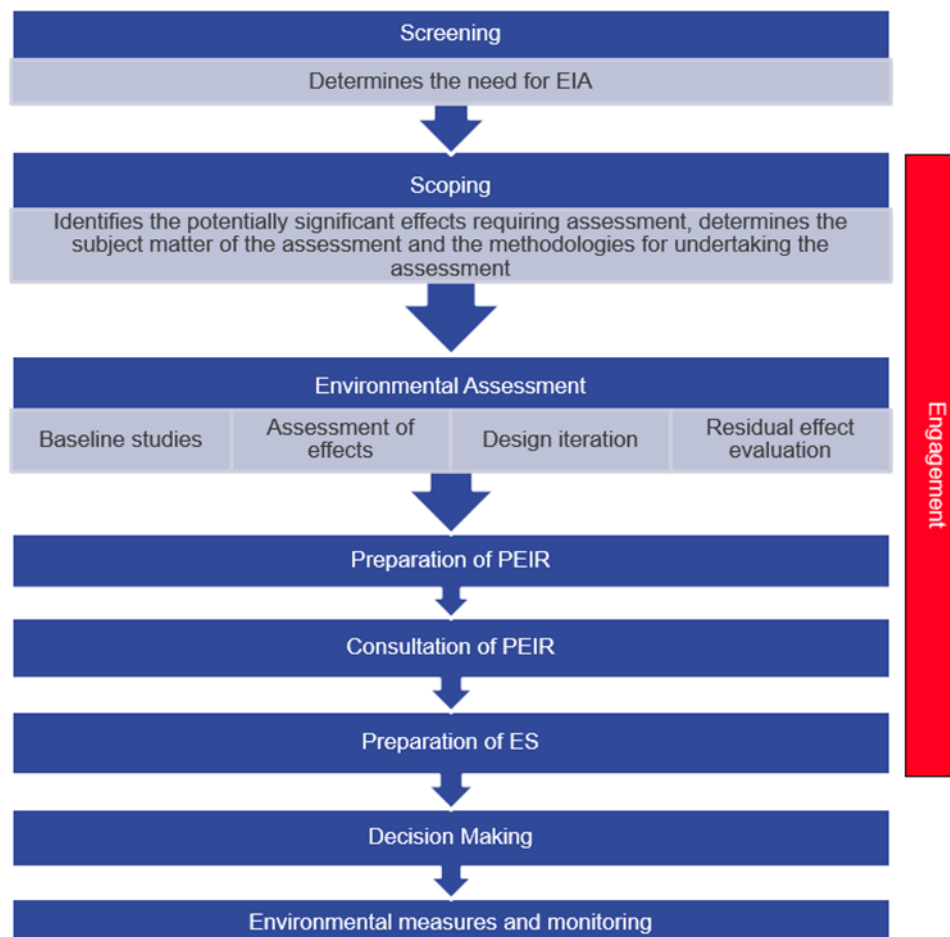
4.2.2 It should be noted that, more broadly, there are several key components to the EIA which ultimately lead to the finalisation of the ES, to include:



- Ongoing project design and the development of a scheme throughout the EIA process. This includes taking account of feedback from consultation and Stakeholder engagement;
- Scoping and consultation, to include taking account of related responses;
- Technical environmental impact assessments to include baseline studies and identification of potential significant environmental effects;
- Preparation of and consultation on the PEIR, to include taking account of related responses; and
- Preparation and submission of the ES to accompany the DCO application.

4.2.3 This process is summarised in more detail in **Graphic 4.1 The EIA Process below**. The remainder of this chapter provides further detail around the key stages in this process.

Graphic 4.1 The EIA Process



4.2.4 The EIA focuses on aspects and matters where a likely significant effect may occur. This approach ensures that the EIA process is proportionate and focuses effort in those areas where significant effects are likely.

4.2.5 Regulation 14 of the EIA Regulations requires that an application for an order granting development consent for EIA development must be accompanied by an



ES. Regulation 14(2) sets out the information to be included in such a statement which is expanded upon in Schedule 4. **Table 1.2 Schedule 4 requirements** in **Chapter 1: Introduction (Volume 6.2)** signposts to where the information is provided in the ES pursuant to Regulation 14 and Schedule 4 of the EIA Regulations.

