Norfolk County Council

Borough Council of King's Lynn & West Norfolk

Medworth Energy from Waste Combined Heat and Power Facility

Local Impact Report (LIR)

Prepared by Norfolk County Council and the Borough Council of King's Lynn and West Norfolk as Relevant Planning Authorities

Nationally Significant Infrastructure Project (NSIP)

Reference: EN010110

March 2023

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1. Introduction

1.1 This report comprises the Local Impact Report (LIR) of Norfolk County Council (NCC) and the Borough Council of King's Lynn and West Norfolk (the BCKLWN) as the Relevant Planning Authorities, in relation to the application by Medworth CHP Limited for the proposed Medworth Energy from Waste (EfW) Combined Heat and Power (CHP) Facility, at Algores Way, Wisbech, in Cambridgeshire (the Proposed Development).

1.2 A LIR is defined in s.60(3) of the Planning Act 2008, as amended, as "*a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)".*

1.3 This report has been prepared in accordance with the Planning Inspectorate Advice Note One: Local Impact Reports (v.2 2012) and covers issues that are considered relevant to the impact of the proposed development in the administrative areas of Norfolk and King's Lynn and West Norfolk.

1.4 This LIR deals with the suggested topics set out in Advice Note One, the subject areas in the submitted Environmental Statement (ES) and the proposed Requirements set out in the submitted in the draft Development Consent Order (DCO). It is concerned with the impacts only as they relate to the development within the administrative boundary of Norfolk or where NCC and the BCKLWN consider that the administrative areas of the two Council's will be impacted by any transboundary effects. It also only deals with the matters that NCC and BCKLWN have the technical competence and expertise upon which to comment.

1.5 NCC has worked together with the BCKLWN but not otherwise sought views from external consultees or other stakeholders regarding any of the matters referred to in this report, because as statutory consultees and/or interested parties, they have opportunities during the examination to make observations direct to the Examining Authority.

1.6 Additionally, it should be noted that at the BCKLWN Council meetings on 25 February 2021 and on 9 March 2023, a motion was passed that the Borough Council objects to the principle of the proposal for an Energy from Waste facility in Wisbech.

2. Proposed Development

2.1 The Proposed Development comprises the following key elements:

- The EfW CHP Facility Site;
- CHP Connection;
- Temporary Construction Compound;
- Access Improvements;
- Water Connections; and
- Grid Connection (comprising an underground cable and connection point at the Walsoken Substation).

2.2 A detailed description of the Proposed Development is provided in the ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]. Further details of each of the key elements are as follows.

2.3 EfW CHP Facility Site: This comprises a site of approximately 5.3ha located south-west of Wisbech, within the administrative areas of Cambridgeshire County Council (CCC) and Fenland District Council (FDC). 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 a number of the Proposed Development's elements, including the tipping hall, waste bunkers, boiler house, turbine hall, air cooled condenser, air pollution control building, stacks and an administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located on the southern section of the EfW CHP Facility Site.

2.4 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.

2.5 Temporary Construction Compound: 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 the construction phase.

2.6 Access Improvements: These include access improvements on New Bridge Lane (comprising road widening and construction of a site access) and Algores Way (by relocation of the existing site access 20m to the south).

2.7 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 (through 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.

2.8 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. Site description and surrounding area

3.1 The area the subject of this DCO, identified as the 'Order Limits' lies partly within the administrative areas of both NCC and the BCKLWN .

3.2 The main part of the application site, extending to 5.3 ha, where the EfW CHP Facility is to be located, lies on the south-west side of Wisbech within the

administrative areas of CC and FDC. It is situated within the industrial estate centred on Algores Way, and comprises land currently operated by Mick George Ltd as a waste and aggregates recycling facility and Waste Transfer Station and an unoccupied area of scrubland, which is separated from the existing WTS by an earth bund and trees.

3.3 The grid connection is the part of the Proposed Development that is of primary interest to NCC, being largely located in Norfolk. From the on-site substation to be located in the southern part of the EfW CHP Facility Site, the grid connection would run underground for its entire length to a point of connection at the National Electricity Transmission Network distribution system at UK Power Networks' (UKPN) substation, off Broadend Road at, Walsoken, approximately 3.0km north-east of the EfW CHP facility site.

3.4 The underground route would exit the EfW CHP Facility Site at New Bridge Lane then head east to the A47 and then north following the western verge of the A47 to Broadend Road. At Broadend Road the route would head west within the highway/verge to the Applicant's proposed substation. The proposed Walsoken substation is to be located to the front of the existing Walsoken substation on land belonging to UKPN and will include equipment owned and operated by UKPN and by the Applicant. This land is vacant grass scrubland with a tree and hedge line adjacent to Broadend Road and an area to the south of the existing internal road is used for temporary storage of wooden poles by UKPN.

4. Relevant planning history

4.1 There is no relevant planning history held by the NCC or the BCKLWN for development within the Order Limits in relation to the elements of the Proposed Development in Norfolk.

5. Relevant Planning Policy Framework

5.1 The proposed scheme has been accepted by the Planning Inspectorate on behalf of the Secretary of State to be treated as a National Significant Infrastructure Project (NSIP). Such applications are determined in accordance with the decision-making framework set out in s.104(2), of the Planning Act, as amended, which amongst other criteria includes the relevant National Policy Statements (NPSs). In this case, the relevant NPSs are the National Policy Statement for Energy (EN-1), the National Policy Statement for Renewable Energy Infrastructure (EN-3), and the National Policy Statement for Electricity Networks Infrastructure (EN-5), which can all be found on the GOV.UK website at:

https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure

5.2 The NPS for Energy (EN-1) sets out national policy for the energy infrastructure. It has effect, in combination with the relevant technology-specific NPSs in relation to DCO applications for energy developments that fall within their scope. The NPS for Renewable Energy Infrastructure (EN-3), taken together with NPS for Energy (EN-1), provides the primary basis for DCO applications for nationally significant renewable energy infrastructure, and the NPS for

Electricity Networks Infrastructure (EN-5), for applications for electricity networks infrastructure.

5.3 s.38(3) of the Town and County Planning Compulsory Purchase Act 2004, as amended, describes the Development Plan in England as the development plan documents which have been adopted or approved in relation to that area and the neighbourhood development plans which have been made in relation to that area. The relevant Development Plan Documents comprise the following.

King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy (2011)

5.4 The King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy (2011) (the Core Strategy) sets out the spatial planning framework for the development of the borough and is part of King's Lynn and West Norfolk's Local Development Framework. It provides guidance on the scale and location of future development for the 15 years up to 2026. It includes the policies needed to deliver the Core Strategy vision and objectives, and a system for monitoring whether the strategy is being delivered. The Core Strategy is a Development Plan Document, which means it forms the starting point for determining planning applications.

5.5 The following policies of the Core Strategy are considered relevant to the Proposed Development:

https://www.west-norfolk.gov.uk/downloads/download/68/core_strategy_document

- CS01: Spatial Strategy;
- CS06: Rural Areas;
- CS08: Sustainable Development;
- CS10: The Economy;
- CS11: Transportation; and
- CS12: Environmental Assets.

5.6 The Core Strategy identifies Walsoken as a "Settlement Adjacent to a Main Town", because although it has a range of services within the village itself, its proximity to Wisbech means that the settlement benefits from the range of services, facilities and employment opportunities in the town.

King's Lynn & West Norfolk Borough Council Local Development Framework - Site Allocations and Development Management Policies Plan (Adopted September 2016)

5.7 The King's Lynn & West Norfolk Borough Council Local Development Framework - Site Allocations and Development Management Policies Plan (Adopted September 2016) (the Site Allocations and Development Management Policies Plan) is intended to support the Core Strategy by helping to achieve the scale of growth and broad distribution of development and setting out development management policies for particular topics or locations to guide and set standards for planning applications and appeals.

5.8 The following policies of the Site Allocations and Development Management Policies Plan are considered relevant to the Proposed Development:

https://www.west-norfolk.gov.uk/downloads/download/68/core_strategy_document

- DM1: Presumption in Favour of Sustainable Development;
- DM2: Development Boundaries;
- DM12: Strategic Road Network;
- DM15: Environment, Design and Amenity;
- DM19: Green Infrastructure/Habitats Monitoring and Mitigation;
- DM20: Renewable Energy;
- DM21: Sites in Areas of Flood Risk;
- F.3 Wisbech Fringe;
- F.3.1 Walsoken; and
- G.110 Walsoken.

The Borough Council of King's Lynn & West Norfolk's Emerging Local Plan Review (2016-2036)

5.9 The Borough Council of King's Lynn & West Norfolk's Emerging Local Plan Review (2016-2036) is currently being prepared. The Emerging Local Plan Examination Hearings were cancelled in January 2023 to enable further work to be undertaken on the spatial strategy and distribution of housing in the Local Plan Review. The Planning Inspectors estimate that further Hearings could take place in early autumn 2023. Relevant draft policies include:

- LP01: Spatial Strategy;
- LP02: Settlement Hierarchy;
- LP03: Presumption in Favour of Sustainable Development;
- LP04: Development Boundaries;
- LP06: Climate Change Policy;
- LP07: The Economy;
- LP11: Strategic and Major Road Network;
- LP13: Transportation Policy;
- LP18: Design and Sustainable Development;
- LP19: Environmental Assets - Green Infrastructure, Landscape Character, Biodiversity and Geodiversity;
- LP20: Environmental Assets - Historic Environment;
- LP21: Environment, Design and Amenity;
- LP23: Green Infrastructure;
- LP24: Renewable Energy;
- LP25: Sites in Areas of Flood Risk;
- LP27: Habitats Regulations Assessment; and
- LP41: Development in Rural Areas.

Norfolk Minerals and Waste Development Framework: Core Strategy and Minerals and Waste Development Management Policies and Development Plan Document 2010-2026 (2011)

5.10 The Norfolk Minerals and Waste Development Framework: Core Strategy and Minerals and Waste Development Management Policies and Development Plan Document 2010-2026 (2011) (the Minerals and Waste Core Strategy) sets out the spatial vision for future mineral extraction, associated development and

waste management facilities in Norfolk for the period 2010-2026. Relevant Policies:

- Policy CS13: Climate Change and Renewable Energy;
- Policy CS14: Environmental Protection;
- CS15: Transport;
- CS16: Safeguarding mineral and waste sites and mineral resources;
- DM1: Nature conservation;
- DM3: Groundwater and surface water;
- DM4: Flood risk;
- DM8: Design, local landscape and townscape character;
- DM9: Archaeological sites;
- DM10: Transport;
- DM12: Amenity;
- DM13: Air quality; and
- DM15: Cumulative impacts.

5.11 Core Strategy Policy CS16 - Safeguarding mineral and waste sites and mineral resources, seeks to safeguard existing, permitted and allocated mineral extraction and associated development and waste management facilities. It should be noted that there are no safeguarded sites or minerals resources that would be affected by the Proposed Development.

5.12 The relevant policies of the Core Strategy can be viewed through the following link:

https://www.norfolk.gov.uk/-/media/norfolk/downloads/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/minerals-and-waste-planning/core-strategy-and-minerals-and-waste-development-management-policies-development-20102026.pdf

5.13 The interactive map of mineral safeguarding areas is available through the following link:

[redacted]

Minerals and Waste Local Plan Review

5.14 NCC currently preparing a new Minerals and Waste Local Plan, which will extend the plan period up to 2036 and consolidate 3 Development Plan Documents (DPDs); the Core Strategy and Minerals and Waste Development Management Policies and Development Plan Document 2010-2026 (2011), the Minerals Site Specific Allocations DPD (2013, amendment adopted 2017) and the Waste Site Specific Allocations DPD (2013). Once adopted the Local Plan will be used to determine applications for County matters minerals and waste development.

5.15 The Norfolk Minerals and Waste Local Plan Publication Draft (May 2022) was subject to a period of representations between 28 September 2022 and 19 December 2022. The responses received have all been published online and

can be viewed on NCC's Minerals and Waste Local Plan: Pre-Submission Publication and Background documents pages via the following link:

https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/environment-and-planning-policies/minerals-and-waste-planning-policies/norfolk-minerals-and-waste-local-plan-review

5.16 The Pre-Submission version of the Minerals and Waste Local Plan, relevant background documents and the representations received will all be submitted to the Secretary of State for public examination by a Planning Inspector in 2023.

Other Material Considerations

5.17 Other material considerations include the National Planning Policy Framework (NPPF) (2021), and the National Planning Policy Guidance (NPPG). Whilst not part of the development plan, they are taken into consideration when preparing local plans and in planning decisions.

5.18 The BCKLWN's Landscape Character Assessment (2007) is also a material consideration. It refers to Walsoken as bordering the "Open Inland Fens" to the east and encompassing a rich mix of arable fields, fruit orchards, plantations and pasture. It identifies the fens as having an intact mature landscape structure including the rows of poplars and large concentration of fruit orchards with panoramic views across the area, frequently framed by the orchards, and there being a historic drainage network, and a strong sense of tranquillity throughout the area.

6. Local Impacts

6.1 The local impacts set out below relate to NCC's and the BCKLWN's statutory functions and advisory roles.

7. Traffic and Transport

Relevant Development Plan Policy

7.1 Core Strategy Policy CS11 (Transport) states that when dealing with transport issues in new development, development proposals must demonstrate that they have been designed to reduce the need to travel, and promote sustainable forms of transport appropriate to their particular location and related to the uses and users of the development. They should also provide for safe and convenient access for all modes.

7.2 Site Allocations and Development Management Policies Plan Policy DM 12 (Strategic Road Network) identifies the Strategic Road Network on the Norfolk side of the County boundary as comprising the A10, A17, A47, A134, A148, A149, A1101 & A1122. It makes clear that these will be protected and that new development, apart from specific plan allocations, will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of the Strategic Road Network.

7.3 It states that new development served by a side road which connects to a road forming part of the Strategic Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on the route's national and strategic role as a road for long distance traffic in terms of

highway safety, the route's traffic capacity, and the amenity and access of any adjoining occupiers. A Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed.

7.4 In addition the Minerals and Waste Core Strategy Policy CS15 (Transport) states that all proposals for waste management facilities must assess and consider positively the potential for non-HGV transportation of materials to and/or from the facilities, principally by rail or water. This assessment must be included within a Transport Statement or Transport Assessment, if one is required. Applications are also to be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate; any unacceptable risks to the safety of road users and pedestrians; unacceptable impacts on the capacity and/or efficiency of the highway network, including the trunk road network); unacceptable impacts on air quality (particularly in relation to any potential breaches of National Air Quality Objectives and impacts on any Air Quality Management Areas) and residential and rural amenity, including from odour and noise; unacceptable impacts on the natural and historic environment; and unacceptable physical impacts on the highway network (e.g. road or kerbside damage). Core Strategy Policy CS15 is supported by Development Management Policy DM10 (Transport) which sets out the requirement for Transport Statements, Transport Assessments and Traffic Management Plans and Travel Plans.

Environmental Statement

7.5 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].

7.6 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].

Key Issues

7.7 As set out in the NCC's Relevant Representation, the Highway Authority (HA) has identified issues relating to the following matters:

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

Impact on the Local Highway Network

7.8 In relation to the impact on the local highway network, a local highway assessment has been undertaken for two scenarios, one during the construction phase and the second during the operational phase.

7.9 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 to be secured via the Requirements in the DCO. Accordingly, traffic associated with both scenarios entering and leaving Norfolk will do so via the A47(T).

7.10 The impact to the A47, which is a Trunk Road, and its connecting junctions will be assessed by National Highways. Nevertheless, NCC has assessed the impact to the A47/A1101 Elm High Road roundabout as traffic will disperse south and east into Norfolk via this roundabout.

7.11 In relation to construction traffic, the physical works in Norfolk relate solely to laying the underground 132kV cable. As with all roadworks it is anticipated that 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.

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

7.13 The largest impact to the County Road network would be at the Elm High Road junction which exhibits some driver delay from the east and the 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.

7.14 The assessment indicates that 5% of the HGV traffic will use Route 3 and 10% Route 4, with 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 through the junction in the AM peak and 5 vehicles (2 HGV's) routing through the junction in the PM Peak.

7.15 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, NCC does not regard the impact of

an additional 8 vehicles in the AM Peak and 5 vehicles in the PM Peak as severe.

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

7.16 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.

7.17 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 refuses 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.

7.18 The BCKLWN does not have any additional comments to make on ES Chapter 6.

8. Noise and Vibration

Relevant Development Plan Policy

8.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing environmental assets, and that the strategy for rural areas is to maintain local character and a high quality environment. Core Strategy Policy CS06 similarly seeks to ensure the protection of the countryside for its intrinsic character and to ensure its natural resources are enjoyed by all.

8.2 Core Strategy Policy CS08 (Sustainable Development) states that all new development proposals are required to demonstrate their ability to enrich the attraction of the borough as an exceptional place to live, work and visit and enhance community wellbeing by being safe and by promoting healthy lifestyles.

8.3 Core Strategy Policy CS12 (Environmental Assets) states that the BCKLWN will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas to meet the environmental, and social needs of local communities and the wider borough and contribute to an improved quality of life for current and future residents and visitors.

8.4 Site Allocations and Development Management Policies Plan Policy DM 12 (Strategic Road Network) makes clear that new development (served by a side road which connects to a road forming part of the Strategic Road Network) will

be permitted provided that any resulting increase in traffic would not have a significant adverse effect on the amenity of any adjoining occupiers.

8.5 Site Allocations and Development Management Policies Plan Policy DM 15 (Environment, Design and Amenity) requires new development to protect and enhance the amenity of the wider environment of the area, with proposals being assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the Proposed Development. Proposals will be assessed against a number of factors including noise. It makes clear that development that has a significant adverse impact on the amenity of others will be refused.

8.6 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural and built environments and that new development does not give rise to any unacceptable adverse impacts to natural resources and residential amenity as result of noise and vibration. In addition, Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on residential and rural amenity from noise and Development Management Policy DM12 (Amenity) seeks to ensure the protection of amenity for people in close proximity to potential waste management facilities. It states that development will be permitted only where it can be demonstrated that the scale, siting and design of a proposal is appropriate and that any unacceptable impact to local amenity will not be allowed to arise from the construction and/or operation of a facility.

Environmental Statement

8.7 The assessment of noise and vibration is set out in ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034], together with supporting figures and appendices.

8.8 An Outline Construction Noise Management Plan is provided as part of the Outline Construction Environmental Management Plan (CEMP) (Volume 7.12) [APP-103]. This is secured in Requirement 10 of the Draft DCO (Volume 3.1) [APP-013].

8.9 An Outline Operational Management Plan (Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D) [APP-074] has also been produced to demonstrate how noise and vibration would be managed during the operation of the Proposed Development. This is secured in Requirement 19 of the draft DCO (Volume 3.1) [APP-013].

