

**Planning Act 2008 (as amended)****Application by Medworth CHP Limited for an Order Granting Development Consent for the Medworth Energy from Waste Combined Heat and Power Facility (EN010110)****Norfolk County Council Ref. CP/2022/0002****Norfolk County Council - Relevant Representation**

Norfolk County Council (NCC), has pursuant to section 56 of the Planning Act 2008 ("the Act"), been notified by Medworth CHP Limited, on 26<sup>th</sup> September 2022, that their application for a Development Consent Order has been accepted for examination by the Planning Inspectorate (PINS). NCC has been identified as an Interested Party and/or a Person with an Interest in Land (PIL) for the purposes of section 56 of the Act and/or Regulation 16 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

The notification from Medworth CHP Limited states that the registration period runs from 4 October 2022 until 15 November 2022 and that all Interested Parties/PILs must register by 11:59pm on Tuesday 15 November 2022, and that Interested Parties have the right to make Relevant Representations about the application and will be informed of the progress of its Examination. Interested Parties also have the opportunity to attend and speak at the Preliminary Meeting or hearings that take place during the Examination.

NCC understand that the Examining Authority, once appointed will use the views put forward in the Relevant Representations to carry out an initial assessment of the principal issues.

The Proposed Development is partly located in Norfolk and partly in Cambridgeshire and accordingly Norfolk County Council, along with King's Lynn and West Norfolk Borough Council (KL&WNBC), Cambridgeshire County Council (CCC) and Fenland District Council (FDC) are automatically Interested Parties, who have been notified under section 56.

NCC understands that KL&WNBC, CCC and FDC are each submitting their own Relevant Representation as Interested Parties, who have been notified under section 56.

This statement accordingly sets out NCC's Relevant Representation on the DCO application. It sets out the comments of NCC only. It addresses only technical matters in relation to which NCC technical competence to scrutinize, and not the planning merits of the proposal. It is principally concerned only with the impacts in Norfolk, namely those associated with the grid connection linking the proposed Energy from Waste Combined Heat and Power facility, to be located in Cambridgeshire, to the grid connection point at the Walsoken substation, located in Norfolk.

The matters comprise the following, presented in the order of the Applicant's Environmental Statement (ES) chapters:

## Chapter 6 Traffic and Transport

In relation to Chapter 6 Traffic and Transport, Norfolk County Council Highway Authority (HA) has identified issues relating to the following matters:

- Highways impact (on Norfolk roads); and
- Impact of the Grid Connection at Walsoken (including the Installation of Apparatus in the Public Highway etc);

Norfolk County Council Highway Authority (HA) has made the following comments:

### Impact on the Local Highway Network

The local highway assessment has been undertaken for two scenarios, one during the construction phase and the second during the operational phase.

To minimise potential impacts on Wisbech, the Applicant has ruled out highway connections through the town in both scenarios, with route restrictions placed on the A1101 north of the A47 Elm Road roundabout. This commitment is contained in the Construction and Operational Traffic Management Plans, which are then secured via the Requirements in the DCO. Accordingly, traffic associated with both scenarios entering and leaving Norfolk will do so via the A47(T).

Given the A47 is a trunk road, the impact to the A47 and its connecting junctions will be assessed by National Highways. Nevertheless, County Council officers have also assessed the impact to the A47/A1101 Elm High Road roundabout as traffic will disperse south and east into Norfolk via this roundabout.

In relation to construction traffic, the physical works in Norfolk relate solely to laying the underground 132kV cable. As with all roadwork there will be some disruption to residents/businesses in the immediate area in terms of driver delay. However, the associated roadworks will be temporary in nature and managed via the Construction Traffic Management Plan. The impact in Norfolk is assessed as minor. It is anticipated that discussions and negotiations between the Highway Authority and the Applicant will remain on-going throughout the application process, particularly in respect of traffic management.

In relation to operational traffic, taking into consideration trip distribution patterns and route restrictions, five routes have been identified to transport waste and residues/consumables to/from the EfW CHP facility, two of which affect Norfolk:-

- Route 3: - A47 east to the A1101 Elm High Road roundabout; then south/east to the A1122 then A10; and
- Route 4: - A47 east of the A1101 Elm High Road roundabout.

The largest impact to the County Road network would be at the Elm High Road junction which exhibits some driver delay from east and west on the A47 in the AM Peak and on the A1011 south of the roundabout. In the PM Peak the situation is reversed with delay on the A1011 north of the roundabout and on the approaches to the junction on the A47.