4.3 Technical Guidance

4.3.1 The approach to the EIA has been informed by the following sources of guidance:

- IEMA Environmental Impact Assessment Guide to Delivering Quality Development¹;
- DLUHC and MHCLG EIA Planning Practice Guidance;²
- Planning Inspectorate Advice Note 3: EIA Notification and Consultation;³
- Planning Inspectorate Advice Note 7: EIA: Process, Preliminary Environmental Information and Environmental Statements;⁴
- Planning Inspectorate Advice Note 9: Rochdale Envelope;⁵
- Planning Inspectorate Advice Note 11: Working with Public Bodies in the Infrastructure Planning Process;⁶ and
- PINS Advice Note 17: Cumulative Effects Assessment⁷.

4.3.2 These guidance documents are referenced within this Chapter and throughout the PEIR where relevant.

4.4 EIA Scoping

4.4.1 In accordance with good practice, a Scoping Report was prepared for the Proposed Development in accordance with Regulation 10 of the EIA Regulations to identify:

- The people and environmental resources (collectively known as 'Receptors') that could be significantly affected by the Proposed Development; and
- The work required to take forward the assessment of these potential likely significant effects.

4.4.2 Of these effects, those that were identified as being likely to be significant were proposed for further assessment in the EIA. This reflects the requirement of the EIA Regulations for the ES to only discuss in depth those effects that are likely to be

¹ IEMA (undated). Environmental Impact Assessment Guide to: Delivery Quality Development.

² DLUHC and MHCLG Guidance Environmental Impact Assessment (website).

³ The Planning Inspectorate (2017). Advice Note 3: EIA consultation and notification

⁴ The Planning Inspectorate (2020). Advice Note 7: EIA: Process, Preliminary Environmental Information and Environmental Statements.

⁵ The Planning Inspectorate (2018). Advice Note 9: Rochdale Envelope.

⁶ The Planning Inspectorate (2017). Advice Note 11: Working with Public Bodies in the Infrastructure Planning Process.

⁷ The Planning Inspectorate (2015). Advice Note 17: Cumulative effects assessment relevant to nationally significant infrastructure projects.



significant. The preparation of the Scoping Report was also informed by information about the legislative and policy context to the scheme.

4.4.3 The Scoping Report was issued to the Planning Inspectorate, acting on behalf of the Secretary of State (SoS), on 3 December 2019 together with a request for a scoping opinion under the EIA Regulations. Under these Regulations the SoS is required to consult with the ‘*consultation bodies*’ (as defined in the EIA Regulations). The Planning Inspectorate, on behalf of the SoS, issued a formal Scoping Opinion on 13 January 2020 (**Appendix 1D EIA Scoping Opinion (Volume 6.4)**). A late Scoping consultation response was also received (**Appendix 1E Late Scoping Consultation Response (Volume 6.4)**).

4.4.4 The Scoping Opinion and the responses from the consultation bodies have informed the assessment work and further design evolution on the Proposed Development. Responses from the Applicant to the Scoping Opinion comments, detailing how they have been addressed within this ES are provided within each of the topic environmental chapters where relevant.

4.4.5 Details of ongoing technical engagement with consultees on topic specific matters and responses in respect of comments received on the PEIR are also set out in each of the environmental topic chapters (**Chapters 6 to 18 (Volume 6.2)**).

4.4.6 Regulation 14(3)(a) of the EIA Regulations requires an ES to “be based on the most recent scoping opinion or direction issued (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion or direction)”. The iterative assessment process and Stakeholder engagement has resulted in changes to the scope of the assessment and the methods of assessment from that which was provided for in the Scoping Report/Scoping Opinion. Where options have been developed, these have also been consulted upon either at non-statutory or statutory consultation. Any subsequent changes in response to consultation feedback from the relevant Stakeholders are set out in the relevant ES chapters.

4.4.7 In view of the Scoping Opinion, this ES includes assessments for the following environmental topics:

- **Chapter 6** – Traffic and Transport;
- **Chapter 7** – Noise and Vibration;
- **Chapter 8** - Air Quality;
- **Chapter 9** - Landscape and Visual;
- **Chapter 10** – Historic Environment;
- **Chapter 11** - Biodiversity;
- **Chapter 12** - Hydrology;
- **Chapter 13** – Geology, Hydrogeology and Contaminated Land;
- **Chapter 14** – Climate;
- **Chapter 15** - Socio-economics, Tourism, Recreation and Climate Change;



- **Chapter 16** – Health;
- **Chapter 17** - Major Accidents and Disasters;
- **Chapter 18** – Cumulative Effects Assessment; and
- **Chapter 19** - Schedule of Mitigation and Monitoring.

