Adams Hendry
Planning Solutions

Medworth Energy from Waste Combined Heat and Power Facility

Representations on behalf of Wisbech Town Council

November 2022

Title

Representations on Medworth Energy from Waste Combined Heat and Power Facility

Client

Wisbech Town Council

Project Number

WTC/1800

Status

FINAL

Report Number

0001

Adams Hendry Consulting Ltd.
Sheridan House, 40 – 43 Jewry Street, Winchester, SO23 8RY
T 01962 877414
E info@adamshendry.co.uk

www.adamshendry.co.uk

Author Name: Emma Barnett Date: November 2022

Certified to ISO9001 Standard

ISO 9001 Registration Number Q10324

Registered Office: Sheridan House, 40 – 43 Jewry Street, Winchester, SO23 8RY
Registered in England No. 3804753 VAT Registration No. 807 9759 79

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1 Introduction

1.1 This representation is submitted on behalf of Wisbech Town Council in response to the Development Consent Order (DCO) application for the construction, operation and maintenance of an Energy from Waste (EfW) Combined Heat and Power (CHP) Facility on a site off Algores Way, Wisbech, Cambridgeshire. The site is currently in use as a waste and aggregate recycling facility and waste transfer station.

1.2 The facility would be capable of processing up to 625,600 tonnes of waste per annum and would have a generating capacity of over 50 MW. The proposed development would have the capability to export steam and electricity to users on the surrounding industrial estate via dedicated pipelines and private wire cables.

1.3 The EfW CHP facility site would consist of a main building that would house equipment and facilities necessary to receive and process waste. It would be up to 52m in height (above the finished flood level (FFL)), 177m in length and 102m in width. The waste bunker would sit up to 14m below FFL.

1.4 Wisbech Town Council object to the application principally on the basis that there is no need for the facility to meet residual waste requirements within the Study Area and to include such an over-provision in recovery capacity will jeopardise the achievement of recycling targets and would be contrary to emerging Government policy set out in the National Policy Statement for Renewable Energy Infrastructure (EN-3).

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2 Need for the Proposal

2.1 Both the existing and draft National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3) make it clear that an assessment of the proposed waste combustion generating station should be undertaken that examines the conformity of the scheme with the waste hierarchy and the effect of the scheme on the relevant waste plan or plans where a proposal is likely to involve more than one local authority. The applicant should also set out the extent to which the generating station and capacity proposed contributes to the recovery targets set out in relevant strategies and plans, taking into account existing capacity.

2.2 The emerging NPS makes it clear that the proposed plant must not result in over-capacity of EfW waste treatment at a national or local level (paragraph 2.10.5).

2.3 The results of the assessment of the conformity with the waste hierarchy and the effect on relevant waste plans should be presented in a separate document to accompany the application. In accordance with the requirement of the NPS, the applicant has submitted a Waste Fuel Availability Assessment (WFAA).

2.4 In defining the spatial scope of the assessment, the applicants acknowledge that prevailing planning policy requires waste to be managed as close as possible to its point of origin.

2.5 The study area suggested by the Applicants in the WFAA is based on a two-hour travel time from the centre of the proposed development. There is an acknowledgement that distances over two hours travel time become increasingly expensive for those seeking to dispose of waste and therefore the professional judgement of the Applicant's team is that it is generally commercially viable to transport non-hazardous household, industrial and commercial waste from up to approximately two hours from the proposed development. The implication being that it is generally not commercially viable to transport waste s beyond a two-hour travel time.

2.6 Despite seeking to justify the need for the EfW on the availability of residual waste within the defined catchment area, the Applicants wish to retain the flexibility to accept waste from anywhere and do not wish the proposed development to be tied to that specific catchment area. This seems at odds with the requirements in the NPS as there is no safeguards to ensure that the development will not prejudice the achievement of local or national waste management targets if there has been no assessment of the implications for those targets in the first place.

2.7 A plan showing the two-hour travel time of an HGV is included in the WFAA. Regardless of whether only a small proportion of an individual waste authority is within the two-hour travel time, the Applicant has assumed that waste from the entire waste planning authority (WPA) is within the catchment. By way of example, only a very small proportion of Essex and Hertfordshire is within the two-hour catchment (approximately 10% in area) yet the applicant has included residual waste from the entire WPA. This is particularly important as Table 4.2 demonstrates that Household, Industrial and Commercial (HIC) arisings within the study area are greatest in Essex and Hertfordshire, the vast majority of which are beyond the 2-hour catchment.

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2.8 There is no justification for including the entire WPA in the catchment as the data relied upon by the Applicant in Table 4.1 is published at individual local authority level. When the Applicant's adjustment to the travel time for defining the catchment area is applied to all of the WPAs, it significantly distorts the outcome of the assessment. The consequence of this approach is that the Applicant is reliant on waste being transported significant distances to the Medworth facility, contrary to the proximity principle.

2.9 Rather than the 693,179 tonnes of local authority collected waste included by the Applicant for Essex in Table 4.1, the figure should actually be only 97,275 tonnes (i.e. the waste collected in Uttlesford – 34,069 tonnes, and Braintree – 63,206 tones as the only two authorities partially within the two hour catchment). Bearing in mind only a very small portion of Braintree District Council is within the two-hour catchment, even this figure is likely to be a significant over estimate. The vast majority of waste generated in Essex, i.e. 86% of the quoted figure or nearly 600,000 tonnes, comes from locations beyond the two hour catchment.

2.10 A similar case applies to Hertfordshire. Only a small proportion of East Hertfordshire and North Hertfordshire lie within the two-hour catchment. The waste generated in these areas is only 105,851 (57,077 tonnes from East Herts and 48,774 from North Herts) or 21% of the figure quoted by the Applicant of 509,762 tonnes. Over 400,000 tonnes of the figure for Hertfordshire are generated by authorities beyond the two hour catchment.

2.11 If waste generated in Luton, Milton Keynes and Leicester City is also excluded from the WFAA on the basis that they are outside the two-hour catchment, the total amount of available waste would fall by a further 357,195 tonnes.

2.12 By applying the Applicants own two-hour drive time to the data for these five authorities alone, the total local authority collected waste would be reduced by nearly 1.4 million tonnes.

2.13 Not only has the Applicant included waste from areas outside the two-hour catchment, but it also then seeks to expand the waste catchment further by including all authorities within the former East of England planning region on the basis that waste data is generally presented on a regional basis. Milton Keynes, Thurrock and Southend are therefore also included in the waste catchment area despite them lying entirely outside the two-hour drivetime catchment. Luton is also outside the travel time catchment, but this is not acknowledged by the Applicant.

2.14 Despite seeking to justify the use of the former East of England regional planning region as the basis of the catchment, the Applicant then seeks to add additional authorities from the former East Midlands regional planning region on the basis that the two-hour travel catchment covers these authorities. Leicester City is included despite it appearing to be outside the two-hour travel time.