The assessment indicates that 5% of the HGV traffic will use route 3 and 10% route 4, the other 85% falling outside Norfolk. When calculating the traffic volumes passing through the

A1101 Elm High Road roundabout, it works out at 8 vehicles (5 HGV's) routing the junction in the am peak and 5 vehicles (2 HGV's) routing the junction in the PM Peak.

In accordance with paragraph 111 of the NPPF, development can only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst the impact at the Elm High Road roundabout will be fully assessed by National Highways, given the volume of background traffic already using the A47 roundabout, County officers do not regard the impact of an additional 8 vehicles am Peak and 5 vehicles Pm Peak as severe.

#### Impact of the Grid Connection at Walsoken (including the Installation of Apparatus in the Public Highway etc)

The EfW will connect to the power grid at the Walsoken Substation, which is accessed from Broadend Road. The Applicant's intention is to route the connection cable underground along the A47 verge, pass under the Elm High Road/A47 junction and then continue longitudinally underground along the highway verge of Broadend Road.

The existence of private longitudinal apparatus in the public highway represents a safety risk to operatives working in the public highway as there is no effective mechanism for those opening the road to be notified of its existence. Statutory Undertakers and others with powers to open the road cannot know either by visual inspection or by administrative search that such apparatus exists and may damage it, which for power cables is clearly dangerous. Accordingly, the underground cable and apparatus will need to be adopted by a statutory undertaker. The Applicant's position is they are seeking to be classed as a Statutory undertaker as part of their DCO. However, if the DfT do not recognise the Applicant as a statutory undertaker and/or refuse to grant "state codes", the Applicant will not be able to connect their EfW facility to the power grid at the Walsoken Substation. Accordingly, the Applicant's progress at their own risk as there is no right of appeal.

### **Chapter 7 Noise and Vibration**

In relation to Chapter 7 Noise and Vibration, Norfolk County Council Highway Authority has identified potential amenity issues as including noise and vibration from traffic and the resulting impact on residents' quality of life. However, assessment of this issues falls outside the local highway authority's remit so that NCC defers to any Relevant Representations submitted by the King's Lynn and West Norfolk Borough Council on this matter.

### **Chapter 8 Air Quality**

In relation to Chapter 8 Air Quality, Norfolk County Council Highway Authority has identified potential amenity issues as including emissions from traffic and the resulting impact on residents' quality of life. However, assessment of this issues falls outside the local highway authority's remit so that NCC defers to any Relevant Representations submitted by the King's Lynn and West Norfolk Borough Council on this matter.

### **Chapter 9 Landscape and Visual**

In relation to Chapter 9 Landscape and Visual, Norfolk County Council Natural Environment Team's Principal Landscape Architect has raised concerns about the potential landscape and visual impact in Norfolk of the Proposed Development. Their comments are as follows:

In terms of landscape, the landscape impacts of the grid connection in Norfolk are likely to be minimal with any cable trenches occurring in highway verges and being short term impacts prior to being reinstated like for like. There may be opportunities for enhancement where seeding etc is going to occur, but this would be a matter for later discussions.

In terms of the wider landscape and visual impacts the scale of the proposals means that views from Norfolk are a concern. The study area has been extended to 17km, broadly speaking the views within Norfolk have been considered as part of the LVIA. By nature of the proposal, it is difficult to entirely screen the stack/plume due to their scale and height. From the built-up residential areas of Wisbech, the ZTVs suggest that views would be more limited (due to intervening buildings), however from villages to the east, properties on the western edges are likely to have more significant views. For example, Viewpoint 16 has open views, and some advanced staggered planting would be beneficial here. Most of the further afield viewpoints suggest that views would not be possible of the main building or the stack, or if they are they would be very recessive in the landscape and majority screened. The plume however is likely to be much more visible, but is not included on the visualisations. The PRow network is quite limited in the area to the east of Wisbech, until you reach the River Ouse, so the primary concern would be with the impact on residential receptors in villages/remote dwellings (although these will be limited), road users of the A47 and the smaller road network (although these are considered a low sensitivity receptor), and the overall impact on the landscape character.

Whilst the ZTV does not extend that far, I also wonder whether views of the stack/plume (at least) would be seen from as far as King's Lynn western edges, which could potentially bring in additional residential receptors.

