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Date: 2 August 2022

Dear Paul Carey and Tim Marks

Planning Act 2008 (as amended) – Section 51

Application by Medworth CHP Limited for an Order Granting Development Consent for the Medworth Energy from Waste Combined Heat and Power Facility

Advice following issue of decision to accept the application for examination

On 2 August 2022 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's Acceptance Checklist and the Applicant's Application documents have been published and made available on the project page of our website;

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/medworth-energy-from-waste-combined-heat-and-power-facility/?ipcsection=docs>

In undertaking checks at the acceptance stage, the Inspectorate made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of those initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response. It should be read in conjunction with the Medworth Energy from Waste Combined Heat and Power Facility Acceptance of Application checklist (Section 55 Checklist) issued alongside it.

Consultees identified on a precautionary basis

As detailed in the Section 55 checklist there are several potentially relevant bodies which, on the basis of the information provided by the Applicant, do not appear to have been consulted at the pre-application stage. These are:

- Energy Assets Pipelines Limited;
- Indigo Power Limited;
- Leep Gas Networks Limited;

- Last Mile Electricity Limited;
- Last Mile Gas Limited;
- National Grid Electricity System Operator Limited;
- Optimal Power Networks Limited;
- Squire Energy Limited.

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the bodies listed above amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

Land Plans

Due to the nature and extent of land affected by the proposal, the **Land Plans (Doc 2.2)** include several plots of land that span more than one sheet. According to the key, each plot must be demarked by a red line. However, for plots that span more than one sheet, this red line, necessary to define the beginning and/or end of a specific plot, is not clearly visible.

Access and Rights of Way Plans

The cover sheet of the **Access and Rights of Way Plans (Doc 2.4)** contains the incorrect reference (2.5) and plots A6 and A7 are not clearly separated by a boundary.

Habitats Regulation Assessment (HRA)

The **Habitats Regulations No Significant Effects Report (NSER) (Doc 5.3)** should be updated to include a screening (and, where identified as required, further stages of appropriate assessment) for The Wash and North Norfolk Coast Special Area of Conservation (SAC).

This SAC overlaps with the footprint of The Wash Special Protection Area (SPA) and Ramsar site, however only the SPA and Ramsar are included within the **NSER**. The SPA/Ramsar and SAC have different qualifying features, and as such a screening for potential effects to the qualifying features of the SAC is required. This should include, but is not limited to, air quality (effects of nitrogen and acid deposition) and the potential for hydrological linkages. **Chapter 11** of the **Environmental Statement (Doc 6.2)** should also be updated to reflect the presence of this European Site.

The **NSER** provided at the acceptance stage has omitted **Appendix D** (Figures 2.1 Project Components, Figure 2.2 Grid Connection Corridor and Figure 3.1 Location of European Sites). Whilst these are provided in other parts of the application, the **NSER** should be updated to include these figures.

It is also noted that Figure 3.3b within **Appendix C** (Winter Bird Survey Report) of the **NSER** is incorrectly titled as being related to VP1, whereas it actually refers to VP2.

In order to enable more meaningful and relevant comments to be made on the application documents, it is suggested that any changes to the **Land Plans (Doc 2.2)** and the **Access**

and Rights of Way Plans (Doc 2.4) are provided before the commencement of the Relevant Representation period.

Please pay close attention to the advice set out in this letter and act on it accordingly. This will contribute towards a more efficient Examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

TA Williams

Tracey Williams
Case Manager

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