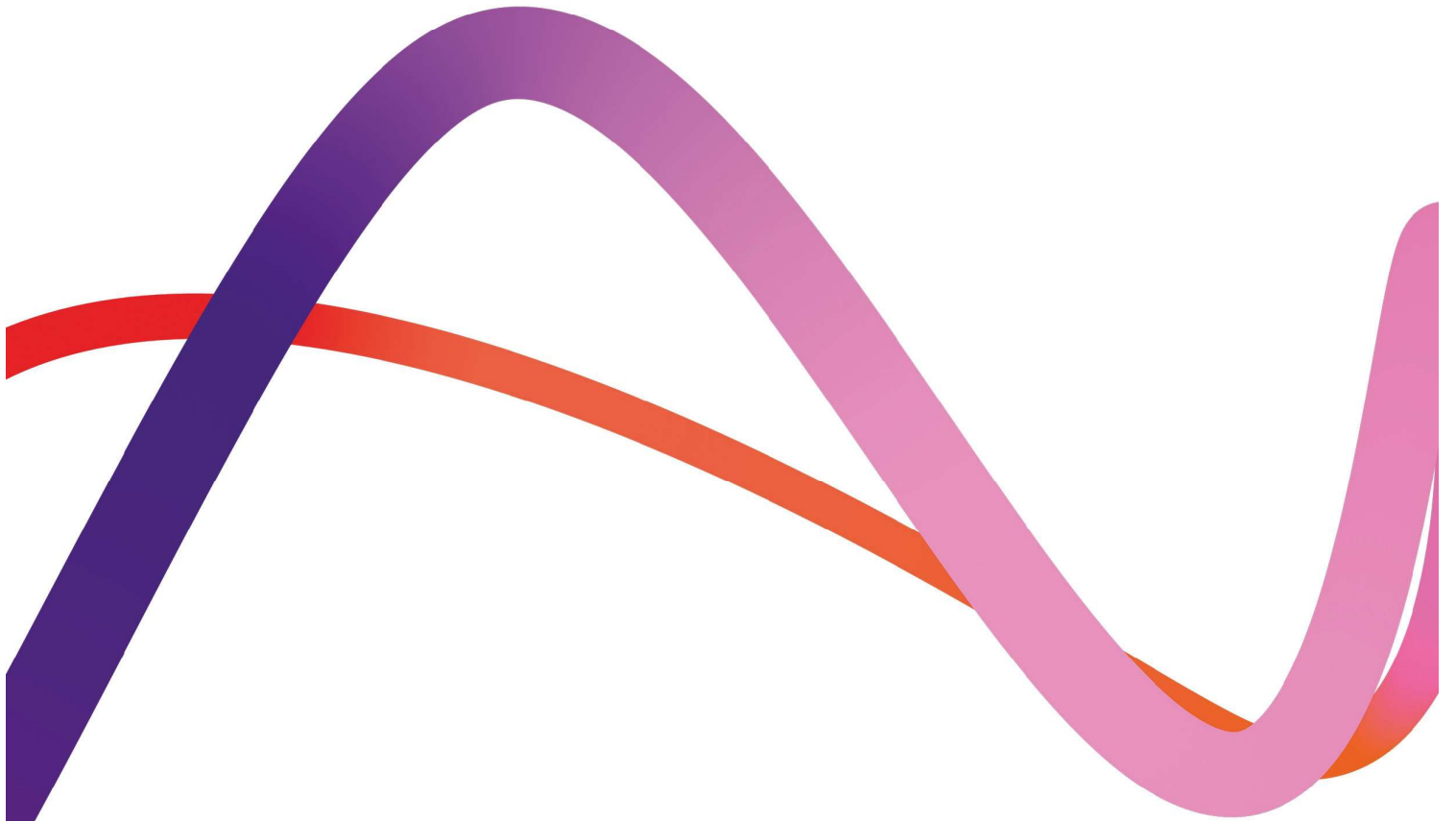


Medworth Energy from Waste
Combined Heat and Power Facility



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Deadline 1: 10 March 2023



**Statement of Common Ground
between Medworth CHP Limited
and Wisbech Town Council
(DRAFT)**

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with energy.**



Revision History

Revision number	Date	Details
0.0	09 March 2023	Draft produced by the Applicant for comment

Signatories

Applicant (Medworth CHP Ltd)

Signed

On behalf of Medworth CHP Limited

Name

Position

Date

Wisbech Town Council

Signed

On behalf of Wisbech Town Council

Name

Position

Date



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1. Introduction

This draft SOCG has been prepared by the Applicant and submitted to Wisbech Town Council for comment. The areas of agreement/disagreement are therefore based upon the Applicant's understanding only and do not constitute the position of Wisbech Town Council until such time that their express agreement is provided. The Applicant is in discussion with Wisbech Town Council with the intention of providing a revised SOCG to include their position at Deadline 2.

1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared between Medworth CHP Limited ('the Applicant') and Wisbech Town Council to set out the areas of agreement and/or disagreement between the parties in relation to the Proposed Development Consent Order (DCO) Application for the Medworth CHP EfW Facility.

1.1.2 Wisbech Town Council is a Statutory Party in relation to the proposed DCO Application.

1.1.3 The preparation of this SoCG was requested by the Examining Authority in its Rule 6 Letter dated 24 January 2023. The preparation of SOCG is encouraged by the Planning Inspectorate's Advice Note 11: Working with public bodies in the infrastructure planning process encourages a proactive approach to reaching agreement on the approach and the conclusions of the Environmental Impact Assessment (EIA), and the approach to consents, licences and authorisations.

1.1.4 This SoCG covers the following topics:

- General;
- Draft DCO;
- Need for the Proposed Development and the assessment of alternatives;
- Traffic and Transport;
- Noise and Vibration;
- Air Quality;
- Landscape and Visual;
- Historic environment;
- Biodiversity;
- Hydrology and hydrogeology, flood risk and contamination risk; and
- Climate.

1.1.5 It is the intention that this document will facilitate further discussion between the Applicant and Wisbech Town Council and will provide the Examining Authority (ExA) with a clear overview of the level of common ground between both parties. This



document will be updated throughout the application process and submitted to the Examination in accordance with the deadlines stipulated in the ExA's Rule 6 Letter.

1.2 Approach to Statement of Common Ground

1.2.1 The structure of this SoCG is as follows:

- Section 1: Introduction
- Section 2: The parties to the SoCG;
- Section 3: Agreement on Common Ground; and
- Section 4: Summary.

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2. The parties to the Statement of Common Ground

2.1 The Applicant and Party to the Statement of Common Ground

2.1.1 The parties to this SoCG are:

- Medworth CHP Limited, the Applicant for the Proposed Development; and
- Wisbech Town Council.

2.2 Role of Wisbech Town Council

2.2.1 Wisbech Town Council is the local parish council within which the EfW CHP Facility would be sited. It is a Prescribed Consultee under section 42 of the Planning Act 2008 as regards the Applicant's DCO application. The Town Council comprises elected councillors, the Town Mayor, and three council officers. Wisbech Town Council lies within the administrative area of Fenland District Council.

2.2.2 Wisbech Town Council has commissioned Adams Hendry Consulting Limited to act on its behalf in submitting relevant representations to the Examining Authority [RR-010].

2.3 Consultation and Engagement

2.3.1 A summary of the general pre-application consultation and engagement carried out with Wisbech Town Council is set out in **Table 2.1** below.

2.3.2 A summary of the consultation and engagement carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 2.2**.

Table 2.1: Summary of pre-application consultation and engagement with Wisbech Town Council

Date	Form of consultation	Statutory/Non-Statutory	Summary
17/12/2019	EIA Scoping Response	Statutory	Wisbech Town Council provided an EIA Scoping response to PINS.
08/2021	Response to the PEIR	Statutory	Wisbech Town Council provided comments on the PEIR as part of the statutory consultation.