4.4.8 The Scoping Opinion requested that the assessment should consider health under the topic of Major Accidents and/or Disasters (**Appendix 1D: Scoping Opinion** paragraph 3.3.15 (**Volume 6.4**)). Subsequent consultation with the host authorities and with Public Health England concluded with agreement that Health should be the topic of a specific chapter. Details of the consultation undertaken on this matter and subsequent to the Scoping Opinion are provided in **Chapter 16: Health, Appendix 16A (Volume 6.4)**.

4.4.9 The Scoping Opinion also requested that the ES should assess the likely significant effects resulting from the introduction of pests and set out any measures that would be used to manage such pests (paragraph 3.3.5) and also reference consideration of residues and emissions (paragraphs 3.3.11 and 3.3.12) residues are addressed in **Chapter 3 Description of the Proposed Development (Volume 6.2)** and with emissions in **Chapter 7: Noise, Chapter 8: Air Quality, Chapter 12: Hydrology and Chapter 13: Geology, Hydrogeology and Contaminated Land (all Volume 6.2)** whilst **Chapter 16: Health (Volume 6.2)** considers the scope for likely significant effects arising from electro-magnetic fields. Pests are addressed in **Chapter 3: Description of the Proposed Development, Section 3.7 (Volume 6.2)**.

4.4.10 All the topic assessments presented in the ES have been undertaken based on a common understanding of the nature of the Proposed Development, as described in **Chapter 3: Description of the Proposed Development (Volume 6.2)**.

4.4.11 With a few exceptions, each environmental topic chapter follows a common format, as outlined below:

1. Introduction;
2. Consultation and Stakeholder engagement;
3. Relevant legislation, planning policy and technical guidance;
4. Data gathering methodology;
5. Baseline;
6. Scope of the assessment;
7. Embedded environmental measures;
8. Assessment methodology;
9. Preliminary Assessment of effects;
10. Consideration of optional additional mitigation; and
11. Implementation of environmental measures.



4.4.12 The exceptions to this structure are where only a limited amount of assessment work was necessary to demonstrate that effects would not be significant (i.e., all effects under a particular topic are 'scoped-out'). This is relevant to **Chapter 17: Major Accidents and Disasters (Volume 6.2)**. **Chapter 18: Cumulative Effects Assessment (Volume 6.2)** also follows an alternative structure in that it uses the individual topic chapter conclusions to provide an assessment of inter-related effects. On the matter of inter-project effects, it identifies a short list of projects consistent with the methodology established by PINS in Advice Note 17 and an assessment of effects.

4.5 Consultation and Stakeholder engagement

4.5.1 The approach to the EIA has been, and continues to be, informed by public consultation and Stakeholder engagement. This has been ongoing throughout the pre-application phase of the DCO application.

4.5.2 Each environmental topic chapter (**Chapters 6 to 18 (Volume 6.2)**) includes a 'Consultation and Stakeholder engagement' section which provides a record of all relevant comments received in relation to that topic from:

- The EIA Scoping Opinion;
- Consultation reports from stage 1a and 1b of the non-statutory consultation, an explanation of which can be found within the **Consultation Report (Volume 5.1)** which accompanies the application;
- The Consultation Report prepared following statutory consultation; and
- Ongoing technical engagement with prescribed consultees, including the host local planning authorities.

4.5.3 Relevant to the approach to the EIA, PEIR Chapter 4 set out the methodology and structure followed by the PEIR, and subsequently, to be followed by the ES. As a result of statutory consultation on the PEIR, only one comment specific to the chapter was received from the host authorities which was from Cambridgeshire County Council. This comment stated that the Council considered the level of information presented within the PEIR to be appropriate to enable consultees to develop an informed view of the likely environmental effects. It noted also that the EIA approach has encompassed public, Stakeholder and consultee engagement and had been adapted during the Covid-19 pandemic to ensure maximum engagement with the process.