Key Issues

8.10 As set out in NCC's Relevant Representation the 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 the Relevant Representation of the BCKLWN.

8.11 The BCKLWN refers to its Relevant Representation submission which has detailed comments on noise and vibration.

8.12 Its Relevant Representation notes that the routing and the number of construction vehicles is likely to impact on residents in Norfolk. It advises that a suitably worded condition would be required to restrict construction related delivery times/vehicle movements and a detailed and robust site Construction Environmental Management Plan (CEMP) would be required, to address harm to residents with respect to noise.

8.13 A separate Construction Management Plan should be submitted for the works involved in the connection to Walsoken substation as this would require night-time working. This should include direct resident notification of dates and times of work, and likely operations.

8.14 References within the reviewed documentation refer to the Outline Construction Environmental Management Plan (OCEMP). Site specific measures should be further specified in the full document, secured as a pre-commencement condition.

8.15 Requiring the new access route via the Cromwell Road link as early as possible would greatly reduce the impact on West Norfolk as the route is almost completely through commercial land, passing approximately four dwellings. This would be welcomed as a condition.

8.16 In relation to operational noise, the BCKLWN would expect an updated Noise Management Plan to be submitted for approval, prior to the commencement of operations of the EfW, which should include assessment of the Walsoken substation.

8.17 Further assessment of vibration impacts on residential properties during the connection to the grid at Walsoken substation would be welcomed. This is to address potential harm to nearby residents.

9. Air Quality

Relevant Development Plan Policy

9.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing environmental assets, and that the strategy for rural areas is to maintain local character and a high quality environment. Core Strategy Policy CS06 similarly seeks to ensure the protection of the countryside for its intrinsic character and that its natural resources are enjoyed by all.

9.2 Core Strategy Policy CS08 (Sustainable Development) states that all new development proposals are required to demonstrate their ability to enrich the attraction of the BCKLWN as an exceptional place to live, work and visit, and enhance community wellbeing by being safe and by promoting healthy lifestyles.

9.3 Core Strategy Policy CS12 (Environmental Assets) states that the BCKLWN will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas to meet the environmental, and social needs of local communities and the wider borough and contribute to an improved quality of life for current and future residents and visitors.

9.4 Site Allocations and Development Management Policies Plan Policy DM 12 (Strategic Road Network) makes clear that new development (served by a side

road which connects to a road forming part of the Strategic Road Network) will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on the amenity of any adjoining occupiers.

9.5 Site Allocations and Development Management Policies Plan Policy DM 15 (Environment, Design and Amenity) requires new development to protect and enhance the amenity of the wider environment of the area, with proposals being assessed against their impact on neighbouring uses and their occupants. Proposals will be assessed against a number of factors including odour and air quality. It makes clear that development that has a significant adverse impact on the amenity of others will be refused.

9.6 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural and built environments and that new development does not give rise to any unacceptable adverse impacts to natural resources including air quality, and residential amenity as result of dust. In addition, Minerals and Waste Core Strategy Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on air quality (particularly in relation to any potential breaches of National Air Quality Objectives and impacts on any Air Quality Management Areas) and residential and rural amenity, including from odour.

9.7 Minerals and Waste Core Strategy Development Management Policy DM12 (Amenity) seeks to ensure the protection of amenity for people in close proximity to potential waste management facilities and that development will only be permitted where it can be demonstrated that the scale, siting and design of the proposal is appropriate and that unacceptable impact to local amenity will not arise from its construction and/or operation.

9.8 In addition, Development Management Policy DM13 (Air Quality) states that applicants for planning permission will be required to submit information to demonstrate that proposals effectively minimise harmful emissions to air and would not impact negatively on existing Air Quality Management Areas, nor lead to the declaration of a new AQMA, and that development will be permitted if adequate measures can be agreed through planning conditions to mitigate potentially harmful air quality impacts to human health.

Environmental Statement

9.9 The assessment of air quality is set out in ES Chapter 8: Air Quality (Volume 6.2) [APP-035], together with supporting figures and appendices.

Key Issues

9.10 In relation to Chapter 8 Air Quality, NCC 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 the Relevant Representations submitted by the BCKLWN on this matter.

9.11 The BCKLWN refers to its Relevant Representation submission which has detailed comments on dust, odour/nuisance and air quality, together with the following additional comments.

Dust

9.12 The Relevant Representation notes that the routing and the number of construction vehicles is likely to impact on residents in Norfolk. The BCKLWN considers that a suitably worded condition would be required to restrict construction related delivery times/vehicle movements and that a detailed and robust site Construction Environmental Management Plan (CEMP) would be required, to address harm to residents with respect to dust.

Air Quality

9.13 The Relevant Representations stage consisted of a Relevant Representation report on Air Quality (AQ) and meetings held with the Applicant. A summary of the responses to the technical queries from the BCKLWN has been set out by the Applicant in an AQ Responses sheet. The BCKLWN received a draft/revised Air Quality Technical Report from the Applicant on 1st of February 2023 in response to the queries, which updates Appendix 8B of the Environmental Statement. It is understood that this has not yet been formally submitted to the Examining Authority, and therefore the BCKLWN's Relevant Representation submission relating to air quality, remains the Council's latest response on this matter. The comments below consider the draft Technical Report.

9.14 As with the Relevant Representation, the following Chapters have been utilised in drafting this response:

- Chapter 8: Air Quality Assessment including Appendix 8A (Stakeholder Engagement and Consultation Comments), Appendix 8B (Air Quality Technical Report Rev 1 and 2.), Annex G (Technical Appendix, Human Health Risk Assessment) and accompanying Air Quality Figures;
- Chapter 6: Traffic and Transport including Appendix 6A (Outline CTMP), Appendix 6B Transport Assessment, accompanying Traffic & Transport Figures and Outline Traffic Management Plan;
- Chapter 18: Cumulative Assessment and
- Chapter 19: Mitigation and Monitoring.

9.15 These Chapters are accessible via Planning Inspectorate's website including an overall guide to the application[1] (Revision 2). The BCKLWN officers have previously reviewed the documents submitted as part the earlier consultations including the statutory Preliminary Environmental Information Report (PEIR).

9.16 To help understand background air quality and monitor changes in traffic the BCKLWN has reviewed data from its nitrogen dioxide (NO_2) diffusion tube monitoring points in the area. As confirmed at the earlier Scoping Opinion the Planning Inspectorate (PINS) had recommended that all air quality monitoring

[1] PINS, Guide to the Application Revision 2; https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010110/EN010110-000914-220824%20MVV%20Volume%201.5%20Guide%20to%20the%20Application%20-%20Rev%202_Tracked.pdf

locations should be identified on a plan. There are also Department of Transport traffic survey points situated along parts of the traffic network.

9.17 In accordance with the statutory Local Air Quality Management (LAQM) framework the focus of attention is on the pollutants most likely to lead to exceedances such as NO_2, PM_{10} and SO_2. The BCKLWN is also required to work towards reducing $PM_{2.5}$ emissions.

Background to the LIR

9.18 The application consists of a 58MW Energy from Waste (EfW) Combined Heat and Power (CHP) facility located within the built-up area on southern side of Wisbech within neighbouring Fenland District, in Cambridgeshire.

9.19 The emissions from the stack are represented within ES Chapter 8, Figure 8.5 by NO_2 emission contours which shows the spatial extent of the resultant plume incremented in 0.1 ug/m^3 contours shown in Figure A.1 (included as Appendix 4 to this report). The plume shows the immediately impacted area comprises a largely industrial area in neighbouring Fenland District. The maximum Process Contribution (PC) from NO_2 would be 0.78 ug/m^3 and when compared to its annual mean Air Quality Action Level (AQAL) has been assessed as having a negligible impact. Relevant exposure within the West Norfolk area occurs outside of the 0.4 ug/m^3 NO_2 emission contour i.e. with a further reduction. It includes residential properties along Elm High Rd and the commercial centre around West Meadowgate towards the Elm High Rd roundabout.

9.20 Nitrogen dioxide (NO_2) is a key pollutant that forms at high temperatures during the combustion of wastes within the process along with nitric oxide (NO). NO_2 will also arise from transport emissions. Collectively the oxides of nitrogen are termed NOx. The amount of NO_2 emitted from the combustion process is to be controlled through a selective non-catalytic dosing system based on urea. The BCKLWN has previously explained that the application would benefit from an explanation on the choice abatement technology i.e. in employing a selective catalyst-based system as opposed to non-selective system, as Defra's LAQM Technical Guidance advises of higher potential efficiencies and greater NOx reduction with the former. This is primarily a matter for the Environmental Permit application that will need to form part of the Best Available Technology (BAT) assessment. The response set out in Section 4.2.5 of the Draft Technical Report is nevertheless useful to understand, as it mentions the merits/drawbacks of both systems.

9.21 Baseline air quality monitoring has formed part of the assessment and includes a reference station for NO_2 and Particulate Matter (PM) within size fractions PM_{10} and $PM_{2.5}$. The reference station is sited at a more urban background type location (Thomas Clarkson Academy) now shown within the 0.2 ug/m^3 NO_2 emission contour within the highest affected area. The reference station is also supplemented by NO_2 diffusion tubes in the area. A short-term local bias correction factor (0.69) has been selected by the Applicant, but the BCKLWN does not consider this to be representative when compared to a longer-term national factor. The results have now been updated using a national factor (0.82), which is preferable.

9.22 The BCKLWN has also raised comments about the use of Numerical Weather Prediction (NWP) data. The selection of meteorological data is recognised as a critical parameter for air dispersion modelling for a point source (as in this case). Defra's technical guidance explains that when using NWP data that it should be compared to results from standard meteorological observation data (OBS). Section 4.3 of the Revised Technical Report provides a further explanation of why NWP data was chosen.

9.23 The BCKLWN has also picked up on other technical matters from the modelling such as that the Benzene Environmental Assessment Level appeared to be missing from the results and calculations used to derive the cumulative PM_{10} and $PM_{2.5}$ which appeared to be incorrect. These matters appear now to have been resolved.

9.24 According to the information provided, including the latest information submitted to the BCKLWN from the Applicant, there is predicted to be no exceedances of any of the AQ objectives.

9.25 Further technical queries expanded on from the Relevant Representation are explained in more detail below, including Traffic related matters, Health Damage Costs and the AQ Monitoring Scheme.

Traffic/AQ Related Matters

9.26 Traffic input data for the AQ model according to the ES Chapter 6 Traffic and Transport Assessment (TA) has been calculated based on apportioning the anticipated maximum capacity of waste (625,600 tonnes) and associated other movements by payloads, based on the Applicant's experience of managing other sites. This has provided the number of likely daily HGV movements as a result of the development during weekdays (284) and weekends (64). Air quality modelling however requires traffic input data to be 24-hr daily (i.e. Annual Average Daily Traffic (AADT)). Assuming the weekend movements are daily then this would mean on average an additional 221 daily HGV movements into the site via Newbridge Lane.

9.27 The approach as set out within the TA is welcome as it allows a reasonable degree of confidence about future HGV movements into the facility if the plant operates to capacity and payloads are full, i.e. when all waste input streams/contracts have been secured.

9.28 HGV movements are considered a critical part of the development in terms of air quality, as HGVs have higher emission factors than other vehicles and because some road link changes in HGV movements are potentially significant.

9.29 The issue of emission factors, it was raised with the Applicant during the PEIR stage, and it had to be pointed out again in the Relevant Representation that traffic movements were only presented as Heavy Duty Vehicles (HDVs) rather than specifically Heavy Goods Vehicles (HGVs). HDVs include buses and coaches as well as HGVs, which have different emission factors. The latest revised AQ Technical Report has been supplemented with updated traffic AQ input data with vehicles splits provided, which is welcome as it gives improved confidence regarding respective emission factors.

9.30 The Applicant has confirmed, in terms changes to HGV movements, that during the operational and construction phases, HGVs will be routed away from the more sensitive Elm High Rd – Churchill Rd (AQMA) access, for example:

- During construction phase section 4.6 of the Outline CTMP sets out that construction HGV's will leave the A47 via Cromwell Road and route north to access the site i.e. to prevent the cut-through via Elm High Rd. Access will still be necessary to the northern section of the EfW facility via Algores Way for construction HGVs as set out in Section 6.6.70 of the TA, with around 35% of construction HGVs routed this way but prevented from impacting more sensitive receptors to the east as dictated by haul route/signage westwards according to the CTMP; and
- During the operational phase, there is a similar approach for the operational HGV's, with restrictions as set out within Section 6.6.106 of the TA and routes confirmed in Figure 2.1 of the Outline Operational TMP (included in this report as Appendix 7 Figure A.4). There will be some exemptions as set out, including local waste RCV traffic generated from within Wisbech.

9.31 Therefore, as long as the relevant construction/operational traffic management plans are implemented in accordance with the submitted plans, the BCKLWN would not object. DCO Requirements 11 and 12 refer to traffic management plans being approved and implemented accordingly throughout the authorised period.

9.32 In terms of the relative distribution of HGVs within the road network, the BCKLWN observe that a substantial number of the road links that are presented with minus values for HDV movements within the traffic AQ input data figures, differ from those presented in the TA.

9.33 For the construction year for example there were minus 822 HDVs and minus 1730 operational HDVs as a result of the development as AQ traffic input data. To generate minus HDVs as a result of the development appears unlikely especially when *positive* future year local traffic growth factors are being employed. The traffic AQ input data has now been revised and now shows positive values for the respective road links, which is considered to be much more representative.

9.34 However, the values still appear less than the corresponding values set out in the TA, based on apportioning the waste by payloads. The AQ road link values also do not tally when distributing the number of HGV vehicles within the traffic network. The BCKLWN has for comparison collated AQ and TA data within Table A.1 to highlight the differences and also plotted the HGV changes by each road link to further help understand spatial extent of the changes shown in Figures A.2 and A.3 (included as Appendix 5 and Appendix 6). For example, Newbridge Lane that forms the main access into the site would be expected to have an additional average 221 HGV movements per day, but the updated AQ input data shows only 125 additional operational HGVs as AADT i.e. almost half of the quantity expected.

9.35 To put this into context traffic (HGV) input values would primarily affect NO_2 and to a lesser extent PM therefore since:

- Maximum NO_2 Process Contribution (PC) from the stack is predicted as 0.78 ug/m3 at receptor R96 and,
- Maximum NO_2 PC from the stack and traffic is 1.2 ug/m^3
- Overall change, i.e.1.2 ug/m^3 represents a 3% increase when compared to AQAL (the NO_2 annual mean as 40 ug/m^3).

9.36 Therefore, even with the additional HGV trips as described by the TA and summarised in Table A.1 (included as Appendix 3), it would be unlikely to affect the overall impact descriptor (negligible) as a negligible impact is up to a 5% change, when based on background.

9.37 Nevertheless, due to the discrepancy between AQ and TA traffic input values, especially during operational period and uncertainty in predicting the wider distribution of HGV movements by payloads increases, the need is for some roadside AQ monitoring to support the application i.e. a contribution towards existing diffusion tube monitoring is required. Existing diffusion tube monitoring locations in Wisbech are located at the following sites (see Figure A.5 included in Appendix 8):

- Sites 110 and 101 – Elm High Rd A1101 (at either end of the road i.e. one located close to the boundary with Fenland DC and other close to the A47 Roundabout);
- Site 100 Chapnall Rd; and
- Site 99 West Walton.

9.38 There is however no diffusion tube located along the A1101 Elm – Downham Market road. HGV movements according to the TA could be around 19 additional (weekday) movements on this road link which is much higher than respective AQ traffic input value (4 HGV as AADT). Due to relatively good background air quality the additional movements along this road link would not increase NO_2 significantly even after checking via DMRB screening. An additional NO_2 tube within this area would nevertheless still be useful given the variation observed in traffic data and inherent difficulty in predicting future year HGV movements within a traffic network based on apportioning waste payloads within the county. Furthermore, cumulative traffic impacts have been considered by the Applicant as put forward by CCC, but do not appear to have included the West Winch strategic growth area which is a further compounding factor within this particular road link. A contribution towards the provision of the diffusion tube is therefore requested.

Health Damage Costs/AQ Monitoring

9.39 The BCKLWN had raised the issue of health damage costs as a mechanism of comparing the extent of AQ mitigation proposed and whether any residual risks remain, that should be considered as part of this LIR.

9.40 BCKLWN notes that the HHRA that was submitted as supplemental to the AQ assessment was based on a methodology of assessing risks for parameters other than the ambient air quality standards. BCKLWN however notes that there are published health damage costs associated with these standards based on mass emitted of the PM2.5 and NOx but which do not appear to have been considered within any of the chapters.

9.41 The Applicant has indicated, as part its response to offsetting the potential health damage costs for these pollutants, that they would be receptive to agreeing the scope for an air quality monitoring scheme prior to commencement.

9.42 In light of AQ impacts not being considered significant the BCKLWN considers this response to be reasonable especially given the nature and scale of development proposed and the level of concern about air quality. The Institute of Air Quality Management's (2018) position statement on mitigation advises that any offsetting should be within the vicinity of the development.

9.43 The AQ monitoring scheme (to be agreed) should ideally include the roadside diffusion tubes (5) as mentioned above and urban background type monitoring locations to monitor real-time particulate matter (PM_{10} and $PM_{2.5}$) and also nitrogen dioxide (NO_2). The AQ monitoring scheme would benefit from joint remote interrogation and downloading rather than being separately delivered by each local authority to help reassure the public about AQ but also with agreement where necessary from relevant public health sections of CCC and NCC.

10. Landscape and Visual Impact

Relevant Development Plan Policy

10.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing environmental assets, and that the strategy for rural areas is to protect the countryside beyond the villages for its intrinsic character and beauty and landscapes.

10.2 Core Strategy Policy CS12 (Environmental Assets) seeks to ensure that proposals protect and enhance landscape character. Proposals should be informed by, and seek, opportunities to reinforce the distinctive character areas and potential habitat creation areas identified in the King's Lynn and West Norfolk Landscape Character Assessment, the West Norfolk Econet Map and other character assessments. They should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character, landscape features and ecological networks.

10.3 Site Allocations and Development Management Policies Plan Policy DM 15 (Environment, Design and Amenity) states that development must protect and enhance the amenity of the wider environment, with proposals being assessed against their impact on neighbouring uses and their occupants. Proposals will be assessed against a number of factors including visual impact, and the requirement is that the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting through high quality design and use of materials.

10.4 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural and built environments and that new development does not give rise to any unacceptable adverse impacts to natural resources and the character and quality of the

landscape. In addition, Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on the natural environment.

10.5 In addition Minerals and Waste Core Strategy Development Management Policy DM8 (Design, local landscape and townscape character) states that development will be permitted if it will not harm the conservation of, or prevent the enhancement of, key characteristics of its surroundings with regard to the character of the landscape and townscape, taking into account any appropriate mitigation measures.