## **Chapter 10 Historic Environment**

In relation to Chapter 10 Historic Environment, the Norfolk County Council Historic Environment Team advise, that the archaeological impact of the grid connection at Walsoken and the cable route in Norfolk is minimal and have no other comments at this stage. The Examining Authority should however note that K&WNBC may wish to make a Relevant Representation in relation to this matter.

## **Chapter 11 Biodiversity**

In relation to Chapter 11 Biodiversity, Norfolk County Council Natural Environment Team's Principal Ecologist advises that the ecological impact of the grid connection at Walsoken and the cable route raises the following issues;

The direct impacts on ecology within Norfolk will be limited to the impacts of the grid connection along the A47 corridor. An Outline CEMP has been drafted which includes Appendix D (Outline Ecological Mitigation Strategy) which will need to be secured via the requirements in the DCO. Broadly speaking, the embedded environmental measures set out in the CEMP appear acceptable.

The Outline Landscape & Ecology Strategy Management Plan (and BNG calculations) doesn't relate to Norfolk so is not relevant for NCC.

Responsibility for the Habitats Regulation Assessment (HRA)/Appropriate Assessment (AA) will lie with the Secretary of State as 'Competent Authority' rather than NCC. It should however be noted that the Applicant has concluded in the HRA No Significant Effect Report that 'no potential for likely significant effect' on European wildlife sites, including those within Norfolk (i.e. Ouse Washes and The Wash).

## **Chapter 12 Hydrology**

In relation to Chapter 12 NCC Lead Local Flood Authority (LLFA) has identified the following issues relating to the surface water drainage impact of the grid connection at Walsoken and the cable route:

The LLFA has reviewed the ES Chapter 12 Hydrology and its supporting FRA. The LLFA notes the element of the proposed development within the Norfolk County boundary is the cable route to the grid connection station.

The cable route is proposed to cross ordinary watercourses that are adopted by the King's Lynn internal Drainage Board (IDB) and therefore under the jurisdiction of the IDB rather than the LLFA. In addition, there are a number of other ordinary watercourses that are not adopted by the IDB and are under the jurisdiction of the LLFA. Should any temporary or permanent works be required in these ordinary watercourses, the LLFA will require the Applicant to obtain consent prior to undertaking works within these watercourses.

A review of the surface water flood risk along the route of the order limit, indicates that surface water flood risk is localised and with a limited extent. The proposed Walsoken Substation and the Grid Connection are indicated to have a minimal increase in surface water runoff during both the construction and operation phases of the development.

Appropriate attenuation approaches are proposed. In addition, consideration to the dewatering activities associated with the construction phase activities has been provided and standard site management and mitigation approaches are intended to be applied with further detail provided in the Construction Environmental Management Plan (CEMP).

## **Chapter 13 Geology, Hydrogeology and Contaminated Land**

NCC does not raise any issues in relation to Chapter 12, but instead defers to any Relevant Representation submitted by KL&WNBC on this matter.

## **Chapter 14 Climate Change**

Given the scale of the development within Norfolk NCC does not raise any issues in relation to Chapter 14, but instead defers to any Relevant Representation submitted by Cambridgeshire County Council in respect of the proposed EfW plant itself

## **Chapter 15 Socio-Economics, Tourism, Recreation and Land Use**

In relation to Chapter 15 Socio-Economics, Tourism, Recreation and Land Use, Norfolk County Council's Economic Development team, have identified the employment and skills

benefit of the Proposed Development as a relevant consideration, to be considered in the planning balance.

It advises that the Applicant has taken a proactive and positive approach to developing an outline Employment & Skills Strategy that reflects the needs and priorities of the local area. The outline Employment and Skills Strategy summarises:

- The delivery of support already in place at the Applicant's existing operational facilities;
- The Applicant's approach to identifying specific opportunities to support employment and skills development for the Proposed Development; and
- The Applicant's commitments in relation to the Proposed Development.'

It advises that NCC will continue to work with the Applicant to finalise the strategy.

## **Chapter 16 Health**

In relation to Chapter 16 Health, Public Health Norfolk has identified the following matters in relation to the public health impacts in Norfolk:

It is noted that the proposed site for the plant is in Wisbech, Cambridgeshire, but that the connection to the grid will be in Norfolk. Public Health in Norfolk will comment only on the impact of the project as it pertains to population health in Norfolk.