4.5.4 As a result of statutory consultation no significant amendments to the approach to the EIA have been made.

4.6 Design parameters and Limits of Deviation

4.6.1 In order to establish the scope of environmental assessment, the ES adopts what is termed a 'Rochdale Envelope' or parameter-based design envelope approach. This ensures a robust assessment of the likely significant environmental effects of the Proposed Development. PINS has produced Advice Note 9: Using the Rochdale



Envelope⁸ which outlines the approach that can be taken, in accordance with the requirements of the EIA Regulations, where certain details of the Proposed Development have not yet been confirmed when an application is submitted. Essentially this entails assessing the maximum (and minimum, where relevant) parameters for the elements where flexibility is required to be maintained. The relevant technical chapters of the ES set out where this has been applied.

- 4.6.2 A parameter-based design envelope approach means that the assessment would consider a maximum design scenario (a reasonable worst-case scenario) whilst allowing the flexibility to make improvements to the Proposed Development in the future in ways that cannot be predicted at the time of submission of the DCO Application. The drafting of the DCO ensures that the development permitted would not extend beyond the clearly defined parameters assessed in the ES. The design parameters and limits of deviation (LoD) applied to the Proposed Development are set out in **Chapter 3: Description of the Proposed Development (Volume 6.2)**.

4.7 Assessment Scope

Identification of baseline conditions

- 4.7.1 Determining the existing environmental conditions is an important part of the EIA process. This is established through desk-based studies and/or surveys of the relevant Study Area for each environmental topic/Receptor and provides a 'baseline' against which changes, potentially caused by the Proposed Development, can be compared. The timescales over which the baseline studies have been undertaken to inform the ES are identified within the relevant environmental topic chapters. The baseline environment encompasses the entire Order limits and wider Study Areas. The scope of the baseline environment and Study Areas relevant to the environmental topics is also within the environmental topic chapters (**Chapters 6 to 18 (Volume 6.2)**).
- 4.7.2 Each topic chapter also provides a description of the 'future baseline', which considers whether in the absence of the Proposed Development, there is likely to be a change in the baseline conditions (relating to particular aspects or Receptors), over the lifetime of the Proposed Development. For some aspects such as transport, there may be traffic growth based on regional or national trends, and this would normally be applied consistently across all road transport-related Receptors. However, for other aspects, it is possible that a specific part of a Study Area is predicted to change, by virtue of other potential developments being likely to take place and introducing new future Receptors.
- 4.7.3 Detailed methodologies for baseline data gathering specific to each topic assessment can be found in **Chapters 6 to 18 (Volume 6.2)**.

Spatial Scope

- 4.7.4 The geographical context within which the Proposed Development is located (the Order limits) is shown in **Figure 1.1: Site Location (Volume 6.4)**. The Order limits defined for the EIA has developed since the scoping stage as a result of the iterative

⁸ The Planning Inspectorate (2018). Advice Note 9: Rochdale Envelope.



project design process. Information on the iteration of the design of the Proposed Development is provided in **Chapter 2: Alternatives (Volume 6.2)**.

4.7.5 The spatial scope for each aspect assessment would depend on the nature of the potential effects and the location of Receptors that could be affected. Relevant topic-specific Study Areas (or 'Zone of Influence' (ZOI)) are described for each of the environmental topic chapters (**Chapter 6 to 18 (Volume 6.2)**). The spatial scope of the technical assessments takes account of the:

- Physical area of the Proposed Development;
- Nature of the existing baseline conditions; and
- Manner and extent to which environmental effects may occur.

4.7.6 The Study Areas adopted for each environmental topic have also taken account of comments received from key Stakeholders.

Temporal Scope

4.7.7 The temporal scope refers to the time periods over which impacts and effects may be experienced by sensitive Receptors and these may be permanent, temporary, long term or short term. The temporal scope for each topic-based assessment is defined in **Chapters 6 to 18**. The EIA has assessed effects during the construction (2023-2026) and operation (2026-2066) of the Proposed Development.

4.7.8 The environmental effects associated with the decommissioning phase are expected to be of a similar or lower level to those reported for the construction phase works, albeit with a lesser duration of one year (see **Chapter 3: Description of the Proposed Development, Section 3.11: Decommissioning**). The likely significance of effects relating to the construction phase assessment reported in the topic chapters are therefore applicable to the decommissioning phase, unless otherwise indicated in the environmental topic chapters in this ES (**Chapters 6 to 18 (Volume 6.2)**).

4.8 Approach to environmental measures

Embedded environmental measures

4.8.1 EIA is an iterative process and opportunities for embedded mitigation, referred to as 'embedded environmental measures', have been considered throughout the design process of the Proposed Development and in the assessment undertaken for the ES where likely significant effects have been identified. Where possible, these measures have been developed with input from key Stakeholders together with taking account of appropriate legislation, technical standards, policies and guidance.