Environmental Statement

10.6 The assessment landscape and visual effects is set out in ES Chapter 9: Landscape and Visual (Volume 6.2) [APP-036], together with supporting figures and appendices.

10.7 An Outline Landscape and Ecology Management Plan has been produced (Volume 7.7) [APP-098]. This is secured in Requirement 5 of the draft DCO (Volume 3.1) [APP-013].

10.8 An Outline Lighting Strategy (ES 4 ES Chapter 3 Description of the Proposed Development Appendix 3B (Volume 6.4) [APP-071] has been produced to demonstrate how lighting associated with the Proposed Development would be designed to mitigate effects on nearby receptors, including local residents. This is secured in Requirement 18 of the draft DCO (Volume 3.1) [APP-013].

Key Issues

10.9 The main part of the development, i.e. the Energy from Waste Combined Heat and Power facility, is located in Wisbech in Cambridgeshire with only the western end of the grid connection to its connection point at the Walsoken substation, located in Norfolk.

10.10 Both NCC and the BCKLWN refer to the comments within their previously submitted Relevant Representation with respect to landscape and visual impacts.

10.11 As set out in NCCs Relevant Representation, it has raised concerns about the potential landscape and visual impact in Norfolk of the Proposed Development.

10.12 The landscape impacts of the grid connection in Norfolk are likely to be minimal with any cable trenches being located in highway verges and given rise to only short-term impacts prior to being reinstated like for like. There may nevertheless be opportunities for enhancement where seeding etc is going to occur, but this would be a matter for later discussion.

10.13 In terms of the wider landscape and visual impacts the scale of the proposals means that views from Norfolk of the Energy from Waste Combined Heat and Power facility building are a concern. The study area has been extended to 17km, and broadly speaking the views within Norfolk have been considered as part of the LVIA. By the nature of the proposal, it would be 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 the 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, that they would be very recessive in the landscape and the majority screened. The plume however is likely to be much more visible. NCC is concerned that this has not been included on the visualisations. NCC notes that the PRoW network is quite limited in the area to the east of Wisbech, until the River Ouse is reached, so the primary concern would be with the impact on residential receptors in villages and in 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.

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

10.15 The BCKLWN refer to their comments within their Relevant Representation with respect to trees and landscaping. In summary, BCKLWN is concerned that as many mature/important trees as possible are retained, and that any mitigation/replacement planting needs to be in keeping with the wider landscape. Full details of landscaping should be conditioned, to mitigate and avoid harm to important trees of visual amenity value in the area and to ensure appropriate landscaping is provided.

11. Historic Environment

Relevant Development Plan Policy

11.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing its heritage cultural and environmental assets, and that the strategy for rural areas is to protect the countryside beyond the villages for the diversity of its historic environment.

11.2 Core Strategy Policy CS12 (Environmental Assets) seeks to ensure that proposals protect and enhance the historic environment. Proposals should be informed by, and seek, opportunities to reinforce the distinctive character areas identified in the King's Lynn and West Norfolk Landscape Character Assessment. They should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area (including its historical and cultural character), gaps between settlements, landscape setting, distinctive settlement character, and landscape features.

11.3 It furthers states the Council will protect and enhance designated sites of historical value from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance. Development should seek to avoid, mitigate or compensate for any adverse impacts on heritage as well as seeking to enhance sites through the creation of features of new heritage interest. The design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

11.4 Site Allocations and Development Management Policies Plan Policy DM 15 (Environment, Design and Amenity) states that development must protect and enhance the amenity of the wider environment, with proposals being assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including their heritage impact, and the requirement is that the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting through high quality design and use of materials.

11.5 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural and built environments and that new development does not give rise to any unacceptable adverse impacts to heritage assets and their setting.

11.6 Minerals and Waste Core Strategy Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on the historic environment.

11.7 In addition Minerals and Waste Core Strategy Development Management Policy DM8 (Design, local landscape and townscape character) states that development will be permitted if it will not harm the conservation of, or prevent the enhancement of, key characteristics of its surroundings with regard to the character of the landscape and townscape, including consideration of its historic character taking into account any appropriate mitigation measures.

11.8 Minerals and Waste Core Strategy Development Management Policy DM9 (Archaeological sites) requires applicants whose proposals could potentially affect heritage assets, or which are in areas with high potential for archaeological interest, to prepare and submit an appropriate desk-based assessment and, where necessary, a field evaluation.

11.9 It furthers states that development will only be permitted where it would not adversely affect the significance of heritage assets (and their settings) of national and/or regional importance, whether scheduled or not. Following the results of a site evaluation, development which would potentially affect other heritage assets (not of national or regional importance) could be acceptable if subject to appropriate mitigation measures, such as physical preservation of the archaeology in situ, or preservation by record (including appropriate publication and archiving).

Environmental Statement

11.10 The assessment of the historic environment is set out in ES Chapter 10: Historic Environment (Volume 6.2) [APP-037], together with supporting figures and appendices.

11.11 The Outline CEMP [APP-103] includes provision for an archaeological Written Scheme of Investigation. The CEMP is secured in Requirement 10 of the draft DCO (Volume 3.1) [APP-013].

Key Issues

11.12 The ES Chapter assesses the impacts on the historic environment, with the main concern in Norfolk being with the archaeological impact of the grid connection at Walsoken and the cable route in Norfolk. As set out in NCC's Relevant Representation, it considers this to be minimal and it has no significant concerns.

11.13 The BCKLWN refer to their comments within their Relevant Representation, with respect to the historic environment.

12. Biodiversity

Relevant Development Plan Policy

12.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing environmental assets, and that the strategy for rural areas is to protect the countryside beyond the villages for its biodiversity through a Green Infrastructure Management Plan, and Biodiversity Action Plans.

12.2 Core Strategy Policy CS12 (Environmental Assets) seeks to ensure that proposals protect and enhance biodiversity. Proposals should be informed by, and seek, opportunities to reinforce the distinctive character areas identified in the King's Lynn and West Norfolk Landscape Character Assessment. They should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area, landscape features and ecological networks.

12.3 It states that the BCKLWN will protect and enhance County Wildlife Sites, ancient woodlands, Biodiversity Action Plan Species and Habitats, from development which damages their interest or significance unless the need for, and public benefits of the development outweigh the loss of interest or significance. It furthers states that development should seek to avoid, mitigate or compensate for any adverse impacts on biodiversity well as seeking to enhance sites through the creation of features of new biodiversity, interest.

12.4 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural environment and that new development does not give rise to any unacceptable adverse impacts to natural resources and biodiversity.

12.5 In addition, Minerals and Waste Core Strategy Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on the natural environment.

12.6 Minerals and Waste Core Strategy Development Management Policy DM1 (Nature conservation) states that development that would harm locally designated nature conservation and geodiversity sites; and/or habitats, species or features identified in UK and Norfolk biodiversity and geodiversity action plans, will only be permitted if it can be demonstrated that sufficient measures to mitigate harm to the site, habitat(s) and/or species can be put in place, preferably in advance of development. If appropriate mitigation measures

cannot practicably be implemented, compensatory habits or geological exposure of at least an equivalent standard at a suitable alternative location should be provided. Potential adverse impacts off-site, caused by water contamination, changes to hydrology and/or air pollution, will also need to be considered.

Environmental Statement

12.7 The biodiversity assessment is set out in ES Chapter 11: Biodiversity (Volume 6.2) [AS-008], together with supporting figures and appendices. A Habitat Regulations Assessment No Significant Effects Report [AS-007] has also been submitted as part of the DCO Application.

Key Issues

12.8 In relation to ES Chapter 11 Biodiversity, NCC considers that the ecological impact of the grid connection at Walsoken and the cable route will give rise to direct impacts on ecology although these will be limited to the impacts of the grid connection along the A47 corridor. NCC notes that an Outline CEMP has been drafted which includes in Appendix D, an Outline Ecological Mitigation Strategy, which will need to be secured via the Requirements in the DCO. However, it considers that the embedded environmental measures set out in the OCEMP are acceptable.

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

12.10 NCC notes that responsibility for the Habitats Regulation Assessment (HRA) and Appropriate Assessment (AA), will lie with the Secretary of State as Competent Authority rather than NCC in conjunction with the Environment Agency as the pollution control authority. It should however be noted that the Applicant has concluded in the HRA No Significant Effect Report that there is “no potential for likely significant effect”’ on European wildlife sites, including those within Norfolk (i.e. Ouse Washes and The Wash).

12.11 The BCKLWN does not have any additional comments to make on Chapter 11.

13. Hydrology

Relevant Development Plan Policy

13.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include seeking to avoid development in areas at risk of flooding and that new development should be guided away from areas at risk of flooding now or in the future, and that the nature and scale of development in the area adjacent to Wisbech will be dependent upon the outcome of work by Fenland District Council addressing the strategic role of Wisbech in the light of the Strategic Flood Risk Assessment. This approach is reiterated in Core Strategy CS08 (Sustainable Development).

13.2 Site Allocations and Development Management Policies Plan Policy DM 21 (Sites in Areas of Flood Risk) states that the BCKLWN will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists, adequate and appropriate consideration has been given to mitigating the risk. Mitigation

measures should minimise the risk of flooding on the development site and within the surrounding area.

13.3 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural environment and that new development does not give rise to any unacceptable adverse impacts to natural resources including water. In addition, Minerals and Waste Core Strategy Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on the natural environment.

13.4 Minerals and Waste Core Strategy Development Management Policy DM3 (Groundwater and surface water) states that applicants will need to give due regard to the policies within the Environment Agency's document 'Groundwater Protection: Policy and Practice (GP3)' and demonstrate that proposed developments would not adversely impact upon groundwater quality or resources and surface water quality or resources. A hydrological/hydrogeological risk assessment must be submitted, where applicable, to demonstrate this to the satisfaction of the County Planning Authority as advised by the Environment Agency.

Environmental Statement

13.5 The hydrology assessment is set out in ES Chapter 12: Hydrology (Volume 6.2) [APP-039], together with supporting figures and appendices. This includes a Flood Risk Assessment presented in ES Chapter 12 Hydrology Appendix 12A (Volume 6.4) [APP-084].

13.6 A series of outline management plans have also been produced, and secured in the draft DCO (Volume 3.1) [APP-013]:

- ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy (Volume 6.4) [APP-086]; and
- Outline Flood Emergency Management Plan (Volume 7.9) [APP-100].

Key Issues

13.7 ES Chapter 12 identifies that the element of the proposed development within the Norfolk County boundary is the cable route to the grid connection station.

13.8 As set out in NCC's Relevant Representation, the Lead Local Flood Authority (LLFA) notes that 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 accordingly require the Applicant to obtain consent prior to undertaking works within these watercourses.

13.9 A review of the surface water flood risk along the route of the Order Limits, indicates that surface water flood risk is localised and of a limited extent, and that the proposed Walsoken Substation and the Grid Connection would be

subject to a minimal increase in surface water runoff during both the construction and operational phases of the development. The LLFA considers that 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 Outline Construction Environmental Management Plan (OCEMP).

13.10 The BCKLWN refer to their comments set out in their Relevant Representation, with respect to hydrology. Flood risk issues at the grid connection in Walsoken will need to be addressed to avoid harm to the locality.

14. Geology, Hydrogeology and Contaminated Land

Relevant Development Plan Policy

14.1 Site Allocations and Development Management Policies Plan Policy DM 15 (Environment, Design and Amenity) states that development must protect and enhance the amenity of the wider environment, with proposals being assessed against their impact on neighbouring uses and their occupants. Proposals will be assessed against a number of factors including their impacts on water quality and contamination.

14.2 Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection and enhancement of Norfolk's natural environment and that new development does not give rise to any unacceptable adverse impacts to natural resources including water. In addition, Minerals and Waste Core Strategy Policy CS15 (Transport) states that applications will be considered in relation to whether they are satisfactory in terms of access where anticipated HGV movements, taking into account any mitigation measures proposed, do not generate any unacceptable impacts on the natural environment.

14.3 Minerals and Waste Core Strategy Development Management Policy DM3 (Groundwater and surface water) states that applicants will need to give due regard to the policies within the Environment Agency's document 'Groundwater Protection: Policy and Practice (GP3)' and demonstrate that proposed developments would not adversely impact upon groundwater quality or resources and surface water quality or resources. A hydrological/hydrogeological risk assessment must be submitted, where applicable, to demonstrate this to the satisfaction of the County Planning Authority as advised by the Environment Agency.

Environmental Statement

14.4 The assessment of geology, hydrogeology and contaminated land is set out in ES Chapter 13: Geology, hydrogeology and contaminated land (Volume 6.2) [APP-040], together with supporting figures and appendices.

Key Issues

14.5 ES Chapter 12 identifies that the element of the proposed development within the Norfolk County boundary is the cable route to the grid connection station.

NCC does not have any concerns in relation to any of the impacts on geology, hydrogeology and contaminated land set out in ES Chapter 12.

14.6 The BCKLWN refer to their comments within their Relevant Representation, with respect to contaminated land. Based on the information provided, and providing the environmental measures, including further investigation are followed, the BCKLWN considers that the risks should be acceptable within Norfolk.

15. Climate Change

Relevant Development Plan Policy

15.1 Core Strategy Policy CS08 (Sustainable Development) seeks to ensure that decisions take in account climate change adaption issues.

15.2 Minerals and Waste Core Strategy Core Strategy Policy CS13 (Climate change and renewable energy generation) states that potential waste developers will need to demonstrate that sites can be developed, operated and (where relevant) restored without unacceptable flood risk to the site itself, and also to 'downstream' land uses, taking into account potential climate change impacts (e.g. higher future rainfall rates).

Environmental Statement

15.2 The climate change assessment is set out in ES Chapter 14: Climate (Volume 6.2) [APP-041], together with supporting appendices. The assessment considers climate change in two ways:

- Greenhouse gas (GHG) emissions; and
- Climate change resilience (CCR).

Key Issues

15.3 Given the scale of the development within Norfolk, NCC does not raise any issues in relation to Chapter 14. The LIR prepared by CCC and FDC, in whose areas the EfW plant is located, will advise the Examining Authority on the relevant climate change impacts.

15.4 The BCKLWN refer to their comments within their Relevant Representation.

16. Socio-Economic and Community Issues

Relevant Development Plan Policy

16.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN are to facilitate and support the regeneration and development aspirations, encourage economic growth and inward investment, improve accessibility for all to services, education; employment; health; leisure and housing.

16.2 Core Strategy Policy CS06 (Development in Rural Areas) identifies that in rural areas the BCKLWN strategy is to promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity, focusing most new development in key rural service centres and ensure employment, housing (including affordable housing), services and other facilities are provided in close proximity.

16.3 Core Strategy Policy CS10 (The Economy) seeks to ensure that the local economy is developed sustainably, by facilitating job growth, by the provision of employment land as well as policies for tourism, leisure, retail and the rural economy and by increasing the proportion of higher skilled jobs while ensuring that opportunities are available for the development of all sectors of the economy and workforce.

Environmental Statement

16.4 The assessment of socio-economics, tourism, recreation and land use is set out in ES Chapter 15: Socio-economics, tourism, recreation and land use (Volume 6.2) [APP-042], together with supporting figures and appendices.

Key Issues

16.5 In relation to Chapter 15 Socio-Economics, Tourism, Recreation and Land Use, NCC identifies the employment and skills benefit of the Proposed Development as a relevant consideration, to be taken into account in the planning balance.

16.6 The NCC considers 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.'

16.7 NCC will continue to work with the Applicant to finalise the strategy.

16.8 The BCKLWN does not have any additional comments on Chapter 15.

17. Health

Relevant Development Plan Policy

17.1 Core Strategy Policy CS01 (Spatial Strategy) makes clear that the development priorities of the BCKLWN include protecting and enhancing environmental assets, and that the strategy for rural areas will maintain local character and a high quality environment. Core Strategy Policy CS06 (Rural Areas) similarly seeks to ensure the protection of the countryside for its intrinsic character and to ensure its natural resources are enjoyed by all.

17.2 Core Strategy Policy CS08 (Sustainable Development) states that all new development proposals are required to demonstrate their ability to enrich the attraction of the borough as an exceptional place to live, work and visit and enhance community wellbeing by being safe and by promoting healthy lifestyles.

17.3 Core Strategy Policy CS12 (Environmental Assets) states that the BCKLWN will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas to meet the environmental, and social

needs of local communities and the wider borough and contribute to an improved quality of life for current and future residents and visitors.

Environmental Statement

17.4 The assessment of health is set out in ES Chapter 16: Health (Volume 6.2) [APP-043], together with supporting appendices.

Key Issues

17.5 As set out in its Relevant Representation, in relation to Chapter 16 Health, NCC notes that the proposed site for the plant is in Wisbech in Cambridgeshire, but that the connection to the grid will be in Norfolk. The following comments are concerned only with the impact of the project as it pertains to population health in Norfolk.

17.6 NCC would draw the Examining Authority's attention to the fact that 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[2], 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.

17.7 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.

17.8 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 the community liaison officer should work both with communities immediately adjacent to the scheme and those further away in areas such as King's Lynn, for example. NCC also welcomes the creation of a Community

[2] 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

Benefits Strategy setting out how the developer could fund and support existing wellbeing initiatives in the local area.

18. Major Accidents and Disasters

Environmental Statement

18.1 The assessment of major accidents and disasters is set out in ES Chapter 17: Major Accidents and Disasters (Volume 6.2) [APP-044].

Key Issues

18.2 In relation to the assessment of Major Accidents and Disasters, Norfolk Fire and Rescue Service advises that it does not have any comment on hydrants for that part of the proposed Energy from Waste Combined Heat and Power facility.

18.3 It does however identify that the proposed grid connection at the electricity substation site at Walsoken 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 firefighting' 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.

18.4 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 firefighting' published by Water UK.

18.5 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.

18.6 In addition, NCC, 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.

19. Cumulative Impacts

Relevant Development Plan Policy

19.1 Norfolk Minerals and Waste Development Framework: Core Strategy Policy DM15 (Cumulative Impacts) states that where a proposed mineral extraction site, or waste management facility, is considered acceptable (in its own right) but the cumulative impact of a proposal in conjunction with other existing,

permitted or allocated minerals extraction sites and/or waste management facilities, in the proximity is considered unacceptable, the proposal may be considered acceptable if it can be demonstrated that the adverse cumulative impacts can be adequately mitigated. It requires that planning applications must be supported by information demonstrating how proposals relate to other development nearby and details of how any cumulative effects are proposed to be mitigated satisfactorily.

Environmental Statement

19.2 The cumulative effects assessment is set out in ES Chapter 18: Cumulative Effects (Volume 6.2) [APP-045], together with supporting figures and appendices.

Key Issues

19.3 NCC does not have any further issues to raise in respect of the cumulative impact of the Proposed Development in Norfolk i.e. the cabling and connection to the gird connection at Walsoken.