Table 2.2: Summary of post-application submission consultation and engagement with Wisbech Town Council

Date	Form of consultation	Statutory/Non-Statutory	Summary
11/11/2022	Relevant Representation	Statutory	Wisbech Town Council provided a detailed relevant representation [RR-010] regarding the Proposed Development. This representation was provided by Adams Hendry Consulting Limited on behalf of Wisbech Town Council.
08/02/2023	Email	Non-statutory	<p>The Examining Authority requested in their Rule 6 letter (dated 24 January 2023) [PD-005] that the Applicant and Wisbech Town Council prepare a SoCG and submit this at Examination Deadline 1 (10 March 2012).</p> <p>The Applicant contacted Wisbech Town Council to make arrangements to prepare a draft.</p>
09/02/2023	Email	Non-statutory	Wisbech Town Council confirmed that the Applicant's email of 08/02/2023 had been forwarded to the Clerk of Wisbech Town Council.
24/02/2023	Email	Non-Statutory	Wisbech Town Council concerned about timing of SoCG production.
09/03/2023	SoCG engagement	Non-statutory	Issue of draft SoCG Rev 0.0 for comment
09/03/2023	Email	Non-statutory	Wisbech Town Council concerned about timing of receipt of first draft SoCG.

2.4 Summary of Current Position

2.4.1 Wisbech Town Council's main concerns, as set out in its Relevant Representation **[RR-010]** are:

- that residual waste requirements can be met without a need for the Proposed Development and that it would as a consequence result in an over-provision of waste recovery capacity;



- that the Proposed Development would jeopardise the achievement of relevant recycling targets;
- that the Applicant has failed to adequately consider alternative sites;
- that there is insufficient clarity as to the nature of road access improvements and the mechanisms to secure them;
- that the assumptions and methodology used for the traffic and transport assessments contained within the Applicant's Environmental Statement (ES) are not sufficiently justified;
- that the ES assessment of operational noise effects, including noise associated with operational traffic, is not robust;
- that the ES assessment of operational air quality effects may not adequately account for improvements in air quality in the future baseline nor represent a reasonably worst-case;
- that the ES assessment of landscape and visual effects is not clearly presented and may not address all of the Proposed Development's potential likely significant effects;
- that the ES has under-estimated the Proposed Development's effect on the Wisbech Conservation Area and archaeological remains and does not adequately address compliance with national planning policy as regards the historic environment;
- that the ES has not adequately assessed the Proposed Development's hydrological effects and risks of contamination of the water environment, including effects on water quality, aquatic and riparian biodiversity and groundwater flows;
- that given insufficient consideration of alternative sites, the Applicant cannot demonstrate that the Sequential Test on flood risk has been met; and
- that the ES assessment of the Proposed Development's effects on climate change have not been adequately assessed or justified.

2.4.2 The summary of the current position will be updated following Wisbech Town Council's review of the initial draft SoCG (Rev 0).

2.5 Status of the Statement of Common Ground

2.5.1 The current version of this SoCG (Rev 0) is in draft form. The documents referred to in this version of the SoCG are those submitted with the DCO application and available on the Planning Inspectorate's website:

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

2.5.2 The examination library references have been adopted in the SoCG for ease:

<https://infrastructure.planninginspectorate.gov.uk/wpcontent/ipc/uploads/projects/EN010110/EN010110-000900-Medworth%20Examination%20Library.pdf>



3. Agreement on Common Ground

3.1 Overview

3.1.1 The following sections of this SoCG set out the level of agreement between the parties for each relevant topic. A red-amber-green (RAG) rating has been assigned to each of the matters addressed, with red used to signify matters where no agreement has been reached between the parties, amber for matters under discussion and where agreement has yet to be reached, and green to identify matters that have been agreed.

3.1.2 The following section of this SoCG summaries the level of agreement between the Applicant and Wisbech Town Council on relevant matters.

3.2 General

Overview of the Proposed Development

3.2.1 The Proposed Development comprises the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Temporary Construction Compound (TCC);
- Access Improvements;
- Water Connections; and
- Grid Connection (underground cable and Walsoken Substation).

3.2.2 A summary description of each Proposed Development element is provided below. A more detailed description is provided in **Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]** of the ES. A list of terms and abbreviations can be found in **Chapter: 1 Introduction, Appendix 1F Terms and Abbreviations (Volume 6.4) [APP-068]**.

- **EfW CHP Facility Site:** A site of approximately 5.3ha located south-west of Wisbech, located within the administrative areas of Fenland District Council and Cambridgeshire County Council. The main buildings of the EfW CHP Facility would be located in the area to the north of the Hundred of Wisbech Internal Drainage Board (HWIDB) drain bisecting the site and would house many development elements including the tipping hall, waste bunkers, boiler house, turbine hall, air cooled condenser, air pollution control building, chimneys and administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located in the southern section of the EfW CHP Facility Site.
- **CHP Connection:** The EfW CHP Facility would be designed to allow the export of steam and electricity from the facility to surrounding business users via



dedicated pipelines and private wire cables located along the disused March to Wisbech Railway. The pipeline and cables would be located on a raised, steel structure.

- TCC: Located adjacent to the EfW CHP Facility Site, the compound would be used to support the construction of the Proposed Development. The compound would be in place for the duration of construction.
- Access Improvements: includes access improvements on New Bridge Lane (road widening and site access) and Algores Way (relocation of site access 20m to the south).
- Water Connections: A new water main connecting the EfW CHP Facility into the local network will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 (open cut trenching or horizontal directional drilling (HDD)) to join an existing Anglian Water main. An additional foul sewer connection is required to an existing pumping station operated by Anglian Water located to the north-east of the Algores Way site entrance and into the EfW CHP Facility Site.
- Grid Connection: This comprises a 132kV electrical connection using underground cables. The Grid Connection route begins at the 132kV switching compound in the EfW CHP Facility Site and runs underneath New Bridge Lane, before heading north within the verge of the A47 to the Walsoken Substation on Broadend Road. From this point the cable would be connected underground to the Walsoken DNO Substation.

3.2.3 The Proposed Development would be constructed in a manner consistent with that described within ES **Chapter: 3 Description of the Proposed Development (Volume 6.2) [APP-030]**. In summary:

- Work would commence with the establishment of the TCC together with any pre-commencement surveys and works to demolish existing structures and clear the EfW CHP Facility Site. The mobilisation and site set-up phase will last approximately 3-months.
- Access Improvements on New Bridge Lane will commence and take place over a 6-month period.
- Civil works comprising earthworks, piling and later the creation of external hardstanding areas, concrete structures and steelwork framing and the installation of the Water Connections will take place over a 34-month period.
- Overlapping with the erection of the structures at the EfW CHP Facility Site, mechanical, electrical and plant installation would take place over a period of 24-months followed by a 9-month period of commissioning and testing.
- The construction of the CHP Connection and Grid Connection would follow a similar process of mobilisation, civils and commissioning.

3.2.4 Following the completion of commissioning and testing, the TCC site accessed from Algores Way would be restored to its former condition.

3.2.5 During its construction the workforce is estimated to peak at 500 although this number will change over the course of construction. Based upon experience of



- constructing other, similar facilities this peak is anticipated to exist for approximately 3 months.
- 3.2.6 Environmental Statement (ES) **Chapter 3 Description of the Proposed Development (Vol 6.2) [APP-030]** paragraph 3.5.53 sets out the anticipated size of the operational workforce as being 40. The chapter provides a breakdown of the operational workforce which would include a shift team of 18 skilled operators, working in shifts of three at a time, to cover 24-hour operation of the EFW CHP Facility.
- 3.2.7 The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) under Part 3, Section 14 of the Planning Act 2008 by virtue of the fact that the generating station is located in England and has a generating capacity of over 50MW (see section 15(2) of the 2008 Act). It, therefore, requires an application to be submitted to the Secretary of State for a Development Consent Order (DCO). The DCO application has been submitted by Medworth CHP Ltd (the Applicant); a wholly owned subsidiary of MVV Environment Ltd.