4.8.2 These embedded environmental measures include both avoidance, and best practice and design commitments, which are classified into primary or tertiary measures in accordance with the IEMA 'Delivering Quality Development' definitions and set out in **Graphic 4.2 Types of embedded environmental mitigation measures**. Good practice consideration and application of environmental measures

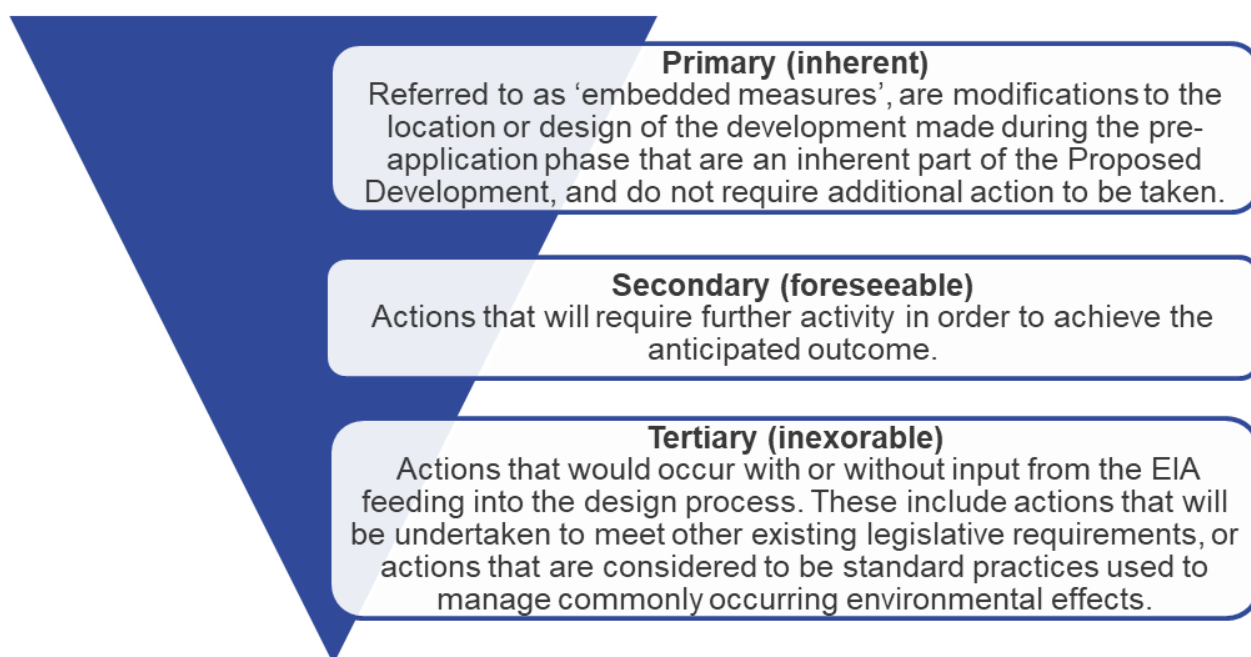


involves a hierarchal approach, considering avoidance of negative effects as the primary objective.

4.8.3

In the context of this ES, embedded environmental measures incorporate all of the types of measures as set out in **Graphic 4.2 Types of embedded environmental mitigation measures**. The iterative design evolution process followed has been driven by collaborative working between the design, environment and landowner teams, and in consultation with key Stakeholders. This may have been through the consideration and adoption of alternatives or through measures incorporated within the design itself.

Graphic 4.2 Types of embedded environmental mitigation measures



Monitoring measures

4.8.4

Monitoring measures may be required in relation to any significant negative effects on the environment caused by the Proposed Development and imposed as a DCO Requirement. Any monitoring proposed with respect to significant adverse effects is identified in the environmental topic chapters (**Chapters 6 to 18 (Volume 6.2)**).

Securing mitigation and monitoring measures

4.8.5

Chapter 19 Schedule of Mitigation and Monitoring (Volume 6.2) acts as the primary tool to capture and agree all embedded environmental mitigation measures and the mechanisms for securing them. As the intention is to implement all measures as part of the Proposed Development, the assessment of likely significant effects is based on this assumption. Implementation of the embedded environmental measures relied upon in the assessment is secured in the DCO. For example, this may be done either through the setting of LoD or specifying mitigation measures via a DCO Requirement.