2.15 If it is possible to disaggregate waste data to WPA level to enable authorities outside the East of England to be included, it is also possible to exclude those authorities from within the East of England that do not fall within the two-hour catchment.

2.16 The application of the methodology underpinning the catchment area has been manipulated to such an extent that the outputs are seriously distorted and cannot be relied upon.

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2.17 If professional judgement is that it is not commercially viable to transport waste more than two hours from the proposed development, then the waste catchment should be defined on this basis.

2.18 The Applicant suggests that at 2019 there was a total of approximately 17.9 million tonnes of HIC arisings within the Study Area (Table 4.2 of WFAA). If waste generated within Essex, Hertfordshire, Luton, Milton Keynes and Leicester is excluded from this calculation as being either entirely out of the catchment area (Luton, Milton Keynes and Leicester) or almost entirely out of the catchment area (Essex and Hertfordshire), this figure falls to only 7.65 million tonnes. Even this figure is likely to be an over estimate as it assumes all of the waste within the remaining WPA is available, even though a significant proportion would be outside the two-hour catchment.

2.19 In terms of the waste currently disposed to landfill (Table 4.3 of WFAA), Essex accounts for a significant proportion (28% for the total for the East of England). As set out above, the vast majority of Essex is out of catchment.

2.20 If waste disposed to non-hazardous landfill is excluded from the aforementioned authorities on the basis that they are out of catchment, the total amount landfilled falls from 2.4 million to 1 million tonnes. If exports of RDF from the Study Area are calculated on the same basis, they are likely to amount to only 72,000 tonnes rather than the 102,000 tonnes quoted by the Applicant.

2.21 These figures very clearly demonstrate that the Applicant is relying on a significant proportion of waste generated in areas beyond the two hour travel time, in the case of much of Essex, significantly so.

2.22 The Applicant is relying on data from 2019 in their calculation of available waste. This does not take into account the effect of the opening of the Rookery South Energy Recovery Facility near Bedford in early 2022 (on the edge of the two hour catchment area). With the ability to manage over 545,000 tonnes of residual waste, this will have a significant bearing on waste movements within the catchment. As the waste catchment area of the proposed facility will significantly overlap with the catchment for Rookery South (only Lincolnshire and Norfolk would be outside the catchment for Rookery South), the amount of residual waste available to the proposed Medworth facility will be significantly reduced. It is highly unlikely that any residual waste from Bedford, Central Bedfordshire (and Luton – although this has previously been discounted from the assessment of available waste as it is out of catchment) would be available.

2.23 The Environment Act 2021 amends the Environmental Protection Act 1990 by requiring separate collection of recyclable/compostable materials from households and businesses. This builds on the Circular Economy Package (CEP) which was published in August 2020, and which introduces a revised legislative framework. This package:

- identifies steps for waste reduction, to ensure better compliance with the waste hierarchy
- establishes a long-term path for waste management and recycling, with 2035 targets across the UK of at least 65% municipal recycling and below 10% municipal waste sent to landfill
- bans separately collected plastic, metal, glass and paper from being landfilled unless it has gone through treatment and is the best environmental outcome.

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2.24 The WFAA does not include any information on the recycling rate of WPAs within the catchment area. Without this information, it is not possible to consider the effect of increasing the rate of recycling to 65% required by the Environment Act 2021. In 2019/20, municipal recycling rates in the East of England region stood at 48.6% and those in the East Midlands region were at 44.2%. To reach 65% would require an additional 16.4% and 20.8% of municipal waste to be recycled in the East of England and East Midlands respectively.

2.25 Notwithstanding the fact that the Applicant has significantly over-estimated the amount of residual waste within the catchment, no consideration has been given to how much of this waste is genuinely available to the proposed facility taking into account existing waste management contracts.

2.26 It is noted that Veolia is contracted to supply the majority of waste to Rookery South ERF and is currently delivering waste through municipal waste contracts with Bedford Borough, Central Bedfordshire, Norfolk and Hertfordshire. When the LACW from these authorities is removed from the supply, this reduces the amount of available to the proposed facility by over 725,000 tonnes. Veolia also delivers non-hazardous commercial and industrial waste to the facility, mainly from within an 80 mile radius.

2.27 As set out in Table 1 below, by only considering available residual waste within the two-hour catchment, and excluding waste under contract to Rookery South, the total amount of Local Authority Collected Waste (LACW) available falls to only 2,067,377 tonnes,

Table 1: Revised Availability of Total LACW within catchment

Applicant's Assessment of Total LACW (Table 4.1)	**4,043,849**
Less waste outside catchment from Essex (only Uttlesford and Braintree are even partially in the catchment – 14% of total waste (97,045)	-596,131
Less waste outside catchment from Hertfordshire (only E Herts and N Herts are even partially in the catchment – 21% of LACW i.e. 21% of total waste (107,050)	-402,712
Less waste from Luton, Milton Keynes and Leicester City as out of catchment	-357,195
Less waste from Bedford, and Central Bedfordshire, Hertfordshire (within catchment) and Norfolk due to municipal waste contracts at Rookery South ERF which opened in 2022	-725,734
Revised Assessment of Total LACW	**2,461,163**
Less 16% due to increase in recycling target to 65%	-393,786
Availability of Total LACW within catchment	**2,067,377**

Table 2: Revised Availability of HIC arsings within catchment

Applicant's Assessment of HIC arisings (Table 4.2)	**17,933,855**
Less waste outside catchment from Essex – assume same proportion of LACW i.e. 14% of total (529,586t)	-3,253,168
Less waste outside catchment from Hertfordshire (only E Herts and N Herts are even partially in the catchment – 21% of LACW i.e. 21% of total waste (596,832t)	-2,245,225
Less waste from Luton, Milton Keynes and Leicester City as out of catchment	-4,780,392

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Less waste from Bedford, Central Bedfordshire and WPA not codeable (Bedfordshire) and Hertfordshire (within catchment) due to opening of Rookery South	-1,117,570
Revised Assessment of Total HIC arisings	**6,537,500**

2.28 When the waste catchment is applied according to the two hour travel time and waste is removed from WPAs with a contract to supply the Rookery South ERF, the availability of waste falls from nearly 18 million tonnes to less than 6.6 million tonnes (see Table 2 above). Improvements in levels of recycling to meet the 65% target will reduce this figure further.

2.29 Whilst it is accepted that the total HIC waste arising in Essex and Hertfordshire is an estimate based on an assumption that the proportion of HIC waste within catchment will be the same as that for LACW, it is likely to be a more accurate reflection of available waste than that presented by the Applicant.