20. Waste Need

Waste Need Assessment

20.1 Waste Fuel Availability Assessment (WFAA) (Volume 7.3) [APP-094] was submitted with the DCO Application.

Key Issues

20.2 Norfolk's extant and emerging waste management policies relate to development in Norfolk. Similarly, the quantum of waste identified in the plan relates to waste only arising within or delivered to Norfolk with the objective achieving net self-sufficiency.

20.3 NCC does not raise any issues in relation to this topics the proposed EfW facility is to be located outside the area for which it has planning responsibility.

20.4 The BCKLWN does not have any additional comments in relation to waste need.

21. Draft Development Consent Order (DCO)

21.1 NCC has the following comments on the Draft Development Consent Order:

Part 2 Work Provisions

- Article 21 (Felling or lopping of trees): This Article allows any tree or shrub within or overhanging the Order land to be felled or lopped, or have its roots cut back, if it is considered to obstruct the construction, operation or maintenance of the project or endanger anyone using it. Compensation is payable for any loss or damage caused. NCC considers that there is a requirement that any such works must be undertaken under the supervision of a qualified arboriculturist, and the provision of appropriate mitigation planting is any trees are to be removed.
- Article 43 (Procedure in relation to certain approvals etc.): See below.

Schedule 2 (Requirements)

- Requirement 6 (Biodiversity net gain): This requirement requires the undertaker to submit a biodiversity net gain strategy prior to the commencement of the authorised development. It must be approved by the relevant planning authority in consultation with the relevant statutory nature conservation body. NCC assumes that this requirement needs to subject to a s.106 agreement to ensure long term management or if not, would want confirmation on how this would be enforced.
- Requirement 16 (Odour management plan): Before the date of final commissioning of any part of Work Number 1, the undertaker must submit an odour management plan, in substantial accordance with the outline odour management plan (Volume 7.11), to the relevant planning authority for approval. The odour management plan must be implemented as approved. This is a matter that is also covered by the Environmental Permit. To avoid duplication or conflict careful consideration will need to be given to which matters are covered by each regime.
- Requirement 19: Noise management – Before the date of final commissioning of any part of Work Numbers 1, 1A, 2A and 2B, an operational noise management plan must be submitted to the relevant planning authority for approval. The operational noise management plan submitted for approval must be substantially in accordance with the outline noise management plan (Volume 6.4) etc. The operational noise management plan must be implemented as approved. NCC considers that this is a matter that is also to be addressed through the Environmental Permit. To avoid duplication or conflict careful consideration will need to be given to which matters are covered by each regime.

Schedule 12 (Procedure for The Discharge of Requirements) (and Article 43)

- Schedule 12 Provides a bespoke procedure for the discharge of requirements by the Relevant Planning Authority, under Article 43. It sets out time periods within which decisions must be made, and provides for deemed approval of the requirements in certain circumstances. The Schedule makes provision for appeals to be made in the event of a refusal of an application in relation to a requirement or if the relevant planning authority requires further information to be provided in relation to that application. The bespoke process is required in order to ensure that requirements are dealt with efficiently so that the commencement and commissioning of the authorised development is not delayed. Deemed consent of requirements is required for the same reason and ensures that the nationally-needed authorised development will not be held up by the discharge of requirements. The Schedule relates to Article 43 (procedure in relation to certain approvals etc.). NCC considers that the Article and Schedule should include provision for chargeable fees for applications for discharging Requirements, and for future monitoring/inspection of the development Requirements.

- Applications made under requirements: Sub-paragraph 2(1) of the Schedule proposes a deemed discharge after 9 (nine) weeks. NCC considers this to be too short a period and proposes that this should be 12 (twelve) weeks.
- Sub-paragraph 2(2) proposes deemed approval in the event that the relevant authority does not determine an application within the period set out in sub-paragraph 2(1). NCC proposes that in event that the relevant authority does not determine an application within the period set out in sub-paragraph 2(1), that there would be a deemed refusal, which could then be subject to the appeal procedure set out in paragraph 4.
- Further information and consultation: Sub-paragraph 3(2) proposes that where further information is required from the undertaker to enable the relevant authority to consider the application, and the provision governing or requiring the application does not specify that consultation with a requirement consultee is required, that the request for such further information must be made within 14 (fourteen) business days of receipt of the application, specifying the further information required. NCC proposes that the 14 (fourteen) day time limit for making the request be deleted, as it may not always be apparent within the 14 day period that further information is required, and the sub-paragraph would prevent such request being made and is therefore unduly restrictive.
- Sub-paragraph3(3) proposes that if the provision governing or requiring the application specifies that consultation with a requirement consultee is required, the relevant authority must issue the consultation to the requirement consultee within five business days of receipt of the application, and must notify the undertaker in writing specifying any further information requested by the requirement consultee within five business days of receipt of such a request and in any event within fourteen business days of receipt of the application. NCC proposes that this paragraph be deleted in its entirety. It is unnecessary given the overall time limit for determination of an application and is wholly unrealistic in proposing that any request for further information is notified within 14 days, as consultees are unlikely to respond within this timescale. The sub-paragraph would, if consultees do not respond in time, result in the relevant authority being debarred from asking for further information, through no fault of its own.
- Sub-paragraph 3(4) proposes that in the event that the relevant authority does not give notification as specified in sub-paragraph (2) or (3) it is to be deemed to have sufficient information to consider the application and is not thereafter entitled to request further information without the prior agreement of the undertaker. NCC proposes that this paragraph be deleted in its entirety as it prejudices the relevant authority's ability to ask for further information after the end of the time limits set out in sub-paragraphs 3(2) and 3(3).
- Sub-paragraph 3(5) proposes that where further information is requested under paragraph 3 in relation to part only of an application, that part is to be treated as separate from the remainder of the application for the purposes of calculating time periods in paragraph 2(1)(b), paragraph 2(3) and paragraph 3. Again, NCC proposes that this

paragraph is deleted as it unduly restrictive and unnecessary for the reasons set out above.

21.02 Comments on the Draft DCO from the BCKLWN are included their Relevant Representation submission and in the air quality comments set out above.

22. Conclusions

22.1 This report comprises the Local Impact Report (LIR) of Norfolk County Council (NCC) and Borough Council of King's Lynn and West Norfolk (the BCKLWN) as the Relevant Planning Authorities, in relation to the application by Medworth CHP Limited for the proposed Medworth Energy from Waste Combined Heat and Power Facility, at Algores Way, Wisbech, in Cambridgeshire.

22.2 This LIR has been prepared to consider the impacts on the proposed development within the administrative areas of NCC and the BCKLWN and should be read in conjunction with the Relevant Representations previously submitted.

22.3 The LIR demonstrates that there will be some direct and indirect impacts as a result of the proposed development on Norfolk, and these should be carefully considered by the Inspectors through the Examination process.

Appendix 1 Norfolk County Council - Relevant Representation

Norfolk County Council

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 26th 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. Itis 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 highways 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[1], 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.

[1] 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 gird connection at Walsoken.

Waste Policy matters, including Waste Availability, Composition and Capcacity
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 understood that at this stage the purpose of the Relevant Representations is facilitate the Examining Authority, to identify and carry out an initial assessment of the principal issues, rather than to engage in substantive consideration of the 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 01746 718799.

Nick Johnson
Head of Planning

Date: 15 November 2022

Appendix 2 Borough Council of King's Lynn and West Norfolk - Relevant Representation

Borough Council of King's Lynn and West Norfolk

Relevant Representations

Contents

Appendices:

1 – BCKLWN Councillor comments
2 – Report to Planning Committee – 7 November 2022
3 – Summary of Additional Correspondence received since the publication of the Agenda
4 - Committee minutes 7 November 2022

1. INTRODUCTION

Throughout the pre-submission period the Borough Council of King's Lynn and West Norfolk (BCKLWN) has worked closely with the other host local authorities: Norfolk County Council (NCC), Cambridgeshire County Council (CCC), and Fenland District Council (FDC). The four local authorities have submitted separate responses to the applicant's non-statutory and statutory consultations.

We will also endeavour, where possible, to pool resources during the examination, with local authorities taking the lead on topics which relate to their functions or to expertise in their geographical area. These arrangements are for practical purposes to avoid undue duplication, and all local authorities reserve the right to express their views individually if they consider it necessary.

2 SUMMARY

The BCKLWN have been involved in pre-application discussions with the applicant. However, there remains some areas where queries remain. The Council seeks these matters be resolved prior to any consent being given to the scheme and are outlined in Sections 3 of these representations onwards.

At the Council meeting on 25 February 2021, a motion was passed to object to the principle of the proposal for an energy from waste facility in Wisbech. It is important to note that this remains in place and is unaffected by this specific technical consultation response.

Appendix 1 includes comments received from BCKLWN Councillors to be included as part of this current submission.

Appendix 2 includes the Planning Committee Report of 7th November 2022.

Appendix 3 includes a summary of Additional Representations relating to Medworth EfW received following the publication of the Planning Committee report and prior to the meeting of 7th November 2022.

Appendix 4 includes the Committee minutes of 7th November 2022 relating to Medworth EfW.

3 KEY CONCERNS/ISSUES

The following chapters provide the key concerns and comments identified by technical officers:

- Traffic and Transport
- Noise and Vibration
- Air Quality
- Landscape and Visual
- Historic Environment
- Biodiversity
- Hydrology
- Geology, Hydrogeology and Contaminated Land
- Climate Change
- Socio-Economics, Tourism and Land Use
- Health
- Major Accidents and Disasters
- Cumulative Impacts
- Other matters

3.1 Traffic and Transport

NCC are leading on this for Norfolk and will be commenting separately.

3.2 Noise and Vibration

Following a detailed review of the documentation, a Microsoft Teams Meeting/consultation was held with the applicant and the noise consultants on Friday 14 October.

I can confirm that I am satisfied with the outcome of the assessments and conclusions drawn in the above documentation and that this work has been undertaken in accordance with all relevant legislation and technical guidance.

I do support the concerns raised by Fenland District Council in relation to the consideration, assessment and understanding of the supporting documentation by the layman (residents and businesses within Fenland and West Norfolk, councillors etc), to enable interpretation of the documents in more basic terms as to how the proposal will impact on them, if applicable. The assessment is necessarily complex, and the applicants have signposted the location of summary details, however, a simpler presentation for the non-expert reader to enable easier identification of the outcomes of this technical assessment would be welcomed. This is also applicable with future technical documents.

3.3 Construction Noise / Dusts

Having looked at the routing of construction vehicles and the likely numbers in terms of impacts to residents of this district, we feel that a suitably worded planning condition to restrict construction related delivery times/vehicle movements and produce a detailed and robust site construction environmental management plan can be attached at the relevant point.

Noting the requirement for connection to grid (Walsoken substation) work to be undertaken during designated night-time hours, to avoid impacts to traffic flows on the A47, we would wish to see a separate construction management plan for this phase of the project specifically, which should include (as already discussed and agreed with the applicants during a West Norfolk noise and vibration consultation session) direct resident notification of dates and times of works, and likely operations. Such a document would aggregate all measures currently documented in the submitted Volumes/Chapters to mitigate noise.

References within the reviewed documentation refer to documents submitted in support of the application, specifically the Outline Construction Environment Management Plan (OCEMP), and it is clear that this is ‘outline’. Site specific measures are to be further specified in the full document secured via the planning process as pre-commencement documents. These should be in accordance with the relevant legislation and technical guidance and should include easy to understand, yet detailed, explanation of the measures which will be implemented to address each identified impact and evidence/calculations/supporting statements to verify the predicated impact outcome of the implementation of each mitigation measure at each receptor).

Requiring the new access route via the Cromwell Road link as early as possible in the development scheme would greatly reduce the impact on West Norfolk (and Fenland residents) as the route is almost completely through commercial land, passing approximately four dwellings. This would be welcomed as a condition.

3.4 Operational Noise

It is acknowledged that there should be no noticeable impact from the operation of the site on West Norfolk residents. Fenland District Council officers confirm that they have liaised with the applicant with regards to the Walsoken substation, and the applicant has confirmed that there are no known noise implications from any connection associated infrastructure at the substation,

or as a result of the connection. Notwithstanding this, and the Outline Noise Management Plan (ONMP), we would expect an updated NMP to be submitted for approval by all the relevant consultees prior to the operation of the installation on the site, which should include assessment of the Walsoken substation. (This document should be produced in accordance with the relevant legislation and applicable technical guidance, presented in a logical and easy to interpret format, identify all noise impacts and the significance of these at each receptor, include detailed explanations of the measures which will be implemented to address each identified impact, and evidence/calculations/supporting statements to verify the impact outcome of the implementation of each mitigation measure at each receptor).

3.5 Vibrations

Further assessment in terms of vibration impacts on residential properties during the connection to grid at Walsoken substation is welcomed at any later stage/s, given the information provided at this stage.

Any mitigation required could be incorporated into the CEMP for the grid connection phase.

3.6 Air Quality

To help understand background air quality and monitor changes in traffic we have already established diffusion tube (NO_2) monitoring points in the area. As confirmed at the earlier scoping opinion PINS had recommended that all air quality monitoring locations should be identified on a plan. There is also Dept. of Transport traffic survey points along parts of the network[1] that show actual daily movements.

3.6.1 Background

Air quality refers to the National Air Quality Strategy (NAQS) and its standards for parameters including Nitrogen Dioxide (NO_2), Particle Matter (PM) within size fractions of less than 10 and 2.5 microns (PM_{10} & $PM_{2.5}$), Sulphur Dioxide (SO_2), Benzene, 1-3 Butadiene, Lead etc. In accordance with the statutory Local Air Quality Management (LAQM) framework the focus of attention is on the pollutants most likely to lead to exceedances such as NO_2, PM_{10} and SO_2. We are also required to work towards reducing $PM_{2.5}$ emissions.

Other pollutants such as dioxins, the heavy metals (other than Lead), PCB's etc. are all considered under the Human Health Risk Assessment (HHRA) which has been submitted as supplemental to the air quality assessment. Whilst health matters are a matter for public health consultee(s), there are published heath damage costs[2] associated with the air quality standards that have not been discussed with the HHRA. These costs, as explained by the Institute of Air Quality Management (IAQM) can still be considered and used to help offset residual impacts once all standard or 'embedded' mitigation has been deployed.

The impacts on the NAQS are therefore relevant to planning and the National Planning Policy Framework (NPPF) but the other pollutants such as those within the HHRA are not considered in detail by the NPPF as they form part of an Environmental Permit (EP) application to the Environment Agency (EA). This application in effect runs in parallel with this DCO application. An EP is required to comply with the Industrial Emission Direction (IED) and the Waste Incineration Directive (WID).

The impact of emissions on ecological receptors is also outside of Environmental Quality's scope and is a matter for other statutory consultees such as Natural England

[1] DfT Traffic Survey Points; https://roadtraffic.dft.gov.uk/#10/52.6747/0.6338/basemap-localauthorities-countpoints

[2] Defra, https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance

3.6.2 Operational Phase

Receptors to the pollutants extend into this Council's area around the eastern part of the air quality study area.

The plume is presented spatially by NO_2 concentration contours for emissions from the chimney only (section 6.2.2) with both annual and short-term means within Figures 8.5 and 8.6 presented. As can be seen there are two areas affected from the plume as it disperses back towards ground level. The plume extends for the most part in a NE direction from the site but with a slight deflection towards the A47.

Air dispersion modelling shows the largest contribution to emissions is from the chimney (0.78 μgm^{-3} NO_2) with only a small component arising from associated operational traffic (0.01 μgm^{-3} NO_2). This occurs close to the junction between Algores Way / Weasenham Lane, which is located in Wisbech (not West Norfolk).

This area is also associated with largest Process Contribution (PC) from particulate matter (0.08 μgm^{-3} PM_{10} and 0.05 μgm^{-3} $PM_{2.5}$). Highest ground level SO_2 PC concentration is however located at Receptor R5 just SW of the site.

As precautionary, receptor locations have been selected to extend beyond the plume area towards Elm, Emneth and also Broadend Rd and where a below ground grid connection is proposed at the Walsoken substation. The air quality management areas in King's Lynn and villages of West Walton, Walton Highway fall outside of lowest emission contour (0.3 μgm^{-3} as NO_2) and therefore study area. Outside of this area impacts are considered as insignificant. The study area is however extended by 15km from the chimney in accordance with EA guidance to take account of ecological receptors. Choice of receptor locations appears to be representative.

In terms of impacts during the operational period the emissions have been modelled based on an opening year of 2027 against its respective baseline with emissions from traffic and the stack combined. As noted within our Technical Queries that are outstanding there are numerous minus traffic input values that have been used for the air quality modelling which does not appear to be possible.

The EfW plant will be supported by an emergency back-up generator, which has been modelled based on emergency use of up to 2 hours per month and no more than 60-hours annually. Operational periods in excess of these periods can potentially be a matter for the Environmental Permit with conditions for their control. Modelling of routine generator testing however appears to be missing from the modelling.

Abnormal events will be detected by an automatic monitoring system for pollutants with an averaging period of 1-hour as set out in Chapter 8, triggering an interlock to prevent further waste being charged. For other pollutants during these events emission rates have been calculated. This is designed to ensure compliance with the EA permit and Article 46(6) of the IED. Abnormal events include failure of a filter bag with a potential impact on PM / Metals, lime dosing (acid gases) or the urea dosing (an impact NOx).

In terms of cumulative impacts from other point sources, especially larger Part A1 permitted processes in Wisbech that are regulated by the EA, the applicant has explained previously and as documented in Appendix 8A that these installations operating prior to 2020 were below reporting thresholds and at a level considered insignificant. As these emissions are incorporated within Defra's background these emissions have therefore been assessed indirectly.

In terms of the changes in concentrations as a result of this development they are presented within Appendix 8B Annex H against each receptor and by parameter (Table H1 for the construction and Tables H2-H29 for operational period).

3.6.3 Construction phase

It is understood that HGV movements will be precluded from accessing the site via Elm High Rd i.e. within this Council's area, so the track out of dusts appears outside of scope.

Impacts from the construction period relate more to the extent of LDV and the measures to prevent HGV from accessing Elm High Rd.

3.6.4 Summary of the overall air quality impacts being reported by Medworth

In terms of overall impacts they are summarised below:

> *Impacts in terms of the pollutants form chimney and traffic have been assessed as not significant at all modelled receptors including those in West Norfolk. This is based on Institute Air Quality Management (IAQM) guidance i.e. process contribution will be less than 1% of the NAQS objectives.*
>
> *For the majority of all pollutants, the modelling is predicted to be less than 5% of the long-term emission limits and less than 10% of the short-term limits.*

3.6.5 Technical Queries

In reaching the above conclusions we have reviewed the predicted emissions that fall under scope of LAQM and against the NAQS standards and whilst the methodology is acceptable in principle, there remains a number of matters that need further clarification. These include matters associated to air quality for transport related issues, dispersion modelling, health damage costs and a suitable air quality monitoring scheme.