4.9 Approach to assessment of significance

4.9.1 One of the requirements of an ES is to set out the conclusions that have been reached about the likely significant environmental effects that are predicted to occur as a result of the Proposed Development. Reaching a conclusion about which effects, if any, are likely to be significant is the culmination of an iterative process that involves the following stages:

- Identifying those effects that could be likely to be significant;
- Assessing the effects of the Proposed Development against the baseline (current or future, as appropriate); and
- Concluding whether these resultant effects are likely to be significant.

4.9.2 **Chapters 6 to 18 (Volume 6.2)** of the ES describe the approaches that have been used for each of the environmental topics scoped into the assessment, in relation to the stages outlined in the bullet points above. These chapters also describe how environmental changes and resulting effects for different environmental topics are assessed, together with the topic specific approaches that have been used to identify the Receptors that could be significantly affected by the Proposed Development.

Types of effects

4.9.3 Paragraph 5 of Schedule 4 to the EIA Regulations states that “The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development.”

4.9.4 A description of each category of effect is provided below, with the exception of cumulative effects which are addressed separately in **Chapter 18: Cumulative Effects Assessment (Volume 6.2)** (and which follows the methodology set out in PINS Advice Note 17).

Direct effects

4.9.5 Direct effects are those that result directly from a Proposed Development. For example, where a machine disturbs an area of habitat; the associated physical activity could result in a change to the Receptor.

Indirect and secondary effects

4.9.6 Indirect and secondary effects are those that result from consequential change caused by the Proposed Development. As such they would normally occur later in time or at locations farther away than direct effects. An example would be where water or gas pipes are damaged as a result of the development, and the consequence of that damage is fire or flood risk to other Receptors.



Transboundary effects

4.9.7 Transboundary effects are those that would affect the environment in another state within the European Economic Area (EEA). PINS have undertaken a transboundary screening exercise in accordance with Regulation 32 of the EIA Regulations at the EIA Scoping Stage. The screening exercise⁹ concluded that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in another EEA State. As such, the ES does not specifically consider transboundary effects.

Temporal effects

4.9.8 Temporal effects are typically defined as being permanent or temporary as follows:

- Permanent – these are effects that would remain even when the Proposed Development is complete, although these effects may be caused by environmental changes that are permanent or temporary. For example, an excavator that is temporarily driven over an area of valuable habitat could cause so much damage that the effect on this vegetation would be permanent.
- Temporary – these are effects that are related to environmental changes associated with a particular activity and that would cease when that activity finishes.

Significance evaluation

4.9.9 The Receptors that could be significantly affected by the Proposed Development are identified within each topic chapter. The approach adopted to determine whether the effects on these Receptors are significant is to apply a combination of professional judgement and a topic-specific significance evaluation methodology that draws on the results of the assessment work carried out.

4.9.10 In applying this approach to significance evaluation, it is necessary to ensure consistency between each environmental topic at the level at which effects are considered significant. Therefore, in general, it is inappropriate for the assessment of one topic to conclude that minor effects are significant, when, for another topic, only comparatively major effects are significant.

4.9.11 The conclusion regarding significance is arrived at using the relevant topic-specific significance evaluation methodology and professional judgement, with reference to the project description, and available information about the magnitude and other characteristics of the potential changes that are expected to be caused by the Proposed Development, Receptors' sensitivity to these changes and the effects of these changes on relevant Receptors.

4.9.12 The overall approach to significance is summarised in more detail below.

⁹ The Planning Inspectorate (2020). Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.



Evaluation matrices

- 4.9.13 Significance evaluation involves combining information about the sensitivity, importance or value of a Receptor, and the magnitude and other characteristics of the changes that affect the Receptor. The approach to using this information for significance evaluation is outlined below.

Receptor sensitivity, importance, or value

- 4.9.14 The sensitivity or value of a Receptor is largely a product of the importance of an asset, as may be informed by legislation and policy, and as qualified by professional judgement. For example, Receptors for landscape, biodiversity or the historic environment may be defined as being of international or national importance. Lower value resources may be defined as being sensitive or important at a county or district level. For each environmental topic, it is necessary to provide a detailed rationale that explains how the categories of sensitivity/importance/value have been used.
- 4.9.15 The use of a location or physical element that may be representative of Receptors, e.g., human beings, would also play a part in its classification in terms of sensitivity, importance, or value. For example, when considering effects on the amenity of a human population, a location used for recreational purposes may be valued more than a place of work.