Waste Planning Authority Waste Requirements

2.30 The Applicant has sought to forecast future residual waste requirements through an assessment of the Waste Local Plan evidence base. It is noted that the Applicants state that they have paid particular attention to any anticipated shortfalls in future requirements but have excluded any over provision when calculating the total requirement.

2.31 In respect of the Bedfordshire and Luton Minerals and Waste Local Plan, it is noted that the data relied on is from 2012 and therefore out of date. No account is taken of the Rookery South ERF, which at 550,000 tpa will have a significant impact on the amount of residual waste available to the Medworth facility.

2.32 The Cambridgeshire and Peterborough Minerals and Waste Local Plan was adopted in July 2021. It demonstrates a surplus of recovery capacity of 495,000 tonnes per annum. The Applicant notes that this includes the implementation of an EfW at Peterborough capable of managing 650,000 tonnes per annum but has yet to be implemented. Although consent was originally granted in 2009, amendments to the original consent were approved in July 2019, therefore there is no reason to assume that this facility will not come forward.

2.33 In Essex, the Non-Hazardous Waste Capacity Update Report (May 2018) states that there was a surplus of consented capacity of 1,454,000 tonnes of non-hazardous waste at 2017, reducing to 1,408,000 tonnes by the end of the Plan period (2035). This includes consented capacity of 823,000 tpa (including a 595,000 tpa waste to energy facility) at the Rivenhall Waste Management Facility which is expected to begin commissioning in early 2025 and be fully operational by the end of 2025. This facility would come on stream before the proposed Medworth facility and should be taken into account in the assessment of available residual waste.

2.34 In Hertfordshire, all of the LACW is managed out of county under contracts which run until 2039. The Draft Waste Local Plan Review (January 2021) referred to in the WFAA was withdrawn in December 2021. The Hertfordshire Minerals and Waste Local Plan 2040 Draft Plan (July 2022) includes a surplus of 0.001Mt (1,000 tpa) of treatment and energy recovery by 2035 and a shortfall of capacity of only 0.021Mt (21,000 tpa) by 2040.

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2.35 In Milton Keynes, there was a surplus of 193,000 tpa of recovery capacity for MSW/C&I waste at 2015.

2.36 The Norfolk Minerals and Waste Local Plan Publication document (May 2022) confirms that sufficient capacity already exists to accommodate the forecast growth in waste arisings over the Plan period to 2038. Therefore, it is not considered necessary to allocate any specific sites for waste management facilities in the NM&WLP. This document is not referred to in the WFAA, rather reliance is placed on information contained in the outdated 2011 Norfolk Minerals and Waste Development Framework Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026.

2.37 The adopted Suffolk Minerals and Waste Local Plan (July 2020) confirms that there is no immediate identified shortfall in waste management facilities (paragraph 6.8).

2.38 The WFAA relies on waste forecast data from the Thurrock Waste Arising and Capacity Studies (2009 and 2010) and is therefore out of date and should not be relied upon. The WFAA does however acknowledge the consent for the Tilbury Green Power plant which was recently varied by the Secretary of State (August 2022) to increase the electrical export capacity of the development from 80MW to 88MW. This includes an increase in the electrical capacity of the energy from waste (EfW) facility (Phase 2) to 45MW. Although Phase 2 (350,000 tpa of EfW capacity) has yet to be built, there is no reason to assume it will not be implemented given the very recent variation to the consent.

2.39 There is no up to date analysis of future waste management requirements in the emerging Leicester Local Plan.

2.40 The Leicestershire Minerals and Waste Local Plan up to 2031 was adopted in 2019 and is not an emerging plan as stated in the WFAA. It confirms at paragraph 4.11 that sufficient capacity has already been permitted to handle the waste requiring management. This includes the 350,000tpa Newhurst Energy Recovery Facility near Shepshed being developed by Biffa, Covanta and EQT, which is currently in its construction phase and due for completion in 2023. The shortfall identified in the WFAA would therefore not exist.

2.41 The Review of the Lincolnshire Minerals and Waste Local Plan (February 2021) allocates sufficient sites in the Sites Location Plan to meet the requirement for energy recovery.

2.42 The Northamptonshire Minerals and Waste Monitoring Report 2019 (March 2021) is not referred to in the WFAA, rather it relies on data from 2012. Table 4 of the aforementioned report confirms that there was a surplus in capacity of 0.043Mt of treatment and other forms of recovery.

2.43 The WFAA relies on data from the emerging Rutland Local Plan 2018-2036 which was withdrawn in September 2021. The Local Needs Assessment (September 2018) confirms that the existing contract for municipal waste treatment reduces the future advanced treatment requirements by 8,500tpa, leaving around 20,000tpa.

Summary

2.44 The waste catchment area has been heavily manipulated by the Applicant in an attempt to justify the need for the facility. As a consequence of this, residual waste will need to be imported significant distances to the proposed facility. By the Applicant's own admission,

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journey times beyond two-hours are unlikely to be economically viable and therefore the amount of residual waste genuinely available to the facility will be significantly less than that suggested.

2.45 The assessment of residual waste forecasts in Waste Local Plans is inaccurate in that the data it relies upon is out of date. By way of example, the WFAA records a shortfall in capacity in Norfolk of 703,000 based on data at 2013 despite the fact that the Norfolk Minerals and Waste Local Plan Publication document (May 2022) confirms that sufficient capacity already exists to accommodate the forecast growth in waste arisings over the Plan period to 2038. Additionally, the summary of WPA forecasted future residual waste requirements only records shortfalls. WPAs with a surplus of capacity (including the 495,000 tonnes per annum within Cambridgeshire (i.e. the host authority) are not taken into account in the calculation of the total forecasted residual waste requirements, significantly distorting the figure.

2.46 No account has been taken of the implications for waste forecasts within the Study Area of the requirement to increase rates of recycling of LACW waste to 65%. The WFAA notes that this will present a significant challenge but does not address the issue that this will be more difficult if there is an over provision of recovery capacity.

2.47 The WFAA does not consider the impact of other EfW facilities in the catchment on the availability of waste. In a number of cases, these facilities will compete for waste from the same waste catchment and have either recently come on stream e.g, Rookery South or will do shortly e.g. Rivenhall Waste Management Facility and Newhurst Energy Recovery Facility. The impact of these facilities will not be reflected in historic data relied upon by the Applicant on the availability of residual waste or the amount of waste landfilled.

Residue Management

2.48 Paragraph 2.577 of the NPS for Renewable Energy Infrastructure (EN-3) and 2.18.7 of the emerging draft NPS) makes it clear that the assessment should include the production and disposal of residues as part of the ES. Any proposals for recovery of ash and mitigation measures should be described. Paragraph 2.5.78 and 2.18.8 of the emerging draft states that applicants should set out the consideration that they have given to the existence of accessible capacity in waste management sites for dealing with residues for the planned life of the power station.