Table 3.1: Agreement Log: General

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.1.1	The summary of the Proposed Development provided in Section 3.2 of this document reflects Wisbech Town Council's understanding of the Proposed Development.		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.
3.1.2	The matters set out in Section 2.4 of this SoCG correctly summarise Wisbech Town Council's main concerns as regards the Proposed Development.		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.
3.1.3	With the exception of the grid connection works along the A47 and at Walsoken, all of the Proposed Development would be situated within the boundary of Wisbech Town Council's administrative area.		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.



ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.1.4	No land or assets belonging to or managed by Wisbech Town Council are situated within the draft Order Limits shown on the Land Plans (Volume 2.2) [APP-006] .		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.

3.3 Need for the Proposed Development

- 3.3.1 The relevant representation submitted by Wisbech Town Council **[RR-010]** confirms their objection to the Proposed Development on the basis of waste need within the context of National Policy Statement for Renewable Energy (EN-3). The Applicant's DCO Application includes documents that set out its assessment on the need for the Proposed Development, which are described in paragraphs 3.3.3 – 3.3.5 below.
- 3.3.2 A **Planning Statement (Volume 7.1) [APP-091]** was submitted with the DCO Application and sets out the Applicant's assessment of the degree of compliance with relevant NPS policies and other pertinent legislation and policy, including local policy.
- 3.3.3 A **Waste Fuel Availability Assessment (WFAA) (Volume 7.3) [APP-094]** was submitted with the DCO Application, to set out the Applicant's assessment of the conformity of the Proposed Development with the waste hierarchy, the extent to which it would contribute to relevant waste recovery targets taking account of existing capacity and the effect on relevant waste local plans.
- 3.3.4 An updated **WFAA** is currently being prepared to address matters raised by the Host Authorities and other interested parties including Wisbech Town Council within their relevant representations and will be submitted at Deadline 2. This section of the SoCG will be populated once Wisbech Town Council have had the opportunity to review the updated WFAA.
- 3.3.5 A **Project Benefits Report (Volume 7.4) [APP-095]** was submitted with the DCO Application and sets out the Applicant's assessment of the need and benefits of the Proposed Development.

Table 3.2: Agreement Log: Need for the Proposed Development

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.2.1	In 2019, almost 2.4 million tonnes of household, industrial and commercial (HIC) waste,		Wisbech Town Council to provide its comments here.



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	<p>suitable for treatment at the Proposed Development, was disposed to landfill within the Study Area.</p> <p>In addition, approximately 100,000 tonnes of residual waste were exported from the Study Area to Europe, in 2019.</p>		<p>The Applicant considers that the Proposed Development would provide an opportunity to intercept the large quantities of waste going to landfill, including waste that is currently being transported out of the Study Area for disposal elsewhere, whilst securing other benefits through the delivery of CHP.</p>
3.2.2	<p>It is a requirement of the National Policy Statement for Energy (EN-1) and the existing and emerging update of National Policy Statement for Renewable Energy Infrastructure (EN-3) that applicants should have regard to both local and national capacity considerations in determining the need for additional new facilities.</p>		<p>Wisbech Town Council has expressed concern in Section 3 of its relevant representations [RR-010] that because the Proposed Development would be reliant on having to transport incoming waste over significant distances, it would be inconsistent with the proximity principle and effectively contrary to Government policy.</p> <p>The Applicant considers that it is appropriate to consider capacity for managing non-recyclable waste as far up the waste hierarchy as possible and in a manner which complies with the proximity principle. The Applicant expects that the vast majority of waste required to operate the Proposed Development will arise within an approximate 2-hour drive time of the site. Account also needs to be taken of the quantities of residual waste (approximately 100,000 tonnes per annum) that are being exported out of the Study Area for disposal in Europe. Taking all relevant factors into account, the Proposed Development does comply with the proximity</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>principle and relevant Government Policy in this regard. A highly localised assessment of need, based only a single Waste Planning Authority area, would not be appropriate as it would preclude all of these relevant and important considerations from being taken into account.</p>
3.2.3	<p>The Study Area for the assessment of 'local waste capacity', as set out in Section 3.2 of the Waste Fuel Availability Assessment (WFFA) [APP-094] is appropriate and justified.</p>		<p>Wisbech Town Council's relevant representation [RR-010] at paragraphs 5.6 – 5. 13, is critical that the Study Area is wider than a 2-hour drive time, which has distorted the results of the assessment, potentially over-estimating the likely quantity of available arisings.</p> <p>The Applicant considers the Study Area is appropriate. Whilst it seeks to approximate a 2-hour drive time for the viable transport of waste, by necessity the Study Area boundary has also had to align with Waste Planning Authority and nationally published waste data. No Waste Planning Authority, wholly outside a 2-hour drive time has been included within the Study Area. The Applicant expects that the majority of waste required for the operation of the Proposed Development will arise from within an approximate 2-hour drive time on transport viability grounds.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.2.4	<p>The methodology for assessing the waste management capacity within the Study Area, as set out in Section 3 of the Waste Fuel Availability Assessment (WFFA) [APP-094] takes appropriate account of suitable residual arisings and current and planned management provision and accords with the approach required in existing and emerging new National Policy Statement EN-3.</p>		<p>Wisbech Town Council's relevant representations, [RR-010] suggest that the methodology has been manipulated to such an extent that the outputs cannot be relied upon. The Town Council argues that the assessment is predicated on outdated information and fails to take proper account of other facilities due to be opening shortly.</p> <p>Whilst the Applicant acknowledges that the assessment is based on 2019 data, it is confident that all other relevant proposed developments have been correctly taken into account. Nonetheless, mindful of the need to utilise the most up to date information available, the Applicant has committed to submitting an updated version of its Waste Fuel Availability Assessment at Deadline 2.</p>
3.2.5	<p>Within the Study Area, the shortfall in available management facilities to accommodate residual waste other than by landfill will be at least 1.8 million tonnes per annum by 2035. as set out in the Waste Fuel Availability Assessment (WFAA) (Volume 7.3) [APP-094] and summarised in the Executive Summary of the Project Benefits Report (Volume 7.4) [APP-095].</p>		<p>Wisbech Town Council considers that there is no need for the Proposed Development and that it would result in an over-provision in recovery capacity. Its relevant representation [RR-010] refers to the recently adopted Cambridgeshire and Peterborough Minerals and Waste Local Plan which identifies that there is a surplus of recovery capacity of 450,000tpa, if the proposed EfW plant at Peterborough (capable of managing 650,000tpa) is constructed. It also suggests that the Applicant has over-estimated</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>available arisings by approximately 1.4 million tonnes.</p> <p>The Applicant considers that it has taken a robust approach to the assessment of capacity within the Study Area. The WFFA (Volume 7.3) [AP-094] is based on data from a range of sources, including DEFRA, the Environment Agency, evidence bases for relevant Waste Local Plans and published research papers. Most data have been published at the Waste Planning Authority (WPA) Level. Inevitably, those WFA boundaries do not align precisely with the 2-hour drive time, that has been taken as a tool to indicate broadly where the Proposed Development will draw its waste from. However, having to take account of data at the WPA level does not distort or invalidate the assessment methodology or the capacity conclusions reached as regards the Study Area.</p> <p>Given Wisbech Town Council's suggestion in paragraph 3.6 of its Relevant Representation [RR-010] that a smaller facility may be more appropriate, it is assumed that a need for additional waste management facilities is not actually disputed but the disagreement between the Applicant and Wisbech Town Council is on the scale of provision.</p> <p>To clarify and in response to the Town Council's comments, the</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>Applicant confirms that its assessment takes into account the capacity that would be provided by the proposed EfW plant at Peterborough, as consented and yet to be constructed capacity (see Appendix C of the WFAA (Volume 7.12) [APP-094]).</p>
3.2.6	<p>The maximum operational waste handling capacity of the Proposed Development (625,600tpa) is appropriate given the scale of deficit identified in the Waste Fuel Availability Assessment (Volume 7.3) [APP-094].</p>		<p>Wisbech Town Council considers that the Applicant has not justified the need for a plant of the capacity proposed (625,600tpa) or for a site of 3.5ha. It suggests in paragraph 3.6 of its relevant representation [RR-010] that a smaller facility or a series of smaller facilities on alternative sites may be more appropriate.</p> <p>The Applicant considers that the identified deficit in waste management capacity is sufficient to support and justify the size of the EfW CHP Facility as proposed. Providing capacity on a single suitable and appropriately located site, offers a more viable and feasible of addressing requirements within the Study Area than a series of smaller sites. The size of site enables associated combined heat and power equipment to be provided, maximising the benefits of the Proposed Development and allowing for the incorporation of landscaping and biodiversity enhancement measures.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.2.7	The Proposed Development would not jeopardise achievement of relevant waste recycling targets, because it's need is based on an assessment of residual waste management capacity.		<p>Wisbech Town Council's relevant representations [RR-010] suggest that the Proposed Development would result in an over-provision of waste recovery capacity that could jeopardise achievement of recycling targets.</p> <p>The Applicant emphasises that the Waste Fuel Availability Assessment (Volume 7.3) [APP-094] focuses only on suitable residual wastes, that part of the waste stream that is left over after reuse, recycling and other forms of recovery. Moreover, the assessment includes consideration of future needs, taking into account existing WPA recycling levels and the achievement of a range of national recycling targets.</p>
3.2.8	Wisbech is a suitable location for the provision of EfW CHP facilities given a potentially significant demand for heat, as set out in Section 4.2, Project Benefits Report, (Volume 7.4) [APP-095] and as identified by the Government's Opportunity areas for district heating networks in the UK, Department for Business, Energy & Industrial Strategy (BEIS) 2021.		<p>Wisbech Parish Council's comments to be provided here.</p> <p>The Applicant refers to the BEIS National Heat Map which references the potentially significant heat demand in Wisbech. The provision of the EfW CHP Facility would enable the Proposed Development to deliver additional benefits over and above moving waste arising from within the WFAA Study Area up the waste hierarchy and away from landfill.</p>