We have submitted these Technical Queries already to the applicant and await a response:

3.6.6 Air Quality Transport issues:

At the construction stage a new access route via New Bridge Lane is planned to open from weeks 5-25 of the construction (civils) project. Once opened it is proposed (Section 6.6.68 to 70) that 65% of the construction vehicles (mostly HGV's) would enter / exit from this road with a wheel wash located at the exit.

The TA adds that some construction traffic will still need to access the site via the existing Algores Way i.e. the northern approach but these HGV vehicles be routed via Cromwell Rd – Weasenham Lane – Algores Way and therefore negating construction HGV movements within this Council's area along Elm High Rd. According to the Chapter 6 Transport Assessment (TA; Section 6.5.106) restrictions will however only apply to prevent movements along (Elm High Rd) once the site is operational.

All of the relevant road links that were assessed as part of the air quality study are shown in Figure 5.1 within Appendix 8B. As exposure to air quality pollutants occurs daily, so the significance of traffic movements is similarly based on changes occurring daily than necessarily just from peak movements.

The TA explains in Sections 6.5.57 to 6.5.61 that traffic growth factors are all positive and then provides breakdown of changes by HGV vehicle movements as a proportion of the total for all of the road links within the model shown by Figure 5.1 within the following tables:

Table 6.6 (2021 Baseline)
Table 6.27 (2024 Construction) and,
Table 6.32 (2027 Operational)

Some of the road links within the TA are shown with zero change where for example HGV movements are not proposed.

The transport dataset was then supplied for the air quality assessment with input values presented in Appendix 8B Tables D1 and D2 for the 18 modelled road links as Average Annual Daily Traffic (AADT) to estimate the emissions.

However, we have noted that a *significant proportion of the HGV movements that have been used as input to the air quality model are shown as a* ***negative change*** *i.e. a betterment within Table D2 and at odds with explanation given within the TA. This does not appear to be possible given the local positive traffic growth factors.*

The concern is if significant negative traffic input values have been used then the air quality impact could be a significant underestimate. It is noted for example that max. PC for NO_2 as modelled was only 0.01µgm^{-3} when compared to stack contribution of 0.78 µgm^{-3}.

Examples include Road Link 3 (Cromwell Rd) that is the main route into the site shows minus 506 HGV vehicles per day when compared to the baseline. Similarly, Road Link 4 (Weasenham Lane) shows another betterment of minus 541 HGV per day.

Similarly, as set out within the CTMP as mitigation, that all HGV will be Euro V or above (2008 or better) but is not clear how this will be achieved or enforced. A condition can be agreed.

Furthermore, as can be seen within the traffic input data as presented within Tables D1 whilst vehicle splits (% of cars, LGV, HGV, Buses / Coaches and Motorcycles) is presented in Table D2, the proportion of LGV is excluded from the baseline (Table D1). This means that LDV can only be assumed based on difference between Total AADT and % HDV. Default vehicle splits have therefore been used. We have not agreed to this methodology. It is not clear whether additional controls as part of CTMP need to be agreed / conditioned for LDV movements.

We also observed that HDV % are only given in Table D1 (includes buses / coaches & HGV) but which have differing emission factors. This was picked up previously by CCC and therefore appears outstanding. Traffic (HGV) input values need to be reflective of the TA and to use appropriate emission factors.

There is also the matter of slippage in timescales during construction and ensuring worse case construction traffic is used in the air quality model especially as the TA shows HGV's as >100vpd between months 8 and 23 i.e. for greater than a year with peak predicted to occur in month 14 (187 HGV and 456 LDV). Given the extent of minus values used as input it is unclear whether worse case inputs have been utilised.

More generally, as Elm High Rd (A1101) forms a continuum with Churchill Rd in Fenland DC where the AQMA commences and links to a large secondary school (Thomas Clarkson School) we would like additional clarification as to whether proposed mitigation (signage) is sufficient to prevent this cut-through being used.

3.6.7 Air Quality Modelling

Model verification / bias adjustment: Modelling is based on verification using a bias adjustment of 0.69 and which is much lower than the national factors derived from longer and potentially more representative period. *As the bias adjustment factor is used as part of verification it causes a potential significant underestimate of the results. We would like to know why a higher factor was not used.*

Bias was calculated based on a triplicate co-location study for a period of only 4-months against a reference analyser employed for c. 6-months at Thomas Clarkson Academy from June 2021 i.e. 55% PM_{10} data capture in 2021 (as shown in Table B2).

As an example comparison of Medworth site 11 and this Council's site 101 (placed in similar locations over same timescale);

BCKLWN Site 101 NO2 bias adjusted (0.84; from 32 studies) annual mean **25.9 µg/m^3**
Medworth Site 11 NO2 bias adjusted (0.69; from 4 months) annual mean **21.5 µg/m^3**

It should also be noted that there appears a typo in the preparation method for the NO_2 diffusion tubes i.e. using 50% TEA preparation in water. The method employed by Gradko involves acetone not water.

Meteorological Data (point source): Careful consideration needs to be given to the selection of meteorological data. This is recognised to be especially important for modelling of point sources. Data selected has to be representative of the area under study[3]. For point sources this typically this means referring to 5-years of data and selecting worse case. In this instance the dispersion modelling has been based on Numerical Weather Prediction (NWP) data from 2015 to 2019 and selecting worse case as 2015. However, the statutory guidance (LAQM TG-22[4]) explains that when using NWP data that it should be compared to results from standard meteorological observation data (OBS). No such comparison or sensitivity analysis has been performed (to be agreed).

Meteorological Data (traffic): We could not locate explanation relating to choice of meteorological data for the modelling of traffic emissions.

Baseline Predicted Environmental Concentrations (PEC): We could not locate PEC data within Tables 8B6.1 or 8.26. This is necessary to confirm impacts.

Benzene Environmental Assessment Level: We could not locate this parameter. Only VOC's were presented.

Cumulative Impacts: To ensure emissions are assessed as worse case there can be instances where the impacts are combined. Routine testing of the diesel back-up generator appeared to be missing from the modelling and underestimating the combined NO2 result.
We also found errors when combining emissions for example PM_{10} and $PM_{2.5}$ annual means as traffic contributions were higher than PC. Combined results should be checked.

It should be noted that we are not aware of any additional developments of potential significant concern to alter traffic movements (cumulative) that are not already in the local plan and therefore included within local growth factors.

3.6.8 Health Damage Costs:

Noting the comments regarding negative traffic input values for road links we gather that the HHRA that was submitted as supplemental to the air quality assessment, was based on a methodology of assessing risks for parameters *other than* the ambient air quality standards. Its conclusions are therefore outside of scope.

However, there are published health damage costs associated with the air quality standards based on the mass emitted of $PM_{2.5}$ and NOx but which do not appear to have been considered within any of the Chapters. We feel this is a potential significant omission.

IAQM's methodology is based on calculating mass and comparing this to the health damage costs based either on low-medium-high degree of sensitivity[5].

[3] Environment Agency; https://www.gov.uk/guidance/environmental-permitting-air-dispersion-modelling-reports#explain-meteorological-data-and-surface-characteristics
[4] Defra, LAQM TG-22, https://laqm.defra.gov.uk/air-quality/featured/uk-regions-exc-london-technical-guidance/
[5] Defra, Air Quality Appraisal; Damage Cost Guidance: https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance

These health damage costs can be compared to any residual risks after taking into account the standard or 'embedded' mitigation being proposed.

When comparing the standard mitigation proposed (as listed below) there is a significant residual risk that is not specified such as the new duty on both Councils of preparing air quality strategies as set out with LAQM PG-22[6] with measures that facilitate an improvement in air quality. A contribution towards this work is therefore sought.

Standard or 'embedded' mitigation explained in the ES includes:

Chimney Height: Adequate to disperse pollutants;

Abatement: This is specified as Selective Non-Catalytic emission reduction which involves selective reduction of nitrogen oxides with ammonia / urea without a catalyst. The technique is based on the reduction of NOX to nitrogen by reaction with ammonia / urea at a high temperature. In a general this results in NOx reduction rate of between 30-50%.

However, a catalyst-based system is not proposed within Chapter 8. This can achieve much higher NOx reduction (by 80-95%[4]) and whilst a matter for the permit, a discussion on the technology is missing from the report.

Carbon capture retrofit ready; This is not part of existing mitigation.

Permit: Conditions to be regulated by the Environment Agency through environmental permit.

Management Plans: Relevant construction / dust / traffic management plans; Mitigation is set out within Table 8.5 Chapter 8 which includes option for real-time air quality monitoring which is welcomed (see below).

Engine technology: In Section 7.4.13, Outline CTMP it mentions that all road-based construction traffic to be Euro V or above i.e. 2008 models or above (see comments above).

Workplace Travel Plans: Staff / workplace travel plan; appointment of a TP coordinator.

We would welcome a TP being adopted, but conscious of targets being emission based i.e. trip reduction and how this will be achieved and the transparency of this data. A condition to be agreed.

Electric Vehicle Charging: Whilst the parking is within FDC we would welcome a condition to secure EV charging especially due to limitations within Approved Document S (AD-S) of the Building Regulations. There appears to be 5 electric vehicle charging spaces shown in Figure 6.2 (Plan for the site). EV charging is considered an important part of the mitigation and to help future proof the scheme but is not mentioned within Chapter 8 or 19.

AD-S will only require slow charging (<7kW) and furthermore sections 6.2 to 6.12 (Standards) are all optional.
A condition is necessary to ensure the charging is safe, accessible and convenient in accordance with section 112(e) of the NPPF, AQAP, emerging local policy LP14/18 and NCC's revised parking standards (July 2022). To be agreed.

Appointment of a Community Liaison Manager; unclear on remit of role (to be agreed). This was not set out within Chapter 8.

[6] Defra, LAQM PG-22; https://laqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/

3.6.9 Air Quality Monitoring:

Mitigation is set out in Table 8.25 in Chapter 6 includes option for real time air quality monitoring scheme.

The real time AQ monitoring is to be agreed but noted as suggested only for particulate matter emissions. Recommend indicative real-time analyser(s) for NO2 and PM. We would be happy to agree the terms of this condition and agree location for monitoring equipment.

Dust effects are explained from sections 8.9.18 to 8.9.58 with dust buffers shown in Figure 8.4. Track out of dust is assessed for example for 350m from site access in Algores Rd so buffers do not extend along Elm High Rd. HGV's loads to be covered as standard mitigation etc.

To agree a suitable condition in conjunction with Fenland DC for suitable real time AQ monitoring scheme prior to construction with provision for remote interrogation and downloading.

Environmental Quality update following the Air Quality Technical Meeting:

An air quality technical meeting with Medworth CHP Ltd was held on the 31st of October 2022. This summary report provides a brief update of the discussions underway. Ahead of the meeting we were invited to submit technical queries. Background information to these queries is listed within Appendix 3 of BCKLWN Draft Relevant Representations.

The focus of our queries primarily concerns emissions from traffic due to concerns with transport data and that these emissions are combined with those from the stack and reported cumulatively.

Stack emissions will be primarily controlled through the Environment Permit (EP) and we were informed that this application has been submitted to the Environment Agency. Other concerns related to some of the assumptions with the air quality assessment plus clarification on the extent of mitigation being proposed.

These points are set out below:

Transport:
In terms of the transport related matters we have not agreed with the negative traffic input values used, as this does not appear to be consistent with Chapter 6. A spreadsheet with the negative values was provided to help explain extent.

Queries were also raised regarding appropriate emission factors used and properly taking into account relative vehicle proportions through appropriate construction traffic management plan. Air quality information is dependent on raw transport data, and which has been agreed to be checked. Where any amendments are required, these can be included within an Air Quality Technical Addendum to the ES.

Controls relating to management of construction traffic as set out within the outline CTMP can be revised that also take account other technical meetings.

Air quality modelling / assessment:
In relation to the air quality modelling it was agreed the Air Quality Addendum will consider:

Correction factor;
Meteorological data; and,
Other input parameters (benzene, baseline PEC's etc.).

Mitigation:
Quantifying extent of mitigation being proposed by comparison to health damage costs was noted as not raised at earlier consultations (PIER). The concern however is from residual risks that may not have been considered.

We also requested additional information regarding abatement technology. Medworth explained that this additional information is likely to form part of the Best Available Technology (BAT) information in support of application to EA for EP.

In terms of electric vehicle (EV) charging infrastructure it was noted that this is to be secured under Schedule 1 of Draft DCO. Concern was raised regarding future provision EV for waste vehicles.

Workplace Travel Plan: We have received a response which explains that this forms part of DCO Requirement 15 with objectives and targets set out within Outline Operational Travel Plan.

Community Liaison Manager: unclear on role / remit. We have a received a response explaining the position and how this will be secured.

Air Quality Monitoring;
Additional air quality monitoring is agreed to be discussed further.

3.7 Landscape and Visual

NCC are leading on this for Norfolk and will be commenting separately.

No objections to the Arboricultural Method Statement approach as outlined in the Outline CEMP. The retention of as many mature/important trees is key, and any mitigation/replacement planting should be in keeping with the wider landscape. Full details of landscaping should be secured via condition.

3.8 Historic Environment

The only listed buildings within the area included on the plan: 'Figure 10.1 Designated heritage assets within a 2km study area', are a good distance away from any of the pipeline works which I understand will be largely underground. The plant will mainly impact upon the setting of heritage assets within Wisbech (and FDC/CCC will comment on that aspect), and will not significantly impact upon the setting of heritage assets in West Norfolk. Therefore, there will be no significant impact on the setting of these heritage assets within this Borough.

NCC will comment separately with respect to archaeology.

3.9 Biodiversity

NCC are leading on this for Norfolk and will be commenting separately.

3.10 Hydrology

There are no drainage impacts likely from the grid connection and infrastructure at Walsoken substation. As the operational plant lies outside this district, in Wisbech, we have no concerns over site drainage. Surface water drainage of the site compound, which could contain contaminants, as well as foul water drainage, will be covered by the EA permitting regime, and full details will need to be submitted for the appropriate assessment and agreement in advance of the proposal being completed and operational.

In west Norfolk the flood risk issues at the grid connection point will need to be addressed. This should include an appropriate flood emergency plan during both the construction phase and also the running phases.

NCC will be commenting separately on the proposal.

3.11 Geology, Hydrogeology and Contaminated Land

We have reviewed the Environmental Statement Chapter 13: Geology, Hydrogeology and Contaminated Land, June 2022. A large part of the proposed grid connection scheme falls within the borough council's area. Due to the distance to the EfW CHP facility site, those sections of the report do not refer to receptors within the borough council area, so this response is related to the CHP connection. The ES sets out potential land contamination constraints within the study area of the CHP Connection. A buffer of 250m has been applied to represent a zone of influence for land contamination. The Grid Connection will be a linear underground cable with above ground connections to the EfW CHP and Walsoken Substation.

The 250m zone of influence is shown on Figure 13.1iii: Potential land contamination constraints within the Study Area CHP Connection, Access Improvements and Temporary Construction Compound. Table 13.8 Lists the Reports and desktop data, reports of walkover surveys and ground investigation, including:

> MVV (2020) Wisbech Phases 1 and 2 Geo-environmental Desk Study and Interpretative Report, July 2020
>
> Wood (2021) MVV, Medworth Grid Connection Phase 1 Geo-environmental Desk Study, Draft Report, May 2021 (Grid connection area)
>
> Wood (2021) MVV, Wisbech Phases 1 and 2 of the EfW Facility site.

Section 13.5 Describes the baseline for the EfW site and grid connection and summarises potential sources of contamination, also shown on Figure 13.1. Potential sources of contamination for the grid connection are listed as:

a) Historical landfill at former Wisbech Canal
b) Localised made ground (including A47 embankment, former railway line, and onsite fly tipping at New Bridge Lane) (cross boundary source)
c) Walsoken Substation (cross boundary source)
d) Offsite: Former petrol filling stations
e) Natural peat deposits (source of ground gas including methane)
f) Offsite: Pollution incident at the drainage ditch north of the site
g) Offsite: refuse tip dating from 1967 (also the site of the former Walsoken brick and tile works).

The borough council's contaminated land inspection of the Wisbech Canal site is referenced. The applicant should note that the Walsoken site has also been inspected and the report is available on our web page (titled Broad End Road) www.west-norfolk.gov.uk/contaminatedlandpart2a

Relevant receptors are scoped in within Table 13.12 for further assessment for Geology, Hydrogeology and Contaminated Land. Table 13.13 lists likely significant effects for Geology, Hydrogeology and Contaminated Land Receptors.

The approach for environmental assessment is in line with current best practice guidance, particularly the use of Land Condition Risk Management (LCRM) and both the construction and operational phase are considered. A suitable method is proposed for assessing significance of effects of contamination on relevant receptors.

Based on the information provided I can agree that, providing the environmental measures, including further investigation (as set out in the Table 13.24 summary of environmental measures) are followed, the risks will be acceptable and no significant effects from land contamination are anticipated.

3.12 Climate Change

NCC will be commenting separately.

This is clearly a key topic that will be discussed in some detail at the Examination. It is noted that Cambridgeshire County Council and their consultants have raised some very detailed and specific queries that will need to be fully considered and addressed at Examination.

3.13 Socio-Economics, Tourism and Land Use

There are no specific comments on tourism. The underground cabling would be located within the highway verge. Given the cabling would be underground it is not envisaged it would affect the existing land uses.

NCC are leading on this for Norfolk and will be commenting separately.

3.14 Health

Public health at NCC will be commenting separately on this.

National health and technical guidance on Energy from Waste plants and emissions will be provided by the UK Health & Safety Agency (formerly Public Health England). They have been consulted as part of this process.

3.15 Major Accidents and Disasters

NCC will lead on this for Norfolk and will be commenting separately.

Additionally, it is recommended comments are sought from Norfolk Fire and Rescue Service, Norfolk Constabulary and Eastern Region Special Operation's Unit.

3.16 Cumulative Impacts

No further comments from a BCKLWN view, other than set out in the individual topic chapters.

3.17 Other Matters

3.17.1 Odour/Nuisance

The main emission source during the operational phase will come from the stack, with modelling identifying receptor R107 (Northeast of the site, in Wisbech/Fenland). The prevailing wind for this district is South Westerly. Best practice has been followed with the Air Dispersion Modelling undertaken and the accompanying results. The area of study was a 15km zone from the location of the chimney emissions. Receptor locations in the villages of West Walton, Walton Highway, Elm and Emneth have been screened out. A negligible impact from the stack emissions is noted for receptors R67 in Elm and R76 in Emneth. Odour emissions would be controlled via the EA permit.

At this time, based on the submitted information, we have no concerns regarding odour impacts.

3.17.2 Lighting

The operational site lies outside this district and lighting is to be positioned such that it should not impact off-site.

We have no concerns, but we would support Fenland DC and recommend full details are required via condition, when appropriate.