2.49 As much as 26.5% by weight of the waste import (approximately 165,000 tpa) will need to be exported as Incinerator Bottom Ash (IBA), and 5% by weight (approximately 31,280tpa) will be Air Pollution Control residue (APCr).

2.50 The ES confirms at paragraph 3.5.41 that IBA would be sent to a suitably licensed facility in the UK for recycling, where materials contained within the IBA would be extracted and the remainder reclaimed for use as secondary aggregate, however no detail is provided on the likely location of this facility or the extent of available capacity. No information is provided on the existence of accessible capacity in waste management sites for dealing with residues.

2.51 No assessment has been undertaken of the existence of accessible capacity for dealing

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with APCr. The ES simply states that residues would be sent to a suitable licensed facility in the UK where possible, for disposal. Not only is the likely location not stated, but it is also possible that these residues might need to be exported out of the country.

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3 Alternatives

3.1 No consideration has been given to alternative sites, despite this being requested by PINS, Cambridgeshire County Council and Public Health England. The reluctance of the applicant to undertake an alternative site assessment suggests that had they done so, the proposed site would not score favourably.

3.2 In its response to the consultation, Wisbech Town Council queried the omission of proximity to waste fuel from the list of essential siting criteria used by the applicant. If it has been, a location within an area with a surplus of recovery capacity would suggest that it is not an appropriate location. Rather the applicant will be reliant upon waste being transported significant distances to the facility.

3.3 The applicant's response to this issue fails to address the specific point raised. It is not disputed that Government policy encourages EfW facilities to include CHP, however this does not override the proximity principle. The location of a potential CHP market should not dictate the choice of site. It is inconceivable to suggest that an alternative location in an area with a recovery capacity deficit would not have a similar potential CHP market.

3.4 Despite the fact that the PEIR made it clear that proximity to waste arisings was not an essential site criterion, the applicant is now seeking to retrospectively amend these criteria in Chapter 2 of the Environmental Statement. If proximity to waste arisings was not taken into account at the PEIR stage, it cannot have been taken into account at submission stage as the location of the facility was already fixed.

3.5 Notwithstanding the above, the Applicant does not refer to the fact that provision has been made for managing waste further up the waste hierarchy with the recently adopted Cambridgeshire and Peterborough Minerals and Waste Local Plan and that there is a surplus of recovery capacity of 450,000 tpa. This figure includes implementation of an EfW at Peterborough capable of managing 650,000 tpa. No consideration has been given to the implications of the implementation of this facility on the amount of residual waste in the study area.

3.6 The applicant states that a minimum site area of 3.5ha is required to accommodate an EfW and CHP facility of the type and size proposed. As the need for a facility capable of processing 625,600 tpa has not been sufficiently justified, a smaller facility (or series of smaller facilities) on alternative sites may well be more appropriate.

3.7 The failure to consider alternative sites is a serious omission given that the application site is within Flood Zone 3. The Sequential Test required by both the NPS EN-1 (paragraph 5.7.9) and the National Planning Policy Framework (NPPF) requires consideration of alternative sites at lower risk of flooding (i.e. Flood Zones 1 or 2) as part of site selection. This has not been done.

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4 Assessment Chapters

4.1 The following comments are made following a preliminary review of the assessment chapters in the Environmental Statement.

Traffic and Transport

4.2 It is not clear whether the access improvements on New Bridge Lane (reopening of New Bridge Lane to motorised vehicles; widening road to form a two-way carriageway suitable for HGV traffic and footway) would be implemented in the absence of the Southern Access Road (SAR) schemes or instead of it. Paragraph 3.4.106 of the ES states '*To facilitate the Access Improvements for the EfW CHP Facility, a highway improvement scheme is required along New Bridge Lane. Minor improvements to the existing site access off Algores Way will also be required.'* It is not clear whether the highway improvement scheme that is being referred to is the SAR. If the access improvements are dependent on the SAR coming forward, as there is no certainty that it will be implemented, an assessment should be undertaken in the absence of the scheme.

4.3 The applicant has relied on data from the construction of its Devonport facility in Plymouth to inform the assessment of construction traffic. As this facility was much smaller (capable of managing only 265,000 tpa of waste as opposed to the 625,600 tpa being proposed at the Medworth facility), further justification is required to demonstrate that the facilities and sites are comparable. No information is provided on the facilities at Shrewsbury, Oxford, Wilton and Avonmouth (e.g. size, requirement for cut and fill, demolition works etc) and therefore it is not possible to verify whether the data relied upon the inform the assessment of construction traffic is robust.

4.4 No justification has been provided for the 25:75 split routing north and south of the A47 respectively.

4.5 It is noted that the receptor sensitivity for a number of links e.g. links 6,7, and 8, is described as negligible in Table 6.24 of the ES. This is on the basis that the highway link is a two-way single lane carriageway with very few properties directly fronting the road and it has no footways. Link 7 is confirmed as having minimum congestion but no information is provided on links 6 and 8. However, Table 6.23 makes it clear that receptors of medium sensitivity to change in traffic flows include congested junctions. No information is provided on congestion and therefore it is not possible to determine whether the link sensitivity has been correctly described. As this receptor sensitivity is then used in the significance evaluation matrix in Table 6.26, a negligible receptor sensitivity will always result in a negligible impact, irrespective of the magnitude of change.

4.6 Paragraph 3.8.26 of the ES confirms that the material excavated from the waste bunkers would be re-used on site where possible or exported to a suitable licenced facility in the UK. As it is not clear what proportion (if any) of this excavated material will be used on site, clarification is required as to what assumptions have been made used in the transport assessment for excavated material.

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Noise and Vibration

4.7 The ES suggests at paragraph 7.6.35 that changing the electrical load within a substation may cause additional noise from existing plant at the substation and in such circumstances, the operator and the Distribution Network Operator (DNO) would investigate, and, where a significant change in noise was identified, carry out mitigation works. No indication is provided on the likely magnitude of this increase in noise, or an indication of the mitigation works that might be necessary.

4.8 In terms of operational traffic noise, it is noted that the future year considered was 15 years after opening. It is not clear why the transport assessment was not undertaken on the same basis, rather the operational effects were limited to the scheme's opening year.

4.9 The statement in paragraph 7.6.39 of the ES that the assessment of the future year scenario will likely indicate similar or reduced effects compared to those in the opening year, due to normal growth in traffic flows is questioned. This statement fails to take into account the rise in electric vehicles and therefore a potential reduction in the future noise baseline even with traffic growth. The predicted traffic noise increase as a result of the proposed EfW CHP facility would therefore be proportionately greater.

4.10 Table 7.16 fails to include any baseline noise levels and therefore it is difficult to validate the predicted increase in traffic noise.

4.11 It is not clear how the 18-hour flow data has been factored from data using the Annual Average Daily Traffic flows. Further clarification is required.