3.4 Draft DCO

3.4.1 The submitted **Draft DCO (Volume 3.1) [APP-013]** includes at Schedule 2 the Requirements.

Table 3.3: Agreement Log: Draft DCO

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.3.1	None of the powers being sought by the Applicant as set out in the Draft DCO (Volume 3.1) [APP-013] would affect Wisbech Town Council in exercising its statutory functions and other duties and obligations.		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.
3.3.2	The Requirements in Schedule 2 of the Draft DCO (Volume 3.1) [APP-013] provide an appropriate mechanism for regulating approval of detailed designs for the Proposed Development and for securing mitigation measures.		

3.5 ES Chapter 2 Alternatives

Table 3.4: Agreement Log: Alternatives

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.4.1	There is no requirement in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 or in the Secretary of State's Scoping Opinion dated 13 January 2020 that the Applicant must evaluate alternative sites for the Proposed Development.		<p>Wisbech Town Council's view is that insufficient consideration has been given to alternatives and that this is a serious omission on the part of the ES.</p> <p>Having identified a deficit in waste management capacity, the Applicant has used a set of criteria to identify a suitable site.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>The site at Algores Way meets the Applicant's criteria and is suitable, without the need to seek out other alternatives. As explained in ES Chapter 2: Alternatives (Volume 6.2) [APP-029] consideration was given to alternative layouts and arrangements for connecting with the electricity grid.</p>
3.4.2	<p>The site selection criteria for the Proposed Development, as set out in Section 2.3, ES Chapter 2: Alternatives (Volume 6.2) [APP-029] provide for appropriate consideration of operational and environmental matters in determining the suitability of the site location, and accord with the 'factors influencing site selection by applicants (paragraphs 2.5.22-2.5.29)' from National Policy Statement EN-3.</p>		<p>Wisbech Town Council considers that the site selection criteria should have included proximity to the source of waste at the outset of the project and that less weight should have been given to proximity to potential heat and electricity customers.</p> <p>The Applicant confirms that identifying a location where there is residual waste capacity was its first essential siting criteria, as explained in Section 2.3, ES Chapter 2: Alternatives (Volume 6.3) [APP-029]. This was made clear in a draft Waste Fuel Availability Assessment that was provided at the statutory consultation stage of the project, and which has been explained in more detail in the ES. Proximity to potential CHP customers was a key essential consideration in line with the NPS EN-3, to enable the benefits of the Proposed Development to be maximised, but did not dictate the choice of site as the Town Council appears to suggest.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.4.3	Providing waste management facilities on a single, suitable and appropriately located site is a reasonable approach to addressing any capacity shortfalls in the Study Area.		<p>Wisbech Town Council's relevant representation [RR-010] paragraph 3.6 suggests that a smaller site or a series of smaller sites may be more appropriate alternatives but that the applicant has not considered such alternatives.</p> <p>The Applicant observes that Wisbech Town Council has not offered any evidence to support its view that a series of smaller sites would be more appropriate. It considers that a single suitably located site would be a more cost effective and feasible way of addressing the need for additional waste management capacity, as well as securing CHP benefits and managing associated environmental impacts.</p>
3.4.4	The Flood Risk Assessment (FRA) in Volume 6.4 of the ES [APP-084] demonstrates that the applicant has taken an appropriate sequential approach to the site selection process, and has complied with Government Policy in EN-1, EN-3, EN-5 and the NPPF as regards the assessment of flood risk.		<p>Paragraph 3.7 of Wisbech Town Council's relevant representation [RR-010] states that failure to consider alternative sites was a serious omission and means that the Applicant has failed to comply with the sequential test on flood risk, given that the site is within Flood Zone 3.</p> <p>Both at the time the EfW CHP Facility Site was first identified and at the point the option agreement for the land comprising the majority of the EfW CHP Facility Site was signed in 2019, the EfW CHP Facility Site was allocated in the Cambridgeshire and Peterborough Waste and Minerals Development Plan Site</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>Specific Allocations 2012 as a Waste Allocation and Consultation Area (W1C inset map 39) as site allocation W1C (an allocation for waste recycling and recovery facilities (non-landfill) under Policy SSP W1. In view of national policy as set out in EN-1, Draft EN1, the National Planning Policy Framework and the Planning Practice Guidance Flood Risk and Coastal Change there was no requirement upon the Applicant to undertake a sequential test at the time it selected the site, nor through the stages of scoping and period of non-statutory consultation (at which times it still comprised an allocation). In July 2021 (after the commencement of the statutory consultation period for the Proposed Development) the Development Plan was replaced by Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. This Plan does not allocate sites for waste management purposes instead identifying waste management areas (Policy 10 WMAs). WMAs are existing or committed waste management sites.</p> <p>The EfW CHP Facility Site is identified as a WMA 'existing or committed waste management facility' in the 2021 Minerals and Waste Local Plan and retained within the Fenland Local Plan 2014 as an allocated waste management site.</p> <p>Following the adoption of the Cambridgeshire and Peterborough Minerals and</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>Waste Local Plan 2021, and taking into account feedback received during statutory consultation, the Applicant re-evaluated its site selection process. As part of this re-evaluation, the Applicant undertook a sequential test which considered other WMAs in the Wisbech area (as set out in the Flood Risk Assessment (Appendix 12A FRA Volume 6.4 [APP-084])). The Applicant did not identify any other available sites that met its essential site selection criteria, in particular the availability of potential CHP users, and that were located in either Flood Zone 1 or 2.</p> <p>Neither the Environment Agency nor Cambridgeshire or Norfolk County Councils have raised any concerns as regards the approach to assessing flood risk or to the FRA conclusions as to the site's suitability.</p>

3.6 ES Chapter 6 Traffic and Transport

3.6.1 The assessment of traffic and transport is set out in **ES Chapter 6: Traffic and Transport (Volume 6.2) [APP-033]**, together with supporting figures and appendices. This includes a **Transport Assessment (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6B) [APP-073]**.