3.17.3 Waste Policy Matters

Waste policy matters, including waste availability and composition, net self-sufficiency, and site selection, have been covered in the relevant representations of Cambridgeshire County Council, as the specialist waste planning authority for the area. This will be the subject of a Local Impact Report and will be covered in detail at the Examination.

Any waste policy issues affecting Norfolk, will be covered by NCC, as the specialist waste planning authority for our area.

APPENDIX 1: BCKLWN Councillor comments

Councillor Blunt

I want to share my thoughts for your consideration re the Medworth Planning application before you this morning.

Firstly, why this site on the edge of Wisbech.

If I was considering an Energy from waste site, I would consider firstly is their sufficient waste to feed the plant, located close to the proposed site. Secondly is their sufficient demand to use the Energy being generated.

On the first point, by the need to transport several lorry loads of waste to the site every day, there is clearly not enough waste generated locally to need the site in Wisbech. Therefore, look for sites where sufficient waste is generated to feed the demand now and in the future.

On the second point is their enough demand locally for the energy generated either steam or power. This area has a limited demand for the steam to be used in local factories and the power generated will be fed into the National Grid and be used anywhere the need arises. Therefore, there is no real reason why the plant needs to be built here, build it where the demand for steam is high.

Next have alternative sites been considered by the applicant. Based on the lack of need for the site in Wisbech, has the applicant considered sites where there is a local need for incinerating waste. Has the applicant considered any sites where the demand for the steam generated by the plant is high either now or in the future?

Thirdly the impact on people of the surrounding area including Wisbech and West Norfolk.

The fact that the A47 that will be used to bring waste to the site is currently heavily congested seems have been ignored. When travelling north the traffic on the stretch of the A47 from the Tesco roundabout to the Elme House roundabout is regularly at a complete standstill.

This the main southern entrance into Norfolk from the Midlands. It is a route for business traffic and visitors supporting the economy of Norfolk.

Has any consideration be given that within 1 mile there are several schools. The Thomas Clarkson Academy, Meadowgate Academy, Elm road Primary School, Ramnoth Road Junior, Wisbech Grammar School, Peckover Primary School Orchard Church of England School. That is where the majority of the children of Wisbech are educated.

All these schools are north of the proposed site and in the direction of the prevailing winds from the proposed site.

I could go on so please councillors consider my comments when making your decision.

Finally, I think we should be looking at methods that encourage solutions that reduce the production of waste and encourage the use of renewables and therefore reduce the need for such a plant to be built.

Councillor Rust

I am very much opposed to the application to locate an incinerator in Wisbech. An incinerator would have a detrimental impact on the health and well being of the people in that area in in West Norfolk. There would be increased traffic which would negatively impact on the air quality which would worsen the health of the residents in both Wisbech and West Norfolk. There are areas in our borough which house the most disadvantaged people in the vicinity and the placement of an incinerator would worsen their already deprived lives.

Councillor Squire

I'd like to make the following comments to add to our submission of comments regarding the Medworth incinerator please:

As a local councillor living less than 5 miles from the proposed site, it is an area I know extremely well. Traffic going in and out of the Medworth site will not just affect the traffic on the A47 in the immediate vicinity, but issues will extend along the A1101 on both sides of the Elm Hall Roundabout on the A47.

Currently, at certain times of the day, traffic will be backed up for at least a mile along the A1101 with drivers trying to reach the Elm Hall Roundabout. The A47 from the Cromwell Road junction can be at a virtual standstill when travelling to the Elm Hall Roundabout.

It will often take me more than half an hour to get the few miles from where I live to that A47 roundabout, along the A1101, due to sheer volume of traffic. This is not unusual, it is an every day occurrence and it is worse in summer when the A47 is the main route for holiday traffic heading towards the coast. At present this means that the small village roads are often used as a rat run for drivers trying to avoid sitting in stationary traffic around the area of the roundabout.

Any extra traffic coming in and out along that section of the A47 is going to make the matter even worse and that is even assuming queuing drivers will even let the vehicles out. The road system is not fit for purpose as it is, without any additional stresses on it.

Appendix 2

Report to Planning Committee – 7 November 2022

Consideration of a request for representation on the Relevant Representations for the proposed Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam, (and associated grid connections) on land at Algores Way, Wisbech;

Proposal:	Plans to develop a new Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam, (and associated grid connections) on land at Algores Way, Wisbech.
Location:	Wisbech, Cambridgeshire
Applicant:	Medworth CHP Ltd
Case Officer:	Lorna Gilbert

SUMMARY

Members will be aware that at the Council meeting on 25 February 2021, a motion was passed to object to the principle of the proposal for an energy from waste facility in Wisbech.

It is important to note that this remains in place and is unaffected by this specific technical consultation response.

This is a Nationally Significant Infrastructure Project (NSIP), so it is considered by the Planning Inspectorate (PINS) and ultimately determined by the Secretary of State. The applicants are seeking what is know as a Development Consent Order (DCO), which is effectively the equivalent of planning permission.

The Planning Inspectorate (PINS) has invited the council to submit a Relevant Representations (RR) response, to the submission of the Medworth EfW, CHP Facility and associated grid connections application. This is a specific stage in the development Consent Order process.

The deadline for comments to PINS is Tuesday 15th November 2022. In order for comments to be taken into account, those making representations will need to register as an interested party.

PINS will consider comments it receives from the RR stage, which will help to inform the topics and questions to be dealt with at the examination stage.

Medworth CHP Ltd (the applicant) submitted their application to PINS for a Development Consent Order (DCO) in July 2022. This was accepted for examination by PINS on 2 August 2022. The Council has been invited to provide a response on the RR stage which is part of the current pre-examination stage. This is an opportunity for local authorities to provide a summary of what the local authority agrees and/or disagrees with in the application, what they consider the main issues to be and their impact. The content of the RR is used by PINS to inform their initial assessment of the key issues for examination.

The borough council is one of four host authorities, as the plant and infrastructure are sited within each council area. The other authorities are Fenland District Council (FDC), Cambridgeshire County Council (CCC), and Norfolk County Council (NCC). The main plant and infrastructure is located within FDC and CCC's area, with the underground cabling connecting to a substation in Walsoken, in west Norfolk.

Key Issues

Technical Officers have considered the information submitted as part of the DCO application and these comments have informed the Relevant Representations (RR) produced.

It should be noted that the effects considered are only in relation to impacts on the borough, as specific impacts within Wisbech and Cambridgeshire will be dealt with by FDC and CCC.

Officers consider the technical comments in Appendix 3 should be submitted to PINS as part of the Relevant Representations consultation.

Recommendation:

It is recommended:

a) To note that the technical representations made in compliance with these statutory duties, will not prejudice the council's continued objection in principle to the application, or any future views;and
b) To endorse the technical Relevant Representations in Appendix 3 for submission to PINS.

1.0 BACKGROUND

1.1 Medworth CHP Ltd are proposing an Energy from Waste (EfW) combined heat and power facility on land on the Algores Way Industrial Estate, to the west of Algores Way in Wisbech. The proposed development is the construction, operation, maintenance and decommissioning of an Energy from Waste (EfW) Combined Heat and Power (CHP) facility. The proposal is considered to be a nationally significant infrastructure project (NSIP) under section 15 (2) of the Planning Act 2008 (as amended), by virtue of the fact that the generation capacity of the proposed development exceeds 50MW.

1.2 As an NSIP application (for which a Development Consent Order (DCO) is required) the proposed EfW plant will be determined by the Secretary of State. Responsibility for accepting and examining the NSIP application lies with the Planning Inspectorate (PINS) on behalf of the Secretary of State.

1.3 The Borough Council of King's Lynn and West Norfolk (BCKLWN) along with NCC, CCC and FDC are host authorities, and have a role in offering local technical knowledge throughout the process.

1.4 **During the Full Council Meeting of the BCKLWN on the 25th February 2021, a Motion was agreed to oppose the principle of the proposal for an energy from waste facility in Wisbech. The full motion was:**

1. **This Council recognises the democratic mandate given to it by the people of West Norfolk in their overwhelming opposition to the King's Lynn incinerator proposal. In keeping with this position and in recognition of this Council's principled opposition to that scheme, this Council does not support the construction of a waste incinerator in Wisbech.**

2. **This Council supports Wisbech Town Council, Fenland District Council and Cambridgeshire County Council in their stated opposition to the Wisbech waste incinerator.**

3. **That in doing so we do not negate the need for a technical or planning response, that we will make to the Secretary of state as part of the formal consultation process.**

1.5 The Planning Inspectorate (PINS) has invited the council to submit a Relevant Representations (RR) response, to the submission of the Medworth EfW, CHP Facility and associated grid connections application. This is a specific stage in the development Consent Order process. It is important to note that this is a separate and specific technical response required at this stage, from the wider council objection to the proposal.

1.6 Appendix 1 sets out the six stages involved with a NSIP application and Appendix 2 clarifies the role of the local authority at each of the stages (excluding the decision). PINS guidance is clear that a local authority and the local community are consultees in their own right. In this context, local authorities in particular must conduct themselves in line with the National Policy Statements and the relevant guidance.

1.7 Medworth CHP Ltd submitted their application for a DCO in July 2022. PINS accepted the application for examination on 2 August 2022. The Relevant Representations (RR) stage is part of the current pre-examination process. This is the first time comments on an application can be submitted to PINS for consideration by their inspector/inspectors. For local authorities, the Relevant Representation (RR) should include a summary of what the local authority agrees and/or disagrees with in the application, what they consider the main issues to be, and their impact. The RR stage is used to help PINS Inspectors identify the key issues for examination. It is not meant to provide a detailed in-depth case, rather a summary of the issues raised at this stage. The issues to be discussed at the Examination will be the subject of further detailed representations, including Local Impact Reports.

1.8 Since the consultation process started, there have been a series of technical meetings on specific topics in the Environmental Statement that accompanies the application, with the relevant technical officers from the host authorities and the applicant. Some of these are ongoing, and further comments may need to be reported in late correspondence

1.9 A draft of BCKLWN's relevant representation produced by officers is attached as Appendix 3 of this report. It should be noted that there has been different specialist inputs from the other host authorities as necessary, and in the council's case and impact upon west Norfolk specifically, some of the issues will be covered by officers of Norfolk County Council.

1.10 Notwithstanding the very clear stated position of the Borough Council (motion to oppose the proposal), the council should still engage meaningfully in the technical / legal stages, and it should be noted that we may be disadvantaged at later stages if we do not.

1.11 It should be noted that the applicant has also submitted an Environmental Permit (EP) application, which is being considered separately. The incineration of non-hazardous waste with a capacity of 1 tonne or more per hour is a Part A (1) activity controlled through an Environmental Permit (EP) issued by the Environment Agency.

1.12 The main aims of the EP are to control emissions to air, emissions to water, emissions to land, energy efficiency, efficient use of raw material and water, and accident management. The Environment Agency will consider health as part of the decision to issue the EP.

1.13 The EP is separate but complimentary to the planning system. The planning system controls the development and use of land. The EP is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment to the lowest practicable limit. The EP will ensure that ambient air and water quality meet standards that guard against impacts to the environment or human health.

1.14 The council will be consulted separately on the Environmental Permit (EP).

2.0 DESCRIPTION OF THE PROPOSAL

2.1 Medworth CHP Ltd is applying to the Secretary of State for a Development Consent Order to construct, operate and maintain an Energy from Waste (EfW) Combined Heat and Power (CHP) Facility on the industrial estate, Algores Way, Wisbech, Cambridgeshire, together with associated grid connection, CHP connection, access improvements, water connections and a temporary construction compound.

2.2 The EfW CHP Facility site area is approximately 5.3 hectares, and is located within Wisbech, in the administrative areas of Fenland District Council and Cambridgeshire County Council. It is located predominantly on land currently occupied by a waste and aggregates recycling facility and waste transfer station. However, the south-east section of the site (1.3 hectares) is undeveloped scrubland allocated as an urban extension in the Fenland Local Plan, and is allocated as an established employment area in their emerging Local Plan.

2.3 The EfW CHP Facility would be designed to allow the export of steam and electricity to surrounding businesses via dedicated pipelines and wire cables located along the disused March to Wisbech railway.

2.4 A grid connection route comprises a 132KV electrical connection using underground cables. It would run from the EfW CHP Facility underneath New Bridge Lane, before heading north within the verge of the A47 to the Walsoken Substation on Broadend Road. Much of the cable route and the substation is within the Borough of King's Lynn and West Norfolk.

3.0 CURRENT CONSULTATION

3.1 The specific Relevant Representations stage opened for submission to PINS on 4 October 2022 and will close on the 15 November 2022.

3.2 Given the public interest in this application, to inform the borough's residents of the consultation and how to get involved, the council has issued two press releases, one on 3 October and a further reminder of the process on 27 October. The council has also emailed all Parish Councils and Councillors on 3 October, and then followed that up on 27 October, with a further reminder, providing details of how to register and comment.

3.3 There are also details informing people how to get involved on the planning pages of the BCKLWN's website.

3.4 Medworth CHP Ltd has arranged for the publication of the application and the RR period in line with the DCO process requirements. This includes publishing details of the consultation in local and national newspapers.

4.0 PLANNING POLICY

4.1 The policy framework for determining an NSIP application is set out in Section 104 of the Planning Act 2008 (as amended),and is set out below:

4.2 In deciding the application, the Secretary of State must have regard to:

(a) any national policy statement which has effect in relation to development of the description to which the application relates (a "relevant national policy statement");
(aa) the appropriate marine policy documents (if any), determined in accordance with section 59 of the Marine and Coastal Access Act 2009;
(b) any local impact report (within the meaning given by section 60(3)) submitted to the Secretary of State before the deadline specified in a notice under section 60(2);

(c) any matters prescribed in relation to development of the description to which the application relates; and
(d) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

4.3 In terms of national policy guidance, this will include the National Policy Statements for Energy and Waste, as well as the National Planning Policy framework (NPPF).

4.4 From a BCKLWN perspective, the most relevant documents are the National Planning Policy Framework (NPPF), King's Lynn & West Norfolk Borough Council's Local Development Framework – Core Strategy (2011), Site Allocations and Development Management Policies Plan (2016); the emerging Local Plan, and the Landscape Character Assessment (2007).

4.5 Norfolk County Council are the waste local planning authority for the county, and the policies of the Norfolk Minerals and Waste Development Framework - Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010-2026 (Adopted September 2011), will need to be taken into account. The pre-submission Norfolk Minerals and Waste Local Plan is currently out for consultation, and should also be considered.

4.6 From a Cambridgeshire perspective, the documents of relevance are the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021); the Fenland Local Plan (May 2014); the Fenland emerging Local Plan.

4.7 Waste policy matters, including waste availability and composition, net self-sufficiency and site selection, have been covered in the relevant representations of Cambridgeshire County Council, as the specialist waste planning authority for the area. This will be the subject of a Local Impact Report and will be covered in detail at the Examination.

4.8 Any waste policy issues affecting Norfolk, will be covered by NCC,as the specialist waste planning authority for our area.

5.0 MAIN ISSUES

5.1 Below is a summary of the main issues raised by technical officers which are included in full in the Relevant Representations (RR) response in Appendix 3. It should be noted that the specialisms on the various topics are spread across the four host authorities. The comments of the host authorities will be in relation to the impact of the proposal upon their areas, and in the council's case it will be west Norfolk.

5.2 As required by the NSIP process, the host authorities, including BCKLWN, have been involved in pre-application discussions with the applicant. However, it is clear from the responses that there are some remaining queries that need to be addressed.

6.0 SUMMARY OF KEY CONCERNS

6.1 Technical officers have considered the information provided and have highlighted their key concerns. These are listed in order of the applicant's Environmental Statement (ES) chapters. Set out below are summaries of some of the key points, with the comments of technical consultees set out in full attached as Appendix 3.

Traffic and Transport (ES Chapter 6)

6.2 Traffic and transport will clearly need to be a key issue discussed at the Examination.

6.3 As the local highway authority, NCC are leading on the transport response for Norfolk. With respect to Norfolk only, NCC highlight that given the A47 is a trunk road, the impact to the A47 and its connecting junctions will be assessed by National Highways. County officers

have however assessed the impact on other roads in Norfolk.

6.4 In conclusion, NCC states that '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'.

Noise and Vibration (ES Chapter 7)

6.5 Officers from the Community Safety & Neighbourhood Nuisance (CSNN) team support the concerns raised by Fenland District Council that it would welcome a simpler presentation for non-expert readers. This is also applicable for future technical documents.

Construction noise:

6.6 As the connection to grid (Walsoken substation) work is to be undertaken during designated night-time hours, we would wish to see a separate construction management plan for this phase of the project specifically, which should include direct resident notification of dates and times of works, and likely operations. Such a document would aggregate all measures currently documented in the submitted Volumes/Chapters to mitigate noise.

Operational Noise:

6.7 There should be no noticeable impact from the operation of the site on west Norfolk residents. We would expect an updated Noise Management Plan to be submitted for approval by all the relevant consultees prior to the operation of the installation on the site, which should include assessment of the Walsoken substation.

Vibrations:

6.8 Further assessment in terms of vibration impacts on residential properties during the connection to grid at Walsoken substation is welcomed at any later stage/s.

Air Quality (ES Chapter 8)

Summary of the overall air quality impacts being reported by Medworth

6.9 In terms of overall impacts they are summarised below:

- *Impacts in terms of the pollutants form chimney and traffic have been assessed as not significant at all modelled receptors including those in west Norfolk. This is based on Institute Air Quality Management (IAQM) guidance i.e. process contribution will be less than 1% of the NAQS objectives.*

- *For the majority of all pollutants, the modelling is predicted to be less than 5% of the long-term emission limits and less than 10% of the short-term limits.*

6.10 In reaching the above conclusions we have reviewed the predicted emissions that fall under scope of Local Air Quality Management (LAQM) and against the National Air Quality Strategy (NAQS) standards and whilst the methodology is acceptable in principle, there remains a number of technical matters that need further clarification.

6.11 These include air quality related matters from the additional transport, issues around the dispersion modelling, ensuring health damage costs and also a suitable air quality monitoring scheme. These technical queries have been submitted to the applicant and we

await a response. These queries are set out in full within Appendix 3.

6.12 A technical air quality meeting is taking place on 31st October 2022. Therefore, any additional comments will be included within the late representations.

Landscape and Visual (ES Chapter 9)

6.13 NCC are leading on this for Norfolk and will be commenting separately.

6.14 BCKLWN has no objections to the Arboricultural Method Statement approach as outlined in the Outline CEMP. The retention of as many mature/important trees is crucial, and any mitigation/replacement planting should be in keeping with the wider landscape. Full details of landscaping should be secured via requirement/condition.