Magnitude of change

- 4.9.16 The magnitude of change affecting a Receptor that would be affected by the Proposed Development would be identified on a scale from very low to very high. As with Receptor sensitivity and value, a rationale is provided in each topic chapter that explains how the categories of environmental change are defined. For certain topics, the magnitude of change would be related to guidance on what levels of change are acceptable (e.g., for air quality or noise), and be based on numerical parameters. For other changes, it would be a matter of professional judgement to determine the magnitude of change, using descriptive terms.

Determination of significance

- 4.9.17 The significance of effects is determined with reference to information about the nature of the development, the Receptors that could be significantly affected and their sensitivity, importance or value, together with the magnitudes of environmental change that are likely to occur.
- 4.9.18 Other than for certain environmental topics, for which significance evaluation does not involve the use of matrices, sensitivity/value and the characteristics of environmental changes can be combined using a matrix (see **Table 4.1 Significance evaluation matrix**). In addition, professional judgement is applied because, for certain environmental topics, the lines between the sensitivities or magnitudes of change may not be clearly defined and the resulting assessment conclusions may need clarifying.
- 4.9.19 Variations to this approach, which may be applicable to specific environmental topics, would be detailed in the relevant 'Significance evaluation methodology' subsection contained in each environmental topic chapter.



4.9.20 Definitions of how the categories that are used in the matrix are derived for each topic are also set out in each applicable environmental topic chapter, along with the relevant explanation and descriptions of Receptor sensitivity, magnitude of change and levels of effect that are considered significant under the EIA Regulations.

4.9.21 Within the matrix that is used in most significance evaluation exercises, reference is made to:

- Major effects (a combination of sensitivity and magnitude), which would always be determined as being significant in EIA terms. These can be beneficial or adverse.
- Moderate effects (a combination of sensitivity and magnitude) which could be significant, although there may be circumstances where such effects are considered not significant on the basis of professional judgement. These can be beneficial or adverse.
- Minor or negligible effects, which would always be determined as not significant whether beneficial or adverse.

Table 4.1 Significance evaluation matrix

		Magnitude of change				
		Very high	High	Medium	Low	Very low
Sensitivity/importance/value	Very high	Major (Significant)	Major (Significant)	Major (Significant)	Major (Significant)	Moderate (Probably significant)
	High	Major (Significant)	Major (Significant)	Major (Significant)	Moderate (Probably significant)	Minor (Not significant)
	Medium	Major (Significant)	Major (Significant)	Moderate (Probably significant)	Minor (Not significant)	Negligible (Not significant)
	Low	Major (Significant)	Moderate (Probably significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)
	Very Low	Moderate (Probably significant)	Minor (Not significant)	Negligible (Not significant)	Negligible (Not significant)	Negligible (Not significant)

4.10 Additional mitigation and residual effects

4.10.1 With environmental measures being embedded within the development, there is often no need to include additional mitigation measures within a project such that significant effects have not been identified. However, for Receptors where significant effects have been concluded additional mitigation may be appropriate. In such instances these additional measures are identified and an assessment of the residual effects, with this mitigation in place, is undertaken.



4.11 Assessment limitations

4.11.1 Overarching limitations of the assessment at this stage are outlined within this section. Each individual environmental topic chapter (**Chapters 6 to 18 (Volume 6.2)**) would describe any specific limitations that have affected the assessment, and the means to address these.

Covid-19 assessment implications

4.11.2 The restrictions imposed during the Covid-19 pandemic have had implications for the Proposed Development, in particular with regard to traditional consultation activities and conducting EIA site surveys. The Applicant and its' consultants took the following measures to achieve as much as possible during the EIA programme whilst working entirely within the Government's Covid-19 guidance.