The UK Health Security Agency (UKHSA) is the national technical expert on possible impacts on health of energy from waste facilities. Public Health England guidance<sup>1</sup>, subsequently adopted by UKHSA as one of its successor bodies, states that "modern, well run and regulated municipal waste incinerators are not a significant risk to public health. While it is not possible to rule out adverse health effects from these incinerators completely, any potential effect for people living close by is likely to be very small. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that these incinerators make only a very small contribution to local concentrations of air pollutants." Once operational, controls and monitoring will be via an Environmental Permit managed by the Environment Agency.

The impact of the proposal on traffic in Norfolk during construction has been assessed as minor as the works in Norfolk relate solely to the laying of an underground electricity cable, causing only temporary disruption to traffic and managed through the construction traffic management plan. Equally, additional operational traffic movements in Norfolk are assessed as not severe, with 85% of additional traffic movements falling outside of Norfolk. As such, any health impacts related to additional traffic will be negligible.

The scheme could give rise to potential anxiety in local populations both among those living and working immediately adjacent to the proposed site and those further afield due to community perceptions of risks to health. The Applicant has undertaken a mental health impact assessment which is welcomed and has proposed setting up a community liaison committee and employing a community liaison officer to allay community concerns about the scheme. This committee and officer should work both with communities immediately adjacent to the scheme and those further away in areas such as King's Lynn, for example.

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<sup>1</sup> PHE Statement on modern municipal waste incinerators (MWIs) study, Updated 15 October 2019, <https://www.gov.uk/government/publications/municipal-waste-incinerators-emissions-impact-on-health/phe-statement-on-modern-municipal-waste-incinerators-mwi-study>

Public Health Norfolk also welcomes the creation of a Community Benefits Strategy setting out how the developer could fund and support existing wellbeing initiatives in the local area.

## **Chapter 17 Major Accidents and Disasters**

Norfolk Fire and Rescue Service has identified the following issues:

It does not have any comment on hydrants for that part of the proposed Energy from Waste Combined Heat and Power facility.

The does however identify that the proposed grid connection at the electricity substation site at Walsoken does lies within the Norfolk county boundary. This it advises requires the installation of a fire hydrant to serve the development at the substation. The hydrant should be installed in a location to approved by Norfolk Fire and Rescue Service to ensure adequate fire-fighting water provision. The fire hydrant should conform to BS750 and should provide a minimum sustained outlet discharge in line with the 'National guidance document on the provision of water for fire fighting' published by Water UK. The hydrant is required to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any fire.

A minimum requirement for commercial/industrial development would normally require fire hydrants on no less than a 125mm main. This is subject to clarification of the type, size and use of the commercial premises. The developer is responsible for ensuring sufficient hydrants are installed, in compliance with water regulations and Building Regulations Approved Document B, Volume 2 sections 15 & 16 (Fire Hydrants / Water Supplies and Vehicle Access) with reference to the 'National guidance document on the provision of water for fire-fighting' published by Water UK.

All proposed hydrant provision should be to the satisfaction of the Norfolk Fire and Rescue Service. All expenses incurred shall be borne by the developer, owner or occupier of the commercial entity.

In addition, Norfolk County Council, Resilience Team has advised that CCC would be the emergency lead for any incident, but that NCC would expect to be informed and involved, given the potential cross-boundary issues in the event of an incident. It advises that particular importance should be attributed to the flood plans for the construction and post-completion phases and it expects further co-ordination when emergency plans are being prepared.

## **Chapter 17 Cumulative Impacts**

The County Council does not have any further issues to raise in respect of the cumulative impact of the development within Norfolk i.e. the cabling and connection to the grid connection at Walsoken.

## **Waste Policy matters, including Waste Availability, Composition and Capacity**

NCC does not raise any issues in relation to this, but instead defers to any Relevant Representation submitted by Cambridgeshire County Council, where the EfW facility is proposed to be located.

## **Additional Representations**

The comments set out above provide NCC's initial Relevant Representation on the Proposed Development, in response to the notification by Medworth CHP Limited. NCC anticipates being able to submit or make fuller representations on the matters set out above during the subsequent stages of the application process.

It is understood that at this stage the purpose of the Relevant Representations is to facilitate the Examining Authority, to identify and carry out an initial assessment of the principal issues, rather than to engage in substantive consideration of each of these issues. Accordingly, this representation seeks only to set out NCC's initial views of the matters listed above, with additional and more substantive representations to be submitted or made at a later date.

If you have any queries, please do not hesitate to contact the case officer, Andrew Sierakowski, on [REDACTED]

Nick Johnson  
Head of Planning

Date: 15 November 2022