3.6.2 In addition, a series of management plans have been produced to demonstrate how traffic and traffic would be managed during the construction and operation of the Proposed Development including:

- **Outline Construction Traffic Management Plan (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A) [APP-072];**
- **Outline Operational Travel Plan (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6C) [APP-074];** and



- Outline Operational Traffic Management Plan (Volume 7.15) [APP-106].

Table 3.5: Agreement Log: traffic and transport

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.5.1	Most of the residual waste required for the Proposed Development to operate at its maximum capacity will originate from within the local/regional Study Area.		<p>Wisbech Town Council's relevant representation [RR-010] suggests that the Proposed Development will be reliant upon transporting waste over significant distances, as the applicant has not demonstrated that there is sufficient residual waste capacity available within a 2-hour drive time.</p> <p>As set out in the WFAA (Volume 7.3) [APP-094], there is sufficient residual waste being generated within the Study Area to support the operation of the Proposed Development at its maximum capacity, without waste having to be transported significant distances as Wisbech Town Council believes or without the Proposed Development giving rise to unacceptable transport related effects. The Applicant confirms that no waste planning authority areas wholly outside an estimated 2-hour drive time have been included within the Study Area used for determining waste management needs and capacity.</p>
3.5.2	The scope and methodology for the transport assessment, as set out in Section 6.6, ES Chapter 6: Traffic and Transport (Volume 6.2) [APP-033] and ES Appendix 6B: Transport Assessment (Volume 6.4) [APP-073] is appropriate for the		Paragraph 4.5 of Wisbech Town Council's Relevant Representation [RR-010] makes the point that the sensitivity ratings applied to the highway links (set out in Table 6.24, ES (Volume 6.2) [APP-033] , including for example the



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	<p>purposes of identifying the Proposed Development's likely significant traffic effects during its construction and operation.</p>		<p>negligible ratings applied to links 6, 7 and 8 have not been adequately justified using the descriptors in line with Table 6.23, ES (Volume 6.2) [APP-033]. As a consequence, the Town Council suggests that the methodology used and the resulting 'no significant effect' conclusions for those links cannot be relied upon.</p> <p>The Applicant confirms that the scope and methodology for the transport assessment, including the basis for determining the significance of effects by reference to link sensitivity and magnitude of change, was agreed with the relevant highway authorities. The Town Council refers specifically to links 6, 7 and 8. These comprise sections of the A47 bypass, a Trunk Road that forms part of the strategic road network (SRN) managed by National Highways. Strategic roads, such as the A47, have a higher traffic flow capacity due to there being no development frontage and limited number of junctions, and therefore have the resilience to accommodate increases in traffic flows, hence their negligible sensitivity to change rating in line with the descriptors in Table 6.23, ES (Volume 6.2) [APP-033].</p> <p>Whilst Wisbech Town Council does not agree with the methodology for determining the sensitivity, it does not dispute the</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>assessed 'negligible' magnitude of change set out in Table 6.27 (construction traffic) and Table 6.32 (operational traffic), ES Volume 6.2) [APP-033]. Where the magnitude of change is predicted to be negligible, as is the case for Links 6, 7 and 8 in both the construction and operational phases, the resulting effect will still be negligible regardless of whether the sensitivity rating is agreed.</p> <p>Overall, as reported in ES Appendix 6B: Transport Assessment (Volume 6.4) [APP-073] the Proposed Development would not give rise to significant adverse effects on links 6, 7 and 8 during the morning peak.</p>
3.5.3	<p>The assumptions made on trip generation and distribution, as set out in Section 6.6 ES Chapter 6; Traffic and Transport (Volume 6.2) [APP-033] and ES Appendix 6B: Transport Assessment (Volume 6.4) [APP-073] are reasonable and appropriate for the purposes of assessing the Proposed Development's potential or likely significant effects during construction and operation.</p>		<p>Paragraphs 4.3, 4.4 and 4.6 of Wisbech Town Council's Relevant Representation [RR-010] question the validity of relying upon data from the construction of a smaller facility in Plymouth (Devonport), as this would not be representative of likely construction traffic generation. The Town Council also considers the use of the 25:75 split routing north and south on the A47 unjustified. The Town Council also comments that there is insufficient clarification as to assumptions made on the transport of material excavated from the waste bunkers.</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>The Applicant agrees that the operational capacity of their Devonport facility is smaller, but the trip generation data provided an appropriate starting point, factored up to reflect the nature of the Proposed Development. The traffic distribution splits were agreed with Cambridgeshire County Council (CCC) and National Highways. Paragraph 3.36 of CCC's Relevant Representation [RR- 002} confirms that the approach taken is considered to be robust.</p> <p>As to assumptions regarding the transport of material excavated from the waste bunkers, Table 6B.10, ES Appendix 6B (Volume 6.4) [APP-073] shows the trip generation associated with cut and fill and demolition works which includes waste bunker excavation. Section 3.8.48, ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030] confirms that approximately 70,000m³ of material would need to be removed from site and that this has been factored into the traffic impact assessments.</p>
3.5.4	By taking 2027 as the assessment year, the assessment of the Proposed Development's operational traffic effects reflects a reasonable worst case approach, as set out in Section 6.5.62, ES Chapter 6:		Paragraph 4.7 of Wisbech Town Council's relevant representation [RR-010] questions why the Traffic and Transport Assessment only assessed the opening year and not 15 years post opening, as per the noise assessment.



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	Traffic and Transport (Volume 6.2) [APP-033].		The Applicant confirms that the Proposed Development will have reached its maximum operational capacity by 2027 and therefore the additional development generated traffic as a proportion of baseline/background flows will be at its greatest, given that background flows will continue to increase in the future whereas the Proposed Development traffic generation will not.
3.5.5	The site access and highway improvements incorporated within the Proposed Development, Work No. 4A and 4B as specified in the Draft DCO (Volume 3.1) [APP-013] are appropriate for accommodating traffic levels likely to be generated by the Proposed Development and for mitigating potential significant effects at New Bridge Lane.		<p data-bbox="954 846 1398 915">Wisbech Town Council's comments to be provided here.</p> <p data-bbox="954 940 1398 1413">The Applicant notes that the Town Council has not made any representation regarding the adequacy of the improvements proposed. The Applicant also confirms that it intends to submit at Deadline 1 proposals for signalling the junction between New Bridge Lane and Cromwell Road (within the Order Limits), These proposals have been developed in response to comments received from CCC.</p>
3.5.6	The proposed Access Improvements at New Bridge Lane have been appropriately designed so not to prejudice any future implementation of the WAS Southern Access Road (SAR1) scheme, as set out in Section 6.5.66 to 6.5.71, ES Chapter 6: Traffic and Transport (Volume 6.2) [APP-033].		<p data-bbox="954 1472 1398 1833">Paragraph 4.2 of Wisbech Town Council's Relevant Representations [RR-010] comments that the access and highway improvements for the Proposed Development lack clarity and if dependent upon the SAR, there is no certainty as to the delivery of necessary measures.</p> <p data-bbox="954 1858 1398 1927">As explained in ES Chapter 6 (Volume 6.2) [APP-033], the</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			Applicant confirms that the Access Improvements at New Bridge Lane to be delivered as part of Proposed Development are not dependent upon implementation of the SAR scheme and that no reliance has been placed on that scheme in assessing effects and determining mitigation requirements. Requirements 2 and 7 of the Draft DCO (Volume 3.1) [APP-013] make clear that the authorised development must be carried out in accordance with the approved details, including details of the highway access measures to provide assurance on the delivery of the relevant works.