Historic Environment (ES Chapter 10)

6.15 The only listed buildings within the area included on the plan: 'Figure 10.1 Designated heritage assets within a 2km study area', are a good distance away from any of the pipeline works which I understand will be largely underground. The plant will mainly impact upon the setting of heritage assets within Wisbech (and FDC/CCC will comment on that aspect), and will not significantly impact upon the setting of heritage assets in West Norfolk.

6.16 Therefore, there will be no significant impact on the setting of heritage assets within this Borough.

6.17 NCC (through their Historic Environment Service) will comment separately with respect to archaeology.

Biodiversity (ES Chapter 11)

6.18 NCC and their specialists are leading on this for Norfolk and will be commenting separately.

Hydrology (ES Chapter 12)

6.19 NCC are the Lead Local Flood Authority (LLFA), and they have provided hydrology comments. They observe that 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.

6.20 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).

6.21 BCKLWN considers there are no likely drainage impacts from the grid connection and infrastructure at Walsoken substation. Surface water drainage of the site compound, which could contain contaminants, as well as foul water drainage, will be covered by the EA permitting regime, and full details will need to be submitted for the appropriate assessment and agreement in advance of the proposal being completed and operational.

6.22 BCKLWN request an appropriate flood emergency plan during both the construction phase and also the running phases.

Geology, Hydrogeology and Contaminated Land (ES Chapter 13)

6.23 Providing the environmental measures, including further investigation (as set out in the Table 13.24 summary of environmental measures) are followed, the risks will be acceptable

and no significant effects from land contamination are anticipated.

Climate Change (ES Chapter 14)

6.24 NCC will be commenting separately.

6.25 This is clearly a key topic that will be discussed in some detail at the Examination. It is noted that Cambridgeshire County Council and their consultants have raised some very detailed and specific queries that will need to be fully considered and addressed at Examination.

Socio-Economics, Tourism and Land Use (ES Chapter 15)

6.26 There are no specific comments on tourism impacts in west Norfolk. The underground cabling would be located within the highway verge. Given the cabling would be underground it is not envisaged it would affect the existing land uses.

6.27 NCC will be commenting separately on this.

Health (ES Chapter 16)

6.28 Public health at NCC will be commenting separately on this.

6.29 National health and technical guidance on Energy from Waste plants and emissions will be provided by the UK Health & Safety Agency (formerly Public Health England). They have been consulted as part of this process.

Major Accidents and Disasters (ES Chapter 17)

6.30 NCC will lead on this for Norfolk and will be commenting separately.

6.31 Additionally, it is recommended comments are sought from Norfolk Fire and Rescue Service, Norfolk Constabulary and Eastern Region Special Operation's Unit.

Cumulative Impacts (ES Chapter 18)

6.32 No comments from a BCKLWN view.

Other Matters

<u>Odour/Nuisance</u>

6.33 Odour emissions would be controlled via the EA permitting regime. Based on the submitted information, no concerns are raised regarding odour impacts.

7 NSIP APPLICATION PROCESS AND THE NEXT STEPS

7.1 The DCO application has been accepted by PINS for examination which will be carried out in public. As part of this pre-application stage the local authorities will be notified of the preliminary meeting to discuss procedural matters. After which an Examination timetable should be set, including deadlines for when information needs to be submitted to PINS. Agreement on any remaining issues should be sought and/or negotiations continued. Reaching agreement on as many issues as possible in advance of the examination is likely to lead to a more focused and expedient examination process.

7.2 During the Pre-Examination and examination stages, the local authorities will:

- Respond to the Inspector/s written questions which are normally based on an initial assessment of the application, (including the principal issues of the proposed scheme), and the representations received from interested parties;

- Prepare and submit to PINS a Local Impact Report (LIR), setting out the likely impacts of the proposed scheme, by using local knowledge and robust evidence, and set out the relevant local planning policy framework and guidance;
- Prepare and submit to the Planning Inspectorate a Statement of Common Ground (SOCG), a joint written statement between the applicant and the BCKLWN and/or other parties or 'host' authorities, setting out matters that they agree or are in disagreement on; and
- If necessary, represent BCKLWN and make oral representation at the issue specific hearing(s) and if necessary, the open floor hearing(s). The subject of the hearings is based on specific elements / issues of the application that are raised during the NSIP process.

7.3 There is also provision in the Planning Act 2008 (as amended) for the applicant to apply for other consents, for example Compulsory Purchase Order (CPO) and drainage consents, deemed by a DCO.

7.4 As noted above the PINS is currently seeking comments on the Relevant Representations consultation for the Medworth EfW and CHP Facility. PINS will have regard to all comments received, including from BCKLWN Technical Officers, which will be submitted during the statutory consultation.

7.5 Individual comments can be submitted via the PINS website. These need to be submitted directly to PINS. The link to both register and comment is found below:

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

8 CONCLUSION OF THE RELEVANT REPRESENTATIONS STAGE

8.1 The Council have until 15th November 2022 to respond to the Relevant Representations consultation.

8.2 Officers consider the comments in Appendix 3 should be submitted to PINS as part of the Relevant Representations consultation.

8.3 Finally, it is important to note the views expressed about compliance with these statutory duties will not prejudice the council's objection in principle to the application, or any future views.

9 RECOMMENDATION

9.1 Officers consider the comments in Appendix 3 should be submitted to PINS as part of the Relevant Representations consultation. It is recommended:

c) To endorse the technical Relevant Representations in Appendix 3 for submission to PINS; and

d) To note that the views expressed about compliance with these statutory duties will not prejudice the council's objection in principle to the application, or any future views.

10 SOURCE DOCUMENTS

Planning Inspectorate (PINS) National Significant Infrastructure Project (NSIP) Guidance and Advice Notes; https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

NSIP Energy Policy Statements; https://www.gov.uk/government/publications/national-

policy-statements-for-energyinfrastructure

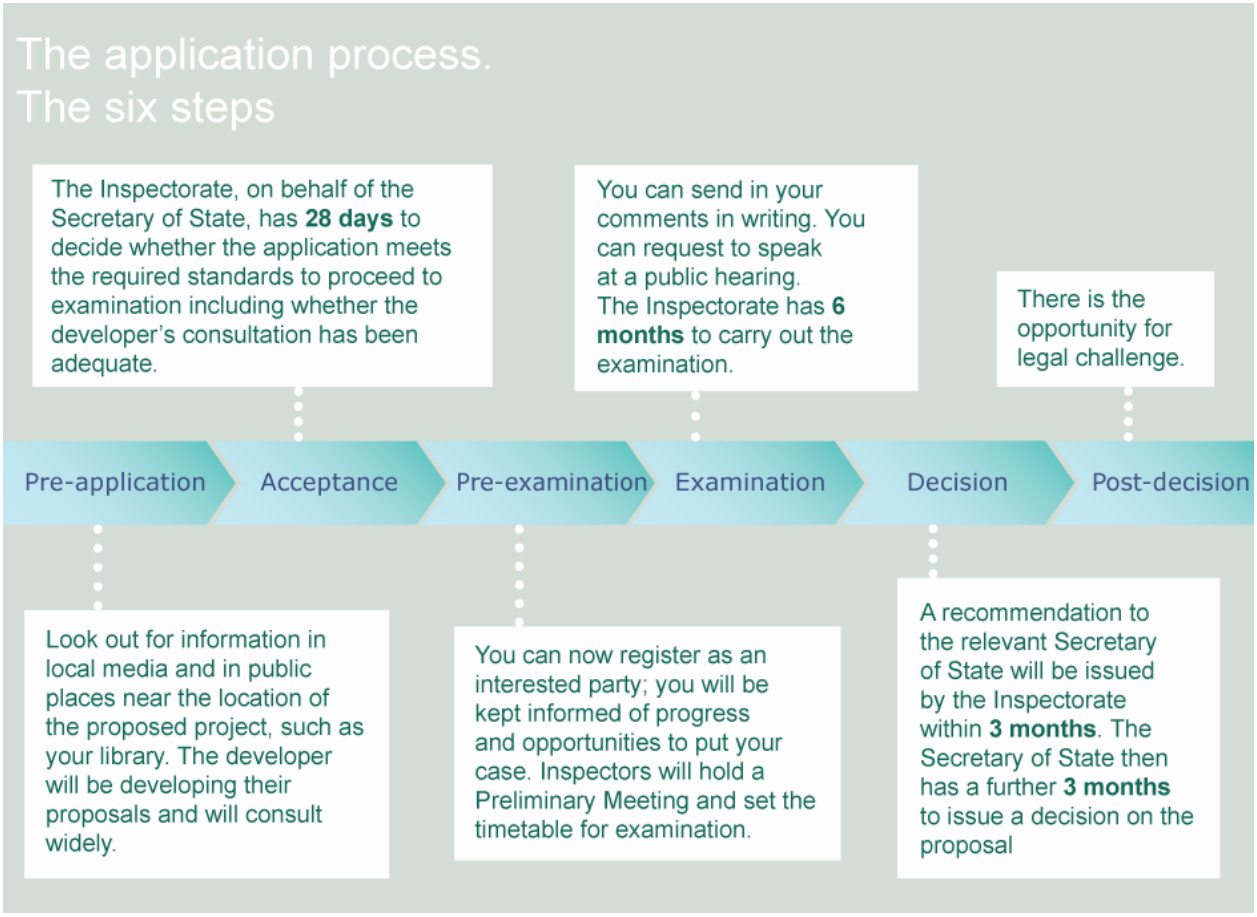
Planning Act 2008 (as amended); http://www.legislation.gov.uk/ukpga/2008/29/contents

MVV Medworth website; [redacted]

PINS Project Page for MVV Medworth NSIP Project; https://infrastructure.planninginspectorate.gov.uk/projects/Eastern/Medworth-Energy-fromWaste-Combined-Heat-and-Power-Facility/

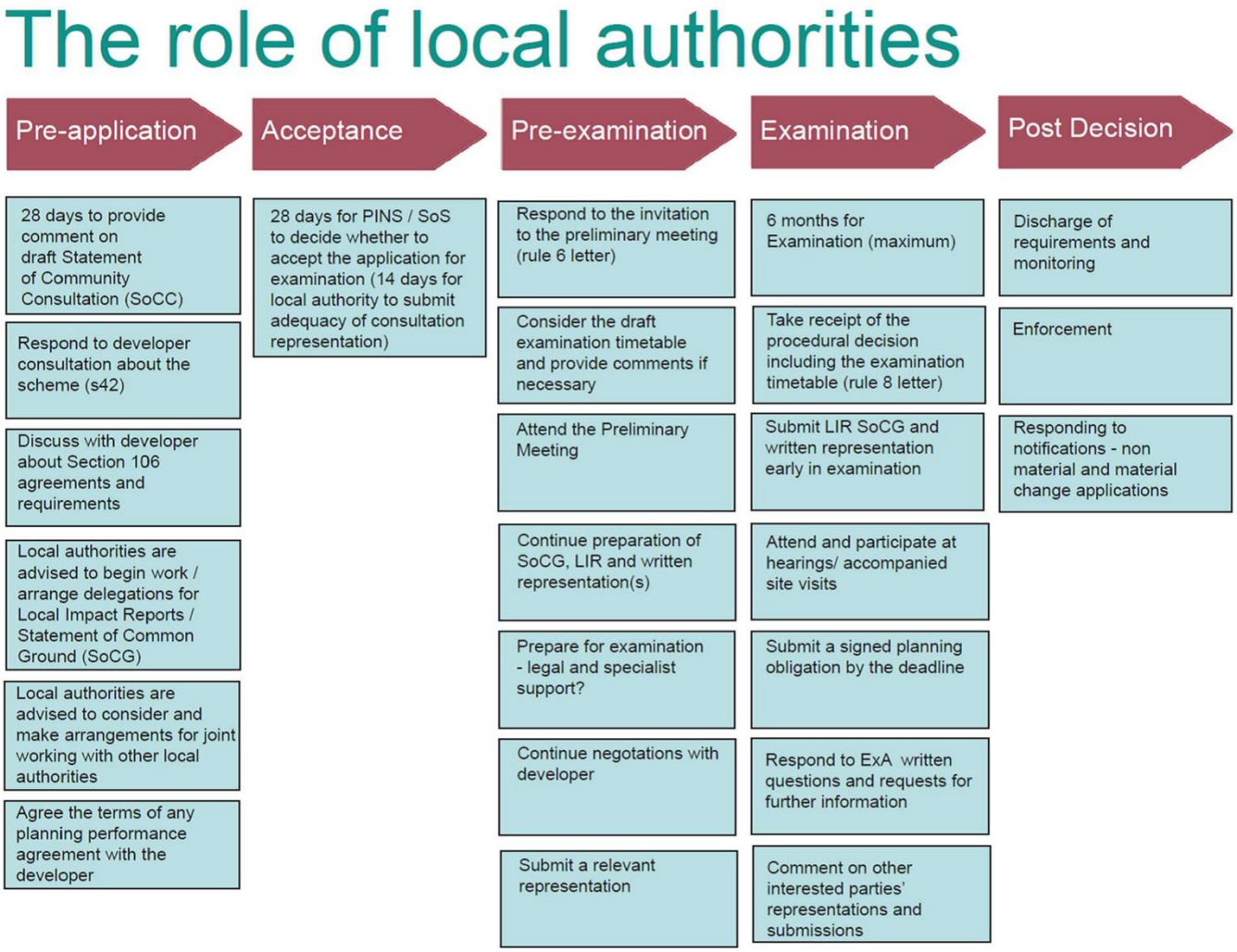
The National Planning Policy Framework (NPPF) (2021) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_d ata/file/1005759/NPPF_July_2021.pdf

Appendix 1: The six steps of the NSIP DCO process under the 2008 Act



Source PINS website: https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/03/Application-process-diagram2.png

Appendix 2: The role of the local authorities



Source: PINS Advice Note 2: https://infrastructure.planninginspectorate.gov.uk/application-process/

Appendix 3: BCKLWN Draft Relevant Representations

Contents

1 INTRODUCTION

9.1 Throughout the pre-submission period the Borough Council of King's Lynn and West Norfolk (BCKLWN) has worked closely with the other host local authorities: Norfolk County Council (NCC), Cambridgeshire County Council (CCC), and Fenland District Council (FDC). The four local authorities have submitted separate responses to the applicant's non-statutory and statutory consultations.

9.2 We will also endeavour, where possible, to pool resources during the examination, with local authorities taking the lead on topics which relate to their functions or to expertise in their geographical area. These arrangements are for practical purposes to avoid undue duplication, and all local authorities reserve the right to express their views individually if they consider it necessary.

10 SUMMARY

10.1 The BCKLWN have been involved in pre-application discussions with the applicant. However, there remains some areas where queries remain. The Council seeks these matters be resolved prior to any consent being given to the scheme.

Key concerns

10.2 The following chapters provide the key concerns and comments identified by technical officers:

- Traffic and Transport
- Noise and Vibration
- Air Quality
- Landscape and Visual
- Historic Environment
- Biodiversity
- Hydrology
- Geology, Hydrogeology and Contaminated Land
- Climate Change
- Socio-Economics, Tourism and Land Use
- Health
- Major Accidents and Disasters
- Cumulative Impacts
- Other matters

Traffic and Transport

10.3 Both CCC and NCC are leading on transport. Below are NCC's transport comments with respect to Norfolk:

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

10.5 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).

10.6 Given the A47 is a trunk road, the impact to the A47 and its connecting junctions will be assessed by National Highways. Nevertheless, County 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.

10.7 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.

Longitudinal apparatus in the public highway

10.8 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 applicants 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 applicants progress at their own risk as there is no right of appeal.

Construction traffic

10.9 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. Detailed discussions and negotiations will remain on-going throughout the application process, particularly in respect of traffic management.

Operational traffic

10.10 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.
- Route 4: - A47 east of the A1101 Elm High Road roundabout

10.11 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.

10.12 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.

Highway Conclusions

10.13 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.

Residential amenity from traffic

10.14 This includes such things as noise from traffic, air quality, vibration and general impact on residents quality of life. That assessment falls outside the local highway authorities remit and will be addressed by the Borough Council.

Noise and Vibration

10.15 Following a detailed review of the documentation, a Microsoft Teams Meeting/consultation was held with the applicant and the noise consultants on Friday 14 October.

10.16 I can confirm that I am satisfied with the outcome of the assessments and conclusions drawn in the above documentation and that this work has been undertaken in accordance with all relevant legislation and technical guidance.

10.17 I do support the concerns raised by Fenland District Council in relation to the consideration, assessment and understanding of the supporting documentation by the layman (residents and businesses within Fenland and West Norfolk, councillors etc), to enable interpretation of the documents in more basic terms as to how the proposal will impact on them, if applicable. The assessment is necessarily complex, and the applicants have signposted the location of summary details, however, a simpler presentation for the non-expert reader to enable easier identification of the outcomes of this technical assessment would be welcomed. This is also applicable with future technical documents.

Construction Noise / Dusts

10.18 Having looked at the routing of construction vehicles and the likely numbers in terms of impacts to residents of this district, we feel that a suitably worded planning condition to restrict construction related delivery times/vehicle movements and produce a detailed and robust site construction environmental management plan can be attached at the relevant point.

10.19 Noting the requirement for connection to grid (Walsoken substation) work to be undertaken during designated night-time hours, to avoid impacts to traffic flows on the A47, we would wish to see a separate construction management plan for this phase of the project specifically, which should include (as already discussed and agreed with the applicants during a West Norfolk noise and vibration consultation session) direct resident notification of dates and times of works, and likely operations. Such a document would aggregate all measures currently documented in the submitted Volumes/Chapters to mitigate noise.

10.20 References within the reviewed documentation refer to documents submitted in support of the application, specifically the Outline Construction Environment Management Plan (OCEMP), and it is clear that this is 'outline'. Site specific measures are to be further specified in the full document secured via the planning process as pre-commencement documents. These should be in accordance with the relevant legislation and technical guidance and should include easy to understand, yet detailed, explanation of the measures which will be implemented to address each identified impact and evidence/calculations/supporting statements to verify the predicated impact outcome of the implementation of each mitigation measure at each receptor).

10.21 Requiring the new access route via the Cromwell Road link as early as possible in the development scheme would greatly reduce the impact on West Norfolk (and Fenland residents) as the route is almost completely through commercial land, passing approximately four dwellings. This would be welcomed as a condition.

Operational Noise

10.22 It is acknowledged that there should be no noticeable impact from the operation of the site on West Norfolk residents. Fenland District Council officers confirm that they have liaised with the applicant with regards to the Walsoken substation, and the applicant has confirmed that there are no known noise implications from any connection associated infrastructure at the substation, or as a result of the connection. Notwithstanding this, and the Outline Noise Management Plan (ONMP), we would expect an updated NMP to be submitted for approval by all the relevant consultees prior to the operation of the installation on the site, which should include assessment of the Walsoken substation. (This document should be produced in accordance with the relevant legislation and applicable technical guidance, presented in a logical and easy to interpret format, identify all noise impacts and the significance of these at each receptor, include detailed explanations of the measures which will be implemented to address each identified impact, and evidence/calculations/supporting statements to verify the impact outcome of the implementation of each mitigation measure at each receptor).