4.12 It is not clear how traffic noise levels on New Bridge Lane have been assessed. Paragraph 7.8.20 seems to suggest that Cromwell Road (where baseline flows of traffic are approximately 20 times greater than on New Bridge Road) is being used as a proxy for New Bridge Lane due to uncertainties as a result of low flow in the baseline year. Clarification is required.

Air Quality

4.13 It is noted that the applicant does not include anticipated improvements in air quality in the future baseline and baseline year background concentrations for all model scenarios as they are not guaranteed (paragraph 8.5.26). It is questionable as to whether this represents the worst case as if the baseline is improving, the impact of emissions from the EfW plant will be proportionally greater.

4.14 It is not clear why the scenarios set out at paragraph 8.6.18 include an assessment at 2024 with construction and with the proposed development. If the EfW plant is not due to open until 2026, clarification is required as to why it is included in the 2024 with construction scenario.

4.15 It is noted that the applicant has used the Best Available Techniques (BAT) Associated Emission Levels (AEL) as the basis for defining the pollutant emission concentrations in preference to the Emission Limit Value ELVs in Annex VI of the Industrial Emissions Directive (IED)(see paragraph 8.6.22). No information is provided on how these values relate to each other and therefore it is difficult to conclude on the appropriateness of this approach, particularly when the summary rationale included in Table 8.35 refers back to

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the fact that the plant will be designed to achieve defined ELVs.

Landscape and Visual

4.16 Paragraph 3.8.26 of the ES confirms that the material excavated from the waste bunkers would be re-used on site where possible or exported to a suitable licenced facility in the UK. Information on the amount of excavated material is not provided in the ES (reference is made only to the base of the foundation slab being 12m below Finished Flood Level (FFL), although paragraph 3.4.11 makes it clear that the maximum limit of deviation would allow for the bunkers to be constructed up to 14m below FFL. Clarification is required as to what, if anything, has been assessed.

4.17 Whilst the landscape assessment states in Table 9.1 that the full range of activities and components proposed, including the deposition of excavated waste materials, has been assessed in the LVIA, this cannot be the case if it is unclear what proportion (if any) of this excavated material will be used on site. Furthermore, as no information is provided on whether this material is likely to be contaminated, it is not possible to conclude on its suitability for use on site.

4.18 The landscape assessment refers to potential changes to the future landscape baseline (paragraph 9.5.53), including new wind energy schemes which may create visual landmarks on the predominantly flat landscape. It is not clear what role this potential future landscape has played in the assessment of landscape effects. Only schemes that are likely to be delivered should be considered as part of the future baseline.

4.19 Table 9.15 contains a summary of significance of adverse effects on landscape and townscape receptors. The way the information is presented makes it very difficult for the reader to understand the basis for the judgements on sensitivity, magnitude of change and significance. Reference is required to numerous appendices (of which there are 570 pages) to piece this information together.

Historic Environment

4.20 The policy tests in the National Planning Policy Framework 2021 (NPPF) on the consideration of potential impacts are not properly addressed in the ES. Reference should be made to the balancing exercise required between harm and public benefit in undertaking the assessment as a key determinant of significance.

4.21 It is not clear why the potential for sub-surface archaeology is limited to remains of agricultural activity and peat and estuarine deposits based on previous archaeological investigations within the study area alone. No information is provided on the extent or location of these previous investigations and therefore it is not possible to verify whether this assumption is reasonable.

4.22 Notwithstanding this, no indication is given as to the heritage significance of the peat and estuarine deposits. Paragraph 10.9.4 makes it clear that such deposits may be prehistoric in date, but it is not known if they are associated with human occupation or activity. Paragraph 10.9.8 continues by stating that 'while the heritage significance of these deposits is not known, this will be Not Significant'. This conclusion is unsubstantiated

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and should not be relied upon.

4.23 The statement that archaeological remains are not expected to be present within the area of the access improvements also requires substantiation (paragraph 19.9.9).

4.24 The justification for the conclusion that the EfW CHP buildings and chimneys would result in an effect of Very Low magnitude on the Wisbech Conservation Area on the basis that it would be seen in the context of existing large scale industrial buildings is not accepted. The proposed facility is of an entirely different scale to the surrounding buildings. Paragraph 10.9.42 makes it clear that the upper parts of the tallest buildings and chimneys of the EfW CHP Facility would be clearly visible on the skyline from the Conservation Area. Even if a magnitude of Low is ascribed to the effect on the Conservation Area, based on the classification of effects set out at Table 10.16, this would lead to a moderate (probably significant) effect.

Biodiversity

4.25 The ES makes no assessment of the operation of the EfW CHP on the water environment. Chapter 12 confirms that there is hydrological connectivity between the site and the River Nene CWS via the HWIDB drains which flow to the south of the proposed development and then discharge into the River Nene. The CWS is designated for river habitat supporting scarce plant species.

4.26 Paragraph 12.6.9 of Chapter 12 (Hydrology) states that potential effects on specific species and aquatic and riparian biodiversity are assessed within Chapter 11 (Biodiversity). However paragraph 11.8.15 states that as Chapter 12 does not identify any likely significant effects on the hydraulic regimes across designated biodiversity sites or ground water dependent terrestrial ecosystems due to the construction or operation of the proposed development, the ecological features that these designated biodiversity sites and habitats support will also not be subject to likely significant effects. Not only is this inconsistent with the statement in the hydrology chapter, it fails to take into account the potential for impacts on aquatic flora and fauna from impacts set out in the NPS for Renewable Energy EN-3. It notes that the design of water cooling systems for EfW stations will have additional impacts on water quality, abstraction and discharge (paragraph 2.5.84), including discharging water at a higher temperature than the receiving water affecting the biodiversity of aquatic flora and fauna.

4.27 The impacts of the deep waste storage bunker on ground water flows does not appear to have been considered and no assessment has been undertaken of the potential failure of the integrity of the concrete bunker due to ground movements or other factors.

4.28 Equally, no assessment appears to have been made of potential impacts of accidental fire or fire-fighting on the water environment.

Hydrology

4.29 Paragraph 12.5.40 of the ES confirms that the entirety of the EfW CHP site lies within Flood Zone 3. The Overarching National Policy Statement for Energy (EN-1) makes it

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clear at paragraph 5.7.13 that preference should be given to locating projects in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, then projects can be located in Flood Zone 2. If there is no reasonably alternative site in Flood Zones 1 or 2, then nationally significant energy infrastructure projects can be located in Flood Zone 3 subject to the Exception Test. Paragraph 5.7.9 states that in determining an application for development consent, the decision maker should be satisfied that where relevant the Sequential Test has been applied as part of site selection.