3.7 ES Chapter 7 Noise and Vibration

Table 3.6: Agreement Log: Noise and Vibration

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.6.1	The scope and methodology set out in ES Chapter 7: Noise and Vibration (Volume 6.2): [APP-034] are appropriate for identifying and evaluating the Proposed Development's significant construction and operational noise and vibration effects.		Wisbech Town Council's Relevant Representation [RR-010] raises concerns about the assessment of traffic noise, in particular that no baseline noise levels have been provided, that no account has been taken of increasing use of quieter electric vehicles, that there is insufficient clarity about how 18-hour flow data has been factored in and the appropriateness of using Cromwell Lane as a proxy for



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>assessing noise at New Bridge Lane.</p> <p>The Applicant confirms that the validation of the baseline sound levels, at the baseline noise monitoring locations, presented in Sections 4.1 and 4.3 of the revised ES Chapter 7 Appendix 7A (Volume 6.4) [AS-010], was agreed with the local authorities. The Applicant emphasises that the assessment method evaluates predicted increases in traffic noise that are based on modelled changes in traffic flows. The method, being an assessment of the change in noise levels rather than absolute levels which means that baseline noise level measurements, whilst useful for context are not necessary.</p> <p>As to taking account of the use of electric vehicles, there is currently no nationally accepted methodology for doing so. Whilst the Applicant acknowledges that the use of such vehicles could change noise levels this would be unlikely to significantly alter the outcomes of the assessment.</p> <p>The 18-hour flows for the baseline traffic, that have been used in the traffic noise assessment, are based on automatic traffic count surveys undertaken between 8 and 21 October 2021, averaged over the two- week period.</p> <p>As regards the concern about assessing noise at New Bridge</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>Lane, the Applicant believes that references to R2 in Section 7.8.20, ES Chapter 7 (Volume 6.2) [APP-034] have led to misunderstanding. The references to R2 in paragraph 7.8.20 should have read as R1. There is no intention to use Cromwell Lane as a proxy for assessing effects on Receptors at New Bridge Lane, instead the point which the ES was intending to make is that for R1 specifically, traffic noise from Cromwell Lane is the dominant noise source and that any increase in noise at R1 due to development traffic using New Bridge Lane will be masked by traffic on the busier Cromwell Lane.</p>
3.6.2	<p>Assumptions relating to potential noise levels associated with the operation of the plant at the Walsoken Substation, as set out in Section 7.6.34 ES Chapter 7: Noise and Vibration (Volume 6.2): [APP-034] are reasonable and justified.</p>		<p>Paragraph 4.7 of Wisbech Town Council's Relevant Representation [RR-010] expresses concern about the lack of information on the likely magnitude of noise associated with the operation of plant and mitigation that may be required.</p> <p>The Applicant acknowledges that there is the potential for changes in electrical load to cause additional noise from existing plant, but that such circumstances would be exceptional. Requirement 19 of the Draft DCO (Volume 3.1) [APP-013] secures the implementation of an Operational Noise Management Plan which provides an appropriate mechanism for dealing with</p>



ID	Statement on which agreement is sought	which	Position (RAG)	Commentary
				exceptional or unforeseen situations. The Applicant confirms that the nearest residential properties within Wisbech Town Council's administrative area, are more than 700m away from the Sub-station and neither they nor properties in closer proximity would be affected by its operation.

3.8 ES Chapter 8 Air Quality

Table 3.7: Agreement Log: Air Quality

ID	Statement on which agreement is sought	which	Position (RAG)	Commentary
3.7.1	The scope and methodology set out in ES Chapter 8: Air Quality (Volume 6.2) [APP-035] is appropriate for identifying and evaluating whether the Proposed Development would give rise to any significant construction and operational air quality effects.			<p>Wisbech Town Council's Relevant Representation [RR-010] sets out three areas of concern regarding the assessment approach. First, the Town Council is concerned that by not factoring air quality improvements in the future, the assessment does not represent a worst-case. Secondly, that there is a lack of clarity as to the assessment scenarios/years. Thirdly, a concern about the validity of using BAT Associated Emission Levels (BAT-AELs) for defining pollutant emission concentrations in preference to Directive Emission Limit Values.</p> <p>The Applicant maintains that the assessment reflects a reasonable worst-case approach. Where a pollutant is screened in for</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>assessment in accordance with the Environment Agency's guidance, the assessment considers the Process Environmental Contribution (PEC) against the Air Quality Objectives (AQO). If lower background concentrations were used, then the PEC levels would also be lower as a proportion of AQO.</p> <p>The relevant assessment years are set out in ES Chapter 8: Air Quality (Volume 6.2) [APP-035]. Section 8.6.18 confirms 2024 as the assessment year for the construction phase and Section 8.6.32 confirms 2027 as the assessment year for operation. Further detail is provided in Appendix 8B of the ES (Volume 6.4) [APP078] (see paragraph 5.1.5).</p> <p>By using the 2019 Emission Assessment Levels (EAL) in BAT, the assessment approach is more up to date than would be possible if reliance were placed just on those from the 2010 Directive. A full account of the relationship between BAT and AQO is provided in the Applicant's Comments on Relevant Representations: Part 1 (Volume 9.2) submitted at Deadline 1.</p>
3.7.2	The conclusions of the air quality assessment presented in Sections 8.9 and 8.10 of ES Chapter 8: Air Quality (Volume		<i>WTC to confirm whether it wishes to make any comments as</i>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	6.2) [APP-035] are appropriately justified.		<i>regards the validity of the air quality assessment conclusions.</i>

3.9 ES Chapter 9 Landscape and Visual

Table 3.8: Agreement Log: Landscape and Visual

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.8.1	ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030] provides sufficient information to enable likely significant environmental effects, including landscape and visual effects, to be identified and evaluated.		<p>Paragraphs 4.16 and 4.17 of Wisbech Town Council's Relevant Representation [RR-010] express concern that there is a lack of clarity as to design detail and what has formed the basis of the landscape and visual impact assessment. It queries quantities of materials to be excavated, assumptions on finished floor levels FFL (inadvertently referred to as flood levels in RR-010) and limits of deviation.</p> <p>The Applicant confirms that the design parameters, including maximum heights above FFL are set out in Table 3.1 of ES Chapter 3 (Volume 6.2) [APP-030]. The basis of assumptions underpinning the identification of a Zone of Theoretical Visibility (ZTV) are confirmed in Section 9.4.6, ES Chapter 9: Landscape and Visual (Volume 6.2) [APP-036], again stipulating the assumptions as to maximum worst-case FFL being assessed. Section 3.8.48 of ES Chapter 3 (Volume 6.2) [APP-030] also confirms that approximately</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>70,000m³ of material would need to be removed. Further detail as to the assumptions and basis of the landscape and visual assessments is provided in ES Appendices 9G, 9H and 9J (Volume 6.4) [APP-079]. The Applicant considers the information on design detail and the assumptions informing the assessment to have been clearly set out and appropriately secured through Schedule 14 of the Draft DCO (Volume 3.1) [APP-013].</p>
3.8.2	<p>The scope and methodology for the assessment presented in ES Chapter 9: Landscape and Visual (Volume 6.2) [APP-036] is appropriate for assessing landscape and visual effects during the construction and operation of the Proposed Development.</p>		<p>Paragraph 4.18 of Wisbech Town Council's Relevant Representation [RR-010] suggests that assumptions made on future baseline, specifically new wind energy schemes are unclear.</p> <p>The Applicant confirms that none of the assessment conclusions presented in ES Chapter 9 (Volume 6.2) [APP-036] refer to, or have been influenced by, other possible future windfarm developments yet to become firm commitments. The landscape and visual assessments are based on the current baseline and whilst references are made to committed developments in the Year 15 assessment, they have not determined assessment conclusions. The cumulative landscape and visual assessment presented in ES Chapter 18: Cumulative Effects (Volume</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>6.20 [APP-045] is based on the commitments set out in Table 18.9, which does not include any windfarm developments. The list of projects was submitted to each of the host authorities. Additional projects suggested by the host authorities were included within the final long and short lists.</p>
3.8.3	<p>The conclusions of the landscape and visual impact assessment presented in Sections 9.9 and 9.12, ES Chapter 9: Landscape and Visual (Volume 6.2) [APP-036] and supported by the relevant ES Landscape and Visual appendices (Volume 6.4) [APP-079] are appropriately detailed and justified.</p>		<p>Paragraph 4.19 of Wisbech Town Council's Relevant Representation [RR-010] comments that the presentation of the assessment, particularly the information in Table 9.15, ES Chapter 9 (Volume 6.4) [APP-079] is unclear, making it difficult to understand how sensitivity, magnitude of change and significance have been determined.</p> <p>The Applicant confirms that approximately 120 receptors were considered within the scope of the landscape and visual assessment, making it comprehensive but complex to present. Table 9.15, ES Chapter 9 (Volume 6.4) [APP-079] aims to present a summary of the assessment conclusions for each and every receptor. The footnotes to Table 9.15, ES Chapter 9 (Volume 6.4) [APP-079] signpost where information is provided as to the definitions and thresholds for sensitivity and magnitude. The justification for the sensitivity assigned to each receptor and the magnitude of change considered likely is given</p>