- EIA surveys requiring land access proceeded as far as possible within appropriate seasons of the calendar year in 2019 - 2021, whilst applying social distancing measures to keep surveyors and members of the public safe.
- EIA surveys that did not require land access but relied on the baseline environment to reflect the normal situation such as noise, air quality and traffic surveys, or that had been significantly hindered in 2020 - 2021 because of the restrictions imposed by the pandemic, were planned for a time when survey results would reflect a more normal pattern (and agreed with relevant statutory consultees, including Host Authorities (HA)). Any limitations as a result of the Covid-19 pandemic are set out in **Chapters 6 to 17 (Volume 6.2)**.
- In accordance with the PINS Advice Note 7, the Applicant and its' consultants conducted early and ongoing targeted consultation with some Stakeholders regarding the implications of Covid-19 on the EIA process. The purpose of this engagement was to share and seek agreement on survey and assessment approaches and to obtain as much relevant environmental information as possible in advance of the PEIR publication and subsequently, the ES.
- The non-statutory consultation was planned for spring 2020 and subsequently held in two stages to take into account the impact of the Covid-19 pandemic. The planned public exhibitions were postponed in spring 2020 (Stage 1a), although feedback was collected online and an initial Consultation Feedback Report produced. The Non-Statutory consultation was then continued (Stage 1b) in autumn 2020, when Covid-secure public exhibitions could be arranged. Precautions were taken to ensure that these were legal and safe, with social distancing measures, masks, hand sanitiser and a booking system in place. Recognising that some people would still be reluctant to visit public exhibitions, the consultation (featuring public exhibitions) was also accompanied by a virtual consultation platform to ensure Stakeholders and the general public had access to information in order to provide comments. The Consultation feedback report Stage 1b was published with the PEIR for statutory consultation.
- Statutory consultation was undertaken from 28 June to 13 August 2021 employing precautions in line with those adopted at Non-Statutory Consultation Stage 1b and including a virtual consultation platform. **The Consultation Report (Volume 5.1)** accompanies the DCO application submission.



4.12 Other Assessments, Consents and Licences

Assessments

4.12.1 In addition to the EIA, the DCO application also includes the following assessments:

- Habitat Regulations Assessment (HRA) No Significant Effects Report (NSER) (**Volume 5.3**); and
- Waste Fuel Availability Assessment (**Volume 7.3**).

Consents and Licences

4.12.2 A summary of the potential consents and licences which may or would be required in addition to the DCO are set out in **Table 4.2 Summary of consents and licences** below. This list has been informed by consultation with the relevant consenting or licencing bodies and focusses upon environmental consents only. The list of consents and licences is also in **List of Other Consents and Licences (Volume 5.4)**.

Table 4.2 Summary of consents and licences

Interest feature/activity	Summary of legislative context	Consenting/Licencing body	Requirement
Environmental Permit	The operation of an Energy from Waste CHP Facility requires an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016 (SI 2016 No 1154).	Environment Agency	A draft Environmental Permit application is currently under preparation and is expected to be submitted to the Environmental Agency shortly after the DCO Application is accepted for examination by PINS.



Interest feature/activity	Summary of legislative context	Consenting/Licensing body	Requirement
Legally protected and controlled species	Many species of animal and plant are protected by law and works that could affect any of these species require special consent. For species protected under <i>The Conservation of Habitats and Species Regulations 2017 (SI 2017 No. 1012)</i> (e.g. bats, great crested newt or otter), licences are required from Natural England for any activities that would injure or kill an animal of a protected species or damage or destroy its breeding site or resting place. For European protected species of plants a licence is required for an activity which results in cutting, uprooting or destroying a plant of that species. Under the <i>Protection of Badgers Act 1992</i> , a licence is required, from Natural England, for any activity that would disturb badgers or their setts. Works that affect species that are protected solely under the <i>Wildlife & Countryside Act 1981</i> may require a licence from Natural England. The <i>Wildlife & Countryside Act 1981</i> also includes controls over specified non-native species.	Natural England	Following completion of the environmental surveys no requirements for a protected and controlled species licence have been identified. However, given that species are mobile the requirement will be revisited following the completion of check-surveys ahead of construction.
Land drainage (ordinary watercourse)	Certain works that may affect an 'ordinary watercourse' (i.e. a watercourse which is not designated as a main river) require consent under Section 23 of the <i>Land Drainage Act 1991</i> .	Hundred of Wisbech Internal Drainage Board (IDB) and King's Lynn IDB (under the powers vested in them by Section 66 of the <i>Land Drainage Act 1991</i>).	Land Drainage Consents are required for: a) works within 9m of the edge (both sides) of Internal Drainage Board (IDB) adopted drains; b) crossing of and works within IDB drains; c) water discharge into IDB drains.

4.13 Conclusion

- 4.13.1 This chapter sets out the approach to the process of EIA including the structure and approach to assessment which is followed by the subsequent technical chapters. The approach initially developed at scoping was further developed and consulted upon at statutory consultation.