4.30 The submitted Flood Risk Assessment (Appendix 12A of the ES) states that there are no reasonably available alternative suitable sites at a lower risk of flooding and as such passes the Sequential Test. As the site selection process did not include an assessment of alternative sites at a lower risk of flooding (see Table 2.1 of the ES), as a matter of fact, the Sequential Test cannot have been met. Not only were alternative sites not considered, flood risk was not even identified as either an essential or desirable criterion in the site selection process. This is a significant omission.

Geology, Hydrogeology and Contaminated Land

4.31 The potential to create new contaminant migration pathways, such as increasing the potential for surface water runoff and the increased likelihood of contaminants leaching or migrating in groundwater or surface water, causing deterioration in surface water quality is discussed in Chapter 13. It is noted that this cannot be ruled out, notably at the Wisbech Canal landfill. A moderate/low risk is assessed for impacts on surface water receptors from the grid connection (paragraph 13.8.67 of the ES).

4.32 Without control, the installation of cable trenches could result in new contaminant pathways being formed which may result in pollution of controlled waters during the operational phase. Embedded mitigation measures are proposed, including a commitment to carry out a further Phase 2 intrusive investigation. Without the outcome of this further investigation, it is not possible to conclude that the risk level will stay at moderate/low and therefore the conclusion that the effect is negligible and not significant cannot be relied upon.

Climate Change

4.33 Climate change is considered in Chapter 14 of the ES. Paragraph 14.5.5 refers to national and regional/local market and policy trends that are likely to lead to carbon emissions reductions in the future which are beyond the control of the Proposed Development such as the reduction in the amount of food in municipal waste. To provide a 'like for like' comparison, the assessment is based on a comparison of the 'with Proposed Development' case to the 'without Proposed Development' case. The ES makes it clear that in both cases, the assumed market and policy trends are the same.

4.34 Following on from the above, paragraph 14.5.6 confirms that the future baseline includes the effect of national and regional/local market trends and assumes that, without the Proposed Development, residual waste arisings are landfilled over the same period as the development would be operational i.e. between 2026 and 2066. It is not clear what market

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trends have been taken into account and how they have influenced the final assessment. Without this information, it is not possible to determine the veracity of the conclusions of the climate change assessment.

4.35 Notwithstanding the concerns regarding the application of the approach set out above, fundamentally the assumption that the current proportion of residual waste that is currently landfilled will continue to be so until 2066 is not credible. This would be contrary to policy trends (which purportedly have been taken into account) requiring waste to be managed in accordance with the waste hierarchy and only landfilled when all other options have been ruled out. If the Applicant is assuming a declining proportion of waste is landfilled to 2066, these assumptions need to be clearly set out and justified.

4.36 Rather than assess greenhouse gas emissions (GHG) of the proposal against those produced by the existing waste and aggregate recycling facility and waste transfer station, i.e. the current environmental baseline as required by Schedule 4 (3) of the EIA Regulations, the proposals have been against the aforementioned future baseline scenario. This is stated as being a reasonable worst-case scenario. It is not the purpose of the EIA Regulations to seek to establish the worst-case baseline scenario against which to assess the proposals as to do so would underestimate the likely impact of the proposals.

4.37 The ES assumes that residual waste that is currently exported to continental Europe as Refuse Derived Fuel would be landfilled in the future baseline on the basis that the increase in the price of haulage makes this disposal route a less financially viable option. In support of this decision, the Applicant cites Government policy which is focussed upon applying the proximity principle i.e. management waste at a location as close as reasonably possible to where the waste is generated. This is completely contrary to the assumptions used in the WFAA which relies on waste being transported significant distances to the Medworth plant, when in many cases this will not represent the closest facility particularly with the new EfW plants that have recently come on stream or are due to before 2026 (the opening date of the proposed facility).

4.38 The data presented in the GHG assessment is not credible and has been manipulated by the Applicant and therefore the conclusions should not be relied upon.

4.39 Notwithstanding the above, further justification is required for the landfill baseline. There are other baseline scenarios that could be considered such as alternative thermal treatment technologies.

4.40 The amount of waste available as fuel for the proposed EfW CHP facility is grossly exaggerated in the Waste Fuel Availability Assessment and therefore reliance on this document as an input to the climate change assessment will significantly over estimate the carbon savings of the proposed facility in comparison with the landfill baseline.

4.41 It is not clear what assumptions have been made regarding CHP given that the Proposed Development does not include CHP connections to individual premises and therefore there can be no certainty to what extent this element of the project will be delivered. Table 14.15 suggests the provision of CHP is an embedded measure influencing the assessment.

4.42 As the reprocessing of IBA and any other waste products into recycled materials is not carried out at the EfW CHP Facility site, the Applicant has scoped out the GHG emissions

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from the assessment as they are not considered attributable to the Proposed Development (Table 14.17). The management of IBA and APCr are an intrinsic part of the operation of an EfW plant and should be assessed. The suggestion that they are not attributable to the proposed development is absurd.

4.43 Notwithstanding the above, the suggestion that anything not carried out at the proposal site should not be considered in the assessment is completely contrary to the baseline GHG assessment which assumes residual waste is landfilled at sites throughout the Study Area, i.e. not at the EfW CHP Facility site.

4.44 No information is included on the transport assumptions associated with the management of IBA and APCr. It is not clear where this material will be processed. Similarly no information is included on the transport assumptions associated with the import of consumables necessary to operate the facility.

4.45 The climate change assessment is both flawed and incomplete and should not be relied upon.

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5 Summary and Conclusions

5.1 This representation is submitted on behalf of Wisbech Town Council in response to the Development Consent Order (DCO) application for the construction, operation and maintenance of an Energy from Waste (EfW) Combined Heat and Power (CHP) Facility.

5.2 Wisbech Town Council object to the application on the basis that there is no need for the facility to meet residual waste requirements and to include such an over-provision in recovery capacity will jeopardise the achievement of recycling targets.

5.3 Both the existing and draft National Policy Statement (NPS) for Renewable Energy Infrastructure (EN-3) make it clear that an assessment should be undertaken that examines the conformity of the scheme with the waste hierarchy and the effect of the scheme on the relevant waste plans. The applicant should also set out the extent to which the generating station and capacity proposed contributes to the recovery targets set out in relevant strategies and plans, taking into account existing capacity.

5.4 The emerging NPS makes it clear that the proposed plant must not result in over-capacity of EfW waste treatment at a national or local level (paragraph 2.10.5).

5.5 The Applicants wish to retain the flexibility to accept waste from anywhere. This seems at odds with the requirements in the NPS as there is no safeguards to ensure that the development will not prejudice the achievement of local or national waste management targets if there has been no assessment of the implications for those targets in the first place.

5.6 The study area in the WFAA is based on a two-hour travel time from the centre of the proposed development, the suggestion being that it is not commercially viable to transport waste beyond that.