ID	Statement on which agreement is sought	which Position (RAG)	Commentary
		<p>in the relevant appendices, all set out using the same Receptor by Receptor format to aid navigation. The justification for the sensitivity of Receptors is given in Appendix 9E, (Volume 6.4) [APP-079] for landscape character receptors, Appendix 9F (Volume 6.4) [APP-079] for townscape receptors and Appendix 9J (Volume 6.4) [APP-079], for residential, community, recreational and vehicular visual Receptors. All residential Receptors, as shown in Table 9.15, ES Chapter 9 (Volume 6.4) [APP-079] have been treated as high sensitivity for the purpose of the assessment. The justification to support magnitude of change assessments is set out in Appendix 9G (Volume 6.4) [APP-079] for landscape character receptors, 9H for townscape receptors and Appendix 9J (Volume 6.4) [APP-079] for residential, community, recreational and vehicular visual receptors.</p>	



3.10 ES Chapter 10 Historic Environment

Table 3.9: Agreement Log: Historic Environment

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.9.1	<p>The scope and methodology for the assessment set out in ES Chapter 10: Historic Environment (Volume 6.2) [APP-037] is appropriate for the purposes of assessing the effects of the Proposed Development on the historic environment.</p>		<p>Wisbech Town Council's Relevant Representation [RR-010] states that the relevant policy tests in the NPPF have not been properly addressed. In addition, it considers there to have been insufficient justification for limiting the scope of sub-surface archaeological assessments to agricultural, peat and estuarine deposits only or for determining their significance.</p> <p>The Applicant confirms that the NPPF policy tests have been considered and are set out in Section 4.10 of the Planning Statement (Volume 7.1) [APP-091]. ES Chapter 10 (Volume 6.2) [APP-037] is limited to the assessment of effects and in line with accepted EIA methodology its purpose and scope does not extend to matters of planning balance. Judgements made on the potential for archaeological survival are set out in Section 10.4 and 10.5, ES Chapter 10 (Volume 6.2) [APP-037] and take account of a wide range of evidence and data, including LiDAR data and previous investigations and surveys. Cambridgeshire County Council agrees with the approach taken as regards sub-surface archaeological remains and the Applicant has committed to developing the Outline CEMP</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>(Volume 7.12) [APP-103] further to ensure suitable provision is made for post-consent geoarchaeological boreholes.</p>
3.9.2	<p>The conclusions of the assessment of the Proposed Development's effects on the historic environment, set out in ES Chapter 10: Historic Environment (Volume 6.2) [APP-037] are reasonable and appropriately justified.</p>		<p>Wisbech Town Council's Relevant Representation [RR-010] makes clear that it does not accept the assessment conclusions as regards the Proposed Development's effects on the Wisbech Conservation Area.</p> <p>The Applicant considers its approach to be robust. The conclusions take account of the heritage significance of the Conservation Area as a whole, the greatest extent of visibility to the Proposed Development and the industrial estate/urban context against which views to the Proposed Development would be seen. Outward views which are most likely to be altered are mainly restricted to those from the southern edge of Wisbech Conservation Area where there will be visibility of the upper parts of the Proposed Development and chimney.</p>



3.11 ES Chapter 11 Biodiversity

Table 3.10: Agreement Log: Biodiversity

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.10.1	The scope and methodology for the assessment set out ES Chapter 11: Biodiversity (Volume 6.2) [APP-038] is appropriate for the purposes of assessing the effects of the Proposed Development on the natural environment.		<p>Wisbech Town Council's Relevant Representation [RR-010] comments that the ES fails to assess the effects on aquatic and riparian biodiversity, despite the ES acknowledging hydrological connectivity between the site and the River Nene CWS and recognition within the NPS EN-3 for potential effects arising from the discharge of water from cooling systems at a higher temperature than receiving waters. The Town Council also comments that no assessment has been made of potential effects of fire-fighting on the water environment.</p> <p>The Applicant confirms that the ES did assess the effects on the aquatic environment, these were considered in Section 12.9 ES Chapter 12: Hydrology (Volume 6.2) [APP-039] rather than in ES Chapter 11: Biodiversity (Volume 6.2) [APP-038]. Table 12.9 ES Chapter 12 (Volume 6.2) [APP-039] makes clear that aquatic environment receptors were included within the scope of the assessment, recognising <u>potential</u> hydrological connectivity as explained in paragraph 12.5.64 of ES Chapter 12 (Volume 6.2) [APP-039] and indicated in Table 12.7. The Applicant also confirms that water from the cooling systems will not</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>be discharged into HWDB drains and therefore no impacts on biodiversity/aquatic environment are predicted in this regard.</p> <p>Neither the Environment Agency nor Natural England have raised concerns about the scope and methodology of the assessments as regards the aquatic environment. Natural England's Relevant Representation [RR-022] has commented specifically on the thoroughness of the ES.</p> <p>The Applicant intends to submit an update to the Outline Drainage Strategy, ES Appendix 12F (Volume 6.4) [APP-086] at Deadline 1. This update will include further information on the management of contaminated fire-fighting water.</p>
3.10.2	<p>The conclusions of the assessment of the Proposed Development's effects on the natural environment, set out in ES Chapter 11: Biodiversity (Volume 6.2) [APP-038] are reasonable and appropriately justified.</p>		<p>Wisbech Town Council's Relevant Representation [RR-010] suggests that the conclusion in Section 11.6.15, ES Chapter 11: Biodiversity (Volume 6.2) [APP-038] (not 11.8.15 as quoted in the Town Council's Relevant Representation) that the ecological features within the aquatic environment would not be subject to likely significant effects is not justified.</p> <p>The Applicant confirms that the conclusion in Section 11.6.15, ES Chapter 11: Biodiversity (Volume 6.2) [APP-038] was predicated on the assessment of</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>hydrological effects contained ES Chapter 12: Hydrology (Volume 6.2) [APP-039]. Section 12.9.7 to 12.9.17, ES (Volume 6.2) [APP-39] confirm that there would be no significant hydrological effects on the aquatic environment during construction and operation of the Proposed Development. Moreover, much of the River Nene CWS within 2km of the Proposed Development is canalised, with limited riparian environment. Mud exposed along the channel edges at low tide is unlikely to support the main aquatic macrophyte interest features of the CWS due to tidal scouring and highly turbid water. The Applicant therefore considers that the conclusion set out at Section 11.6.15, ES Chapter 11: Biodiversity (Volume 6.2) [APP-038] is reasonable and justified.</p>

3.12 ES Chapter 12 Hydrology

- 3.12.1 Paragraphs 4.29 and 4.30 of Wisbech Town Council's Relevant Representation **[RR-010]** state that the failure of the Applicant to carry out a sequential test is a significant omission. The adequacy of the Applicant's approach and the conclusions in its Flood Risk Assessment contained in **ES Appendix 12A (Volume 6.4) [APP-084]** are addressed in **Table 3.4** of this draft SoCG above (item 3.4.4) and are not considered further in this section to avoid duplication.