5.7 The Applicant has assumed that waste from the entire waste planning authority (WPA) is within the catchment even if only a small proportion of it is within a two-hour drive time. The HIC arisings relied upon to justify the proposal are greatest in Essex and Hertfordshire, approximately 90% of which are beyond the 2-hour catchment and therefore the transport costs are unlikely to be commercially viable. Reliance on such data significantly distorts the results of the assessment of available waste.

5.8 If waste is excluded from those areas beyond the two-hour catchment, the amount of LACW considered available by the Applicant, would be reduced by nearly 1.4 million tonnes.

5.9 The WFAA relies on data from 2019 and therefore does not take into account the effect of the opening of the Rookery South Energy Recovery Facility. With a capacity of over 545,000 tpa of residual waste, this will have a significant bearing on waste movements within the catchment. As the waste catchment area of the proposed facility will significantly overlap with that for Rookery South, the amount of residual waste available will be significantly reduced.

5.10 The Applicant suggests that there was a total of approximately 17.9 million tonnes of HIC

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arisings within the Study Area (Table 4.2 of WFAA). If waste generated from authorities beyond the catchment area and those with contracts to supply the Rookery South ERF are excluded from this calculation this figure falls to only 6.5 million tonnes.

5.11 In terms of the waste currently disposed to landfill (Table 4.3 of WFAA), Essex accounts for a 28% of the total for the East of England. The vast majority of Essex is out of catchment and therefore it is questionable whether this waste would be available to the proposed Medworth facility. This seems particularly unlikely when the 595,000 tpa EfW facility at Rivenhall becomes operational in 2025.

5.12 If waste disposed to non-hazardous landfill from authorities out of catchment is excluded from the calculation, the total amount landfilled falls from 2.4 million to 1 million tonnes.

5.13 The application of the methodology underpinning the catchment area has been manipulated to such an extent that the outputs are seriously distorted and cannot be relied upon.

5.14 The WFAA does not include any information on the recycling rate of WPAs within the catchment area and therefore it is not possible to consider the effect of increasing the rate of recycling to 65% required by the Environment Act 2021. If the regional average of 48.6% for the East of England is used, a 16.4% increase in recycling rate would need to be applied to the Study Area.

5.15 Taking all of the above into account the amount of residual LACW available within the catchment would fall from the Applicant's assessment of just over 4 million tpa to just over 2 million tpa. This figure does not take into account the impact of existing waste management contracts (aside from Rookery South) and therefore will be a significant over representation of what is genuinely available.

5.16 Using the same approach to HIC arisings and taking into account Veolia's contracts to supply Rookery South, the Applicant's figure of 17.9 million tpa would reduce to only 6.5 million tpa. This figure does not include any allowance for future increases in household recycling rates and again is an over estimate.

5.17 The WFAA does not consider the impact of capacity at other EfW facilities in the catchment on the availability of waste. In a number of cases, these facilities will compete for waste from the same waste catchment and have either recently come on stream e.g, Rookery South or will do shortly e.g. Rivenhall Waste Management Facility and Newhurst Energy Recovery Facility. The impact of these facilities will not be reflected in historic data relied upon by the Applicant on the availability of residual waste or the amount of waste landfilled.

5.18 The assessment of residual waste forecasts in Waste Local Plans is inaccurate in that the data it relies upon is out of date. By way of example, the WFAA records a shortfall in capacity in Norfolk of 703,000 based on data at 2013 despite the fact that the Norfolk Minerals and Waste Local Plan Publication document (May 2022) confirms that sufficient capacity already exists to accommodate the forecast growth in waste arisings over the Plan period to 2038. Additionally, the summary of WPA forecasted future residual waste requirements only records shortfalls. WPAs with a surplus of capacity (including the 495,000 tonnes per annum within Cambridgeshire (i.e. the host authority) are not taken into account in the calculation of the total forecasted residual waste requirements,

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significantly distorting the figure.

5.19 Any shortfall identified in the WFAA for Leicestershire will be met when the 350,000 tpa Newhurst ERF comes on stream in 2023.

Residue Management

5.20 NPS (EN-3) makes it clear that the assessment should include the production and disposal of residues as part of the ES. Applicants should set out the consideration that they have given to the existence of accessible capacity in waste management sites for dealing with residues for the planned life of the power station.

5.21 The ES confirms that IBA would be sent to a suitably licensed facility in the UK for recycling, however no detail is provided on the likely location of this facility or the extent of available capacity.

5.22 No assessment has been undertaken of the existence of accessible capacity for dealing with APCr. The ES does not specify where these residues will be managed but suggests that they might need to be exported out of the country, clearly contrary to the proximity principle.

Alternatives

5.23 No consideration has been given to alternative sites despite this being requested by PINS, Cambridgeshire County Council and Public Health England.

5.24 Wisbech Town Council previously queried the omission of proximity to waste fuel from the list of essential siting criteria used by the applicant. Despite the fact that the PEIR made it clear that proximity to waste arisings was not an essential site criterion, the applicant is now seeking to retrospectively amend those criteria. If proximity to waste arisings was not taken into account at the PEIR stage, it cannot have been taken into account at submission stage as the location of the facility was already fixed.

5.25 Notwithstanding the above, the Applicant does not refer to the fact that the recently adopted Cambridgeshire and Peterborough Minerals and Waste Local Plan identifies a surplus of recovery capacity of 450,000 tpa.

5.26 The applicant states that a minimum site area of 3.5ha is required to accommodate an EfW and CHP facility of the type and size proposed. As the need for a facility capable of processing 625,600 tpa has not been sufficiently justified, a smaller facility (or series of smaller facilities) on alternative sites may well be more appropriate.

5.27 The failure to consider alternative sites is a serious omission (contrary to NPS (EN1) and the NPPF) given that the application site is within Flood Zone 3.

Assessment Chapters

Traffic and Transport

5.28 It is not clear whether the access improvements on New Bridge Lane would be implemented in the absence of the Southern Access Road (SAR) schemes or instead of it. If the access improvements are dependent on the SAR coming forward, as there is no

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certainty that it will be implemented, an assessment should be undertaken in the absence of the scheme.

5.29 The applicant has relied on data from the construction of its Devonport facility in Plymouth to inform the assessment of construction traffic. As this facility was much smaller (capable of managing only 265,000 tpa of waste, further justification is required to demonstrate that the facilities and sites are comparable. No information is provided on the facilities at Shrewsbury, Oxford, Wilton and Avonmouth (e.g. size, requirement for cut and fill, demolition works etc) and therefore it is not possible to verify whether the data relied upon the inform the assessment of construction traffic is robust.

5.30 No information is provided on congestion and therefore it is not possible to determine whether the link sensitivity has been correctly described.

The ES confirms that the material excavated from the waste bunkers would be re-used on site where possible or exported to a suitable licenced facility in the UK. As it is not clear what proportion (if any) of this excavated material will be used on site, clarification is required as what assumptions have been used in the transport assessment.

Noise and Vibration

5.31 The statement that the assessment of the future year scenario will likely indicate similar or reduced effects compared to those in the opening year, due to normal growth in traffic flows is questioned. This fails to consider the rise in electric vehicles and therefore a potential reduction in the future noise baseline even with traffic growth. The predicted traffic noise increase of the proposed EfW CHP facility would therefore be proportionately greater.

5.32 Table 7.16 fails to include any baseline noise levels and therefore it is difficult to validate the predicted increase in traffic noise.

Air Quality

5.33 Anticipated improvements in air quality in the future baseline and baseline year background concentrations are not included in the baseline and future baseline scenarios. It is questionable as to whether this represents the worst case as if the baseline is improving, the impact of emissions from the EfW plant will be proportionally greater.

5.34 It is not clear why the scenarios include an assessment at 2024 with construction and with the proposed development if the EfW plant is not due to open until 2026.

5.35 The applicant has used the BAT AELs in preference to ELVs as the basis for defining the pollutant emission concentrations. It is difficult to conclude on the appropriateness of this approach when the summary rationale refers to the fact that the plant will be designed to achieve defined ELVs.

Landscape and Visual

5.36 The ES confirms that the material excavated from the waste bunkers would be re-used on site where possible or exported to a suitable licenced facility in the UK. Whilst the landscape assessment states that the deposition of excavated waste materials has been assessed in the LVIA, this cannot be the case if it is unclear what proportion (if any) of this

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excavated material will be used on site. Clarification is required as to what, if anything, has been assessed.

5.37 The landscape assessment refers to potential changes to the future landscape baseline including new wind energy schemes. Only schemes that are likely to be delivered should be considered as part of the future baseline.

5.38 Table 9.15 contains a summary of significance of adverse effects on landscape and townscape receptors. The way the information is presented makes it very difficult to understand the basis for the judgements on sensitivity, magnitude of change and significance.

Historic Environment

5.39 Reference should be made to the balancing exercise required between harm and public benefit set out in the NPPF in undertaking the assessment as a key determinant of significance.

5.40 The justification for the conclusion that the EfW CHP buildings and chimneys would result in an effect of Very Low magnitude on the Wisbech Conservation Area on the basis that it would be seen in the context of existing large scale industrial buildings is not accepted. Even if a magnitude of Low is ascribed to the effect on the Conservation Area, based on the classification of effects set out at Table 10.16, this would lead to a moderate (probably significant) effect.

Biodiversity

5.41 The ES makes no assessment of the operation of the EfW CHP on the water environment despite the hydrology chapter stating that potential effects on specific species and aquatic and riparian biodiversity are assessed within the biodiversity chapter.

5.42 The impacts of the deep waste storage bunker on ground water flows does not appear to have been considered and no assessment has been undertaken of the potential failure of the integrity of the concrete bunker due to ground movements or other factors.

Hydrology

5.43 The entirety of the EfW CHP site lies within Flood Zone 3. NPS (EN-1) makes it clear that preference should be given to locating projects in Flood Zone 1 and only if there is no reasonably alternative site in Flood Zones 1 or 2, then nationally significant energy infrastructure projects can be located in Flood Zone 3 subject to the Exception Test. In determining an application for development consent, the decision maker should be satisfied that where relevant the Sequential Test has been applied as part of site selection.

5.44 As the site selection process did not include an assessment of alternative sites at a lower risk of flooding, as a matter of fact, the Sequential Test cannot have been met. Not only were alternative sites not considered, flood risk was not even identified as either an essential or desirable criterion in the site selection process. This is a significant omission and demonstrates that the proposal does not accord with the NPS.

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Geology, Hydrogeology and Contaminated Land

5.45 It is noted that this contaminant migration pathways cannot be ruled out, notably at the Wisbech Canal landfill. A moderate/low risk is assessed for impacts on surface water receptors from the grid connection (paragraph 13.8.67 of the ES).

5.46 Embedded mitigation measures include a commitment to carry out a further Phase 2 intrusive investigation. Without the outcome of this further investigation, it is not possible to conclude that the risk level will stay at moderate/low and therefore the conclusion that the effect is negligible and not significant cannot be relied upon.

Climate Change

5.47 The future baseline includes the effect of national and regional/local market trends and assumes that, without the Proposed Development, residual waste arisings would continue to be landfilled between 2026 and 2066 (the operational life of the development). It is not clear what market trends have been taken into account and how they have influenced the final assessment. Without this information, it is not possible to determine the veracity of the conclusions of the climate change assessment.

5.48 The assumption that the current proportion of residual waste that is currently landfilled will continue to be so until 2066 is not credible and would be contrary to policy trends. If the Applicant is assuming a declining proportion of waste is landfilled to 2066, these assumptions need to be clearly set out and justified.

5.49 Rather than assess greenhouse gas emissions (GHG) of the proposal against those produced by the existing waste and aggregate recycling facility and waste transfer station, i.e. the current environmental baseline as required by Schedule 4 (3) of the EIA Regulations, the proposals have been against the aforementioned future baseline scenario. This is stated as being a reasonable worst-case scenario. It is not the purpose of the EIA Regulations to seek to establish the worst-case baseline scenario against which to assess the proposals as to do so would underestimate the likely impact of the proposals.

5.50 The data presented in the GHG assessment is not credible and has been manipulated by the Applicant and therefore the conclusions should not be relied upon.

5.51 The amount of waste available as fuel for the proposed EfW CHP facility is grossly exaggerated in the Waste Fuel Availability Assessment and therefore reliance on this document as an input to the climate change assessment will significantly over estimate the carbon savings of the proposed facility in comparison to the landfill baseline.

5.52 It is not clear what assumptions have been made regarding CHP given that the Proposed Development does not include CHP connections to individual premises,

5.53 The management of IBA and APCr are an intrinsic part of the operation of an EfW plant and should be assessed. The suggestion that they are not attributable to the proposed development is absurd. This is completely contrary to the approach to the baseline GHG assessment which assumes residual waste is landfilled at sites throughout the Study Area, i.e. not at the EfW CHP Facility site.

5.54 No information is included on the transport assumptions associated with the management

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of IBA and APCr. It is not clear where this material will be processed. Similarly, no information is included on the transport assumptions associated with the import of consumables necessary to operate the facility. Without this information, the assessment is incomplete.

Conclusion

5.55 The information contained in the WFAA has been distorted and misrepresented to such an extent that it should not be relied upon. Implementation of the proposed facility would result in significant over-capacity of EfW waste treatment contrary to the draft NPS (EN-3) and would prejudice the achievement of recycling targets for many years to come.

5.56 The Environmental Statement requires clarification on a number of matters to ensure that an assessment of the effects of the scheme is accurately assessed.

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