Table 3.11: Agreement Log: Hydrology

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.11.1	The entirety of the EfW CHP Facility site, CHP connection corridor and much of the areas for the Access Improvements, TCC and Water Connections lie within Flood Zone 3, whilst some areas of the TCC, Access Improvements and most of the Water Connections lie within Flood Zone 2, as set out in paragraph 12.5.40 of Chapter 12 of the ES: Hydrology (Volume 6.2) [APP- 039].		The Applicant anticipates that there is likely to be agreement on this matter during the course of the Examination.
3.11.2	The scope and methodology for the assessment set out in ES Chapter 12: Hydrology (Volume 6.2) [APP-039] is appropriate for the purposes of assessing the effects of the Proposed Development on the natural environment.		<p>Paragraph 4.27 of Wisbech Town Council's Relevant Representation [RR-010] states that the impacts of the deep waste storage bunker on ground water flows has not been considered.</p> <p>Section 12.5.47, ES Chapter 12: Hydrology (Volume 6.2) [APP-039] acknowledges the potential groundwater flood risk associated with the waste bunker. These risks are addressed in the Flood Risk Assessment, ES Appendix 12A (Volume 6.4) [APP-084]. The Applicant confirms that during construction, groundwater arising from the deep excavations will be pumped into the attenuation basins, prior to discharge into the IDB drain. For the operational phase, the base and walls of the bunker will be tanked and designed to prevent water ingress and take into account lateral and uplift</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			pressures that could be caused by high groundwater levels.
3.11.3	The conclusions of the assessment of the Proposed Development's effects on hydrology, set out in ES Chapter 12: Hydrology (Volume 6.2) [APP-039] are reasonable and appropriately justified.		<i>Wisbech Town Council to confirm if any further comments to add here.</i>

3.13 ES Chapter 13 Geology, Hydrogeology and Contaminated Land

Table 3.12: Agreement Log: Geology, Hydrogeology and Contaminated Land

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.12.1	The scope and methodology for the assessment set out in ES Chapter 13: Geology, Hydrogeology and Contaminated Land (Volume 6.2) [APP-040] is appropriate for the purposes of identifying and assessing the Proposed Development's potential significant effects with respect to geology, hydrogeology and contaminated land.		<i>Wisbech Town Council to confirm if they wish to make any comments as regards the scope and methodology of the assessment in Chapter 13 of the ES. No specific points made in the relevant representation.</i>
3.12.2	The assessment conclusions presented in ES Chapter 13: Geology, Hydrogeology and Contaminated Land (Volume 6.2) [APP-040] as regards the potential likely significant effects of the Proposed Development		Wisbech Town Council's Relevant Representation [RR-010] suggests that given the uncertainty as regards ground investigations, the conclusions at Sections 13.6.66-13.6.68, ES Chapter 13: Geology,



ID	Statement on which agreement is sought	Position (RAG)	Commentary
	are reasonable and appropriately justified.		<p>Hydrogeology and Contaminated Land (Volume 6.2) [APP-040], that the effects would be negligible and non-significant environmental effect cannot be relied upon.</p> <p>The Applicant refers to Section 13.6.87 ES Chapter 13: Geology, Hydrogeology and Contaminated Land (Volume 6.2) [APP-040]. This makes clear that risks of creating new contaminant migration pathways, such as during cabling works, would arise without suitable controls being place. Table 13.15, ES Chapter 13 (Volume 6.2) [APP-040] sets out the embedded mitigation and controls that are proposed and which will be secured by DCO requirements, including specifically Requirements 9 and 10 of the Draft DCO (Volume 3.1 [APP-013]). The conclusions in Section 13.6 of ES Chapter 13 (Volume 6.2) [APP-040] take appropriate account of these mitigation commitments and obligations.</p>



3.14 ES Chapter 14 Climate

Table 3.13: Agreement Log: Climate

ID	Statement on which agreement is sought	Position (RAG)	Commentary
3.13.1	<p>The scope and methodology for the assessment set out in ES Chapter 14: Climate (Volume 6.2) [APP-041] is appropriate for the purposes of assessing the effects of the Proposed Development on climate due to its greenhouse gas emissions and its vulnerability to climate change.</p>		<p>Wisbech Town Council's Relevant Representation [RR-010] raises a number of concerns regarding the assessment methodology. First, it questions the clarity of assumptions, including those relating to the proportion of residual waste likely to be landfilled in the future. Secondly, it suggests that other baseline scenarios should have been considered, such as those involving alternative thermal treatment technologies. Thirdly, it criticises the approach for scoping out effects associated with activities not undertaken at the Proposed Development, such as transportation and reprocessing of IBA.</p> <p>The Applicant reaffirms that the assessment approach complies with IEMA guidance for assessing greenhouse gas emissions (GHG) and assesses the impact of the Proposed Development against a reasonable future baseline as regards landfilling. The IEMA guidance requires consideration be given to whether a project contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050. The assessment takes account of the transport of IBA and APCr with the assumptions as detailed in the</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>assessment in ES Chapter 14: Climate (Volume 6.2) [APP-041]. In accordance with the GHG protocol emissions associated with the reprocessing of IBA are attributed to the user of the recycled materials and not the producer of waste, hence the approach to the assessment is in accordance with published guidance.</p>
3.13.2	<p>The conclusions of the assessment of the Proposed Development's effects on climate, set out in ES Chapter 14: Climate (Volume 6.2) [APP-041] are reasonable and appropriately justified.</p>		<p>Wisbech Town Council's Relevant Representation [RR-010] suggests that the Applicant has manipulated data and thus the assessment conclusions contained in ES Chapter 14: Climate (Volume 6.2) [APP-041] cannot be relied upon. It states that the amount of available waste has been 'grossly exaggerated' which means that the predicted carbon savings from the Proposed Development are over-estimated. It also states that there is no certainty that the CHP benefits can be delivered. It highlights that the assumptions upon which the assessment is predicated are flawed.</p> <p>The Applicant disagrees that the assessment and assumptions are flawed as the assessment has been carried out in accordance with IEMA guidance.</p> <p>First, as set out in Tables 3.2 and 3.5 above, there is sufficient residual waste arising within the Study Area to support the operation of the Proposed</p>



ID	Statement on which agreement is sought	Position (RAG)	Commentary
			<p>Development and hence to support the assessment conclusions as to its carbon benefits. Secondly, no allowance was made for the Proposed Development's CHP benefits in the main GHG assessment as confirmed in Section 14.9.50, ES Chapter 14: Climate (Volume 6.2) [APP-041]. The CHP benefits were only considered in a sensitivity assessment as confirmed in ES Appendix 14C–Sensitivity Analysis (Volume 6.4) [APP-088]. On this basis, the basis upon which the assessment has been carried out is considered realistic and appropriate.</p>



4. Summary

- 4.1.1 This SoCG has outlined the consultation and engagement that has taken place between the Applicant and Wisbech Town Council as regards the matters raised by Wisbech Town Council in its Relevant Representation [RR-010]. The agreement presents the current position reached as at Deadline 1 of the Examination (10 March 2023).
- 4.1.2 This SoCG will be updated as discussions progress and further iterations will be submitted to the Examination in accordance with the deadlines stipulated in the Examining Authority's Rule 6 Letter.

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