Vibrations

10.23 Further assessment in terms of vibration impacts on residential properties during the connection to grid at Walsoken substation is welcomed at any later stage/s, given the information provided at this stage.

10.24 Any mitigation required could be incorporated into the CEMP for the grid connection phase.

Air Quality

10.25 To help understand background air quality and monitor changes in traffic we have already established diffusion tube (NO_2) monitoring points in the area. As confirmed at the earlier scoping opinion PINS had recommended that all air quality monitoring locations should be identified on a plan. There is also Dept. of Transport traffic survey points along parts of the network[1] that show actual daily movements.

Background

10.26 Air quality refers to the National Air Quality Strategy (NAQS) and its standards for parameters including Nitrogen Dioxide (NO_2), Particle Matter (PM) within size fractions of less than 10 and 2.5 microns (PM_{10} & $PM_{2.5}$), Sulphur Dioxide (SO_2), Benzene, 1-3 Butadiene, Lead etc. In accordance with the statutory Local Air Quality Management

[1] DfT Traffic Survey Points; https://roadtraffic.dft.gov.uk/#10/52.6747/0.6338/basemap-localauthorities-countpoints

(LAQM) framework the focus of attention is on the pollutants most likely to lead to exceedances such as NO_2, PM_{10} and SO_2. We are also required to work towards reducing $PM_{2.5}$ emissions.

10.27 Other pollutants such as dioxins, the heavy metals (other than Lead), PCB's etc. are all considered under the Human Health Risk Assessment (HHRA) which has been submitted as supplemental to the air quality assessment. Whilst health matters are a matter for public health consultee(s), there are published heath damage costs[2] associated with the air quality standards that have not been discussed with the HHRA. These costs, as explained by the Institute of Air Quality Management (IAQM) can still be considered and used to help offset residual impacts once all standard or 'embedded' mitigation has been deployed.

10.28 The impacts on the NAQS are therefore relevant to planning and the National Planning Policy Framework (NPPF) but the other pollutants such as those within the HHRA are not considered in detail by the NPPF as they form part of an Environmental Permit (EP) application to the Environment Agency (EA). This application in effect runs in parallel with this DCO application. An EP is required to comply with the Industrial Emission Direction (IED) and the Waste Incineration Directive (WID).

10.29 The impact of emissions on ecological receptors is also outside of Environmental Quality's scope and is a matter for other statutory consultees such as Natural England

Operational Phase

10.30 Receptors to the pollutants extend into this Council's area around the eastern part of the air quality study area.

10.31 The plume is presented spatially by NO_2 concentration contours for emissions from the chimney only (section 6.2.2) with both annual and short-term means within Figures 8.5 and 8.6 presented. As can be seen there are two areas affected from the plume as it disperses back towards ground level. The plume extends for the most part in a NE direction from the site but with a slight deflection towards the A47.

10.32 Air dispersion modelling shows the largest contribution to emissions is from the chimney (0.78 μgm^{-3} NO_2) with only a small component arising from associated operational traffic (0.01 μgm^{-3} NO_2). This occurs close to the junction between Algores Way / Weasenham Lane, which is located in Wisbech (not West Norfolk).

10.33 This area is also associated with largest Process Contribution (PC) from particulate matter (0.08 μgm^{-3} PM_{10} and 0.05 μgm^{-3} $PM_{2.5}$). Highest ground level SO_2 PC concentration is however located at Receptor R5 just SW of the site.

10.34 As precautionary, receptor locations have been selected to extend beyond the plume area towards Elm, Emneth and also Broadend Rd and where a below ground grid connection is proposed at the Walsoken substation. The air quality management areas in King's Lynn and villages of West Walton, Walton Highway fall outside of lowest emission contour (0.3 μgm^{-3} as NO_2) and therefore study area. Outside of this area impacts are considered as insignificant. The study area is however extended by 15km from the chimney in accordance with EA guidance to take account of ecological receptors. Choice of receptor locations appears to be representative.

10.35 In terms of impacts during the operational period the emissions have been modelled based on an opening year of 2027 against its respective baseline with emissions from traffic and the stack combined. As noted within our Technical Queries that are outstanding there are numerous minus traffic input values that have been used for the air quality modelling which

[2] Defra, https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance

does not appear to be possible.

10.36 The EfW plant will be supported by an emergency back-up generator, which has been modelled based on emergency use of up to 2 hours per month and no more than 60-hours annually. Operational periods in excess of these periods can potentially be a matter for the Environmental Permit with conditions for their control. Modelling of routine generator testing however appears to be missing from the modelling.

10.37 Abnormal events will be detected by an automatic monitoring system for pollutants with an averaging period of 1-hour as set out in Chapter 8, triggering an interlock to prevent further waste being charged. For other pollutants during these events emission rates have been calculated. This is designed to ensure compliance with the EA permit and Article 46(6) of the IED. Abnormal events include failure of a filter bag with a potential impact on PM / Metals, lime dosing (acid gases) or the urea dosing (an impact NOx).

10.38 In terms of cumulative impacts from other point sources, especially larger Part A1 permitted processes in Wisbech that are regulated by the EA, the applicant has explained previously and as documented in Appendix 8A that these installations operating prior to 2020 were below reporting thresholds and at a level considered insignificant. As these emissions are incorporated within Defra's background these emissions have therefore been assessed indirectly.

10.39 In terms of the changes in concentrations as a result of this development they are presented within Appendix 8B Annex H against each receptor and by parameter (Table H1 for the construction and Tables H2-H29 for operational period).

Construction phase

10.40 It is understood that HGV movements will be precluded from accessing the site via Elm High Rd i.e. within this Council's area, so the track out of dusts appears outside of scope.

10.41 Impacts from the construction period relate more to the extent of LDV and the measures to prevent HGV from accessing Elm High Rd.

Summary of the overall air quality impacts being reported by Medworth

In terms of overall impacts they are summarised below:

- *Impacts in terms of the pollutants form chimney and traffic have been assessed as not significant at all modelled receptors including those in West Norfolk. This is based on Institute Air Quality Management (IAQM) guidance i.e. process contribution will be less than 1% of the NAQS objectives.*

- *For the majority of all pollutants, the modelling is predicted to be less than 5% of the long-term emission limits and less than 10% of the short-term limits.*

Technical Queries

10.42 In reaching the above conclusions we have reviewed the predicted emissions that fall under scope of LAQM and against the NAQS standards and whilst the methodology is acceptable in principle, there remains a number of matters that need further clarification. These include matters associated to air quality for transport related issues, dispersion modelling, health damage costs and a suitable air quality monitoring scheme.

10.43 We have submitted these Technical Queries already to the applicant and await a response:

Air Quality Transport issues:

- At the construction stage a new access route via New Bridge Lane is planned to open from weeks 5-25 of the construction (civils) project. Once opened it is proposed (Section 6.6.68 to 70) that 65% of the construction vehicles (mostly HGV's) would enter / exit from this road with a wheel wash located at the exit.

- The TA adds that some construction traffic will still need to access the site via the existing Algores Way i.e. the northern approach but these HGV vehicles be routed via Cromwell Rd – Weasenham Lane – Algores Way and therefore negating construction HGV movements within this Council's area along Elm High Rd. According to the Chapter 6 Transport Assessment (TA; Section 6.5.106) restrictions will however only apply to prevent movements along (Elm High Rd) once the site is operational.

- All of the relevant road links that were assessed as part of the air quality study are shown in Figure 5.1 within Appendix 8B. As exposure to air quality pollutants occurs daily, so the significance of traffic movements is similarly based on changes occurring daily than necessarily just from peak movements.

- The TA explains in Sections 6.5.57 to 6.5.61 that traffic growth factors are all positive and then provides breakdown of changes by HGV vehicle movements as a proportion of the total for all of the road links within the model shown by Figure 5.1 within the following tables:

  - Table 6.6 (2021 Baseline)
  - Table 6.27 (2024 Construction) and,
  - Table 6.32 (2027 Operational)

- Some of the road links within the TA are shown with zero change where for example HGV movements are not proposed.

- The transport dataset was then supplied for the air quality assessment with input values presented in Appendix 8B Tables D1 and D2 for the 18 modelled road links as Average Annual Daily Traffic (AADT) to estimate the emissions.

- However, we have noted that a *significant proportion of the HGV movements that have been used as input to the air quality model are shown as a* ***negative change*** *i.e. a betterment within Table D2 and at odds with explanation given within the TA. This does not appear to be possible given the local positive traffic growth factors.*

- ***The concern is if significant negative traffic input values have been used then the air quality impact could be a significant underestimate****.* It is noted for example that max. PC for NO_2 as modelled was only 0.01µgm^{-3} when compared to stack contribution of 0.78 µgm^{-3}.

- Examples include Road Link 3 (Cromwell Rd) that is the main route into the site shows **minus 506 HGV vehicles per day** when compared to the baseline. Similarly, Road Link 4 (Weasenham Lane) shows another betterment of **minus 541 HGV per day.**

- Similarly, as set out within the CTMP as mitigation, that all HGV will be **Euro V or above** (2008 or better) *but is not clear how this will be achieved or enforced. A condition can be agreed.*

- Furthermore, as can be seen within the traffic input data as presented within Tables D1 whilst vehicle splits (% of cars, LGV, HGV, Buses / Coaches and Motorcycles) is

presented in Table D2, the proportion of LGV is excluded from the baseline (Table D1). This means that LDV can only be assumed based on difference between Total AADT and % HDV. Default vehicle splits have therefore been used. We have not agreed to this methodology. It is not clear whether additional controls as part of CTMP need to be agreed / conditioned for LDV movements.

- We also observed that HDV % are only given in Table D1 (includes buses / coaches & HGV) but which have differing emission factors. This was picked up previously by CCC and therefore appears outstanding. Traffic (HGV) input values need to be reflective of the TA and to use appropriate emission factors.

- There is also the matter of slippage in timescales during construction and ensuring worse case construction traffic is used in the air quality model especially as the TA shows HGV's as >100vpd between months 8 and 23 i.e. for greater than a year with peak predicted to occur in month 14 (187 HGV and 456 LDV). Given the extent of minus values used as input it is unclear whether worse case inputs have been utilised.

- More generally, as Elm High Rd (A1101) forms a continuum with Churchill Rd in Fenland DC where the AQMA commences and links to a large secondary school (Thomas Clarkson School) we would like additional clarification as to whether proposed mitigation (signage) is sufficient to prevent this cut-through being used.

Air Quality Modelling

- **Model verification / bias adjustment:** Modelling is based on verification using a bias adjustment of 0.69 and which is much lower than the national factors derived from longer and potentially more representative period. *As the bias adjustment factor is used as part of verification it causes a potential significant underestimate of the results. We would like to know why a higher factor was not used.*

  Bias was calculated based on a triplicate co-location study for a period of only 4-months against a reference analyser employed for c. 6-months at Thomas Clarkson Academy from June 2021 i.e. 55% PM_{10} data capture in 2021 (as shown in Table B2).

  As an example comparison of Medworth site 11 and this Council's site 101 (placed in similar locations over same timescale);

  - BCKLWN Site 101 NO2 bias adjusted (0.84; from 32 studies) annual mean **25.9 µg/m^3**
  - Medworth Site 11 NO2 bias adjusted (0.69; from 4 months) annual mean **21.5 µg/m^3**

  It should also be noted that there appears a typo in the preparation method for the NO_2 diffusion tubes i.e. using 50% TEA preparation in water. The method employed by Gradko involves acetone not water.

- **Meteorological Data (point source):** Careful consideration needs to be given to the selection of meteorological data. This is recognised to be especially important for modelling of point sources. Data selected has to be representative of the area under study[3]. For point sources this typically this means referring to 5-years of data and selecting worse case. In this instance the dispersion modelling has been based on Numerical Weather Prediction (NWP) data from 2015 to 2019 and selecting

[3] Environment Agency; https://www.gov.uk/guidance/environmental-permitting-air-dispersion-modelling-reports#explain-meteorological-data-and-surface-characteristics

worse case as 2015. However, the statutory guidance (LAQM TG-22[4]) explains that when using NWP data that it should be compared to results from standard meteorological observation data (OBS). No such comparison or sensitivity analysis has been performed (to be agreed).

- **Meteorological Data (traffic):** We could not locate explanation relating to choice of meteorological data for the modelling of traffic emissions.

- **Baseline Predicted Environmental Concentrations (PEC):** We could not locate PEC data within Tables 8B6.1 or 8.26. This is necessary to confirm impacts.

- **Benzene Environmental Assessment Level:** We could not locate this parameter. Only VOC's were presented.

- **Cumulative Impacts:** To ensure emissions are assessed as worse case there can be instances where the impacts are combined. Routine testing of the diesel back-up generator appeared to be missing from the modelling and underestimating the combined NO2 result.

We also found errors when combining emissions for example PM_{10} and $PM_{2.5}$ annual means as traffic contributions were higher than PC. Combined results should be checked.

It should be noted that we are not aware of any additional developments of potential significant concern to alter traffic movements (cumulative) that are not already in the local plan and therefore included within local growth factors.

<u>Health Damage Costs:</u>

- Noting the comments regarding negative traffic input values for road links we gather that the HHRA that was submitted as supplemental to the air quality assessment, was based on a methodology of assessing risks for parameters *other than* the ambient air quality standards. It's conclusions are therefore outside of scope.

- However, there are published health damage costs associated with the air quality standards based on the mass emitted of $PM_{2.5}$ and NOx but which do not appear to have been considered within any of the Chapters. We feel this is a potential significant omission.

- IAQM's methodology is based on calculating mass and comparing this to the health damage costs based either on low-medium-high degree of sensitivity[5].

- These health damage costs can be compared to any residual risks after taking into account the standard or 'embedded' mitigation being proposed.

- *When comparing the standard mitigation proposed (as listed below) there is a significant residual risk that is not specified such as the new duty on both Councils of preparing air quality strategies as set out with LAQM PG-22[6] with measures that facilitate an improvement in air quality. A contribution towards this work is therefore sought.*

[4] Defra, LAQM TG-22, https://laqm.defra.gov.uk/air-quality/featured/uk-regions-exc-london-technical-guidance/
[5] Defra, Air Quality Appraisal; Damage Cost Guidance: https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance
[6] Defra, LAQM PG-22; https://laqm.defra.gov.uk/air-quality/featured/england-exc-london-policy-guidance/

- **Standard or 'embedded' mitigation** explained in the ES includes:

  - **Chimney Height**: Adequate to disperse pollutants;

  - **Abatement**: This is specified as Selective Non-Catalytic emission reduction which involves selective reduction of nitrogen oxides with ammonia / urea without a catalyst. The technique is based on the reduction of NOX to nitrogen by reaction with ammonia / urea at a high temperature. In a general this results in NOx reduction rate of between 30-50%.

    However, a catalyst-based system is not proposed within Chapter 8. This can achieve much higher NOx reduction (by 80-95%[4]) and whilst a matter for the permit, a discussion on the technology is missing from the report.

    Carbon capture retrofit ready; This is not part of existing mitigation.

  - **Permit**: Conditions to be regulated by the Environment Agency through environmental permit.

  - **Management Plans**: Relevant construction / dust / traffic management plans; Mitigation is set out within Table 8.5 Chapter 8 which includes option for real-time air quality monitoring which is welcomed (see below).

  - **Engine technology**: In Section 7.4.13, Outline CTMP it mentions that all road-based construction traffic to be Euro V or above i.e. 2008 models or above (see comments above).

  - **Workplace Travel Plans**: Staff / workplace travel plan; appointment of a TP coordinator.

    We would welcome a TP being adopted, but conscious of targets being emission based i.e. trip reduction and how this will be achieved and the transparency of this data. A condition to be agreed.

  - **Electric Vehicle Charging**: Whilst the parking is within FDC we would welcome a condition to secure EV charging especially due to limitations within Approved Document S (AD-S) of the Building Regulations. There appears to be 5 electric vehicle charging spaces shown in Figure 6.2 (Plan for the site). EV charging is considered an important part of the mitigation and to help future proof the scheme but is not mentioned within Chapter 8 or 19.

    AD-S will only require slow charging (<7kW) and furthermore sections 6.2 to 6.12 (Standards) are all optional.
    A condition is necessary to ensure the charging is safe, accessible and convenient in accordance with section 112(e) of the NPPF, AQAP, emerging local policy LP14/18 and NCC's revised parking standards (July 2022). To be agreed.

  - **Appointment of a Community Liaison Manager**; unclear on remit of role (to be agreed). This was not set out within Chapter 8.

<u>Air Quality Monitoring:</u>

- Mitigation is set out in Table 8.25 in Chapter 6 includes option for real time air quality monitoring scheme.

- The real time AQ monitoring is to be agreed but noted as suggested only for particulate matter emissions. Recommend indicative real-time analyser(s) for NO2 and PM. We would be happy to agree the terms of this condition and agree location for monitoring equipment.

- Dust effects are explained from sections 8.9.18 to 8.9.58 with dust buffers shown in Figure 8.4. Track out of dust is assessed for example for 350m from site access in Algores Rd so buffers do not extend along Elm High Rd. HGV's loads to be covered as standard mitigation etc.

- *To agree a suitable condition in conjunction with Fenland DC for suitable real time AQ monitoring scheme prior to construction with provision for remote interrogation and downloading.*

Landscape and Visual

10.44 NCC are leading on this for Norfolk and will be commenting separately.

10.45 No objections to the Arboricultural Method Statement approach as outlined in the Outline CEMP. The retention of as many mature/important trees is key, and any mitigation/replacement planting should be in keeping with the wider landscape. Full details of landscaping should be secured via condition.

Historic Environment

10.46 The only listed buildings within the area included on the plan: 'Figure 10.1 Designated heritage assets within a 2km study area', are a good distance away from any of the pipeline works which I understand will be largely underground. Therefore, there will be no significant impact on the setting of these heritage assets within this Borough.

10.47 NCC will comment separately with respect to archaeology.

Biodiversity

10.48 NCC are leading on this for Norfolk and will be commenting separately.

Hydrology

10.49 NCC Lead Local Flood Authority (LLFA) have commented on the proposal. Their comments are provided below:

10.50 The cable route is proposed to cross ordinary watercourses that are adopted by the Kings Lynn 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 gain consent prior to undertaking work within these watercourses.

10.51 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).

10.52 Further guidance on the information required by the LLFA from applicants can be found at

https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-watermanagement/information-for-developers.

10.53 BCKLWN's comments:

10.54 There are no drainage impacts likely from the grid connection and infrastructure at Walsoken substation. As the operational plant lies outside this district, in Wisbech, we have no concerns over site drainage. Surface water drainage of the site compound, which could contain contaminants, as well as foul water drainage, will be covered by the EA permitting regime, and full details will need to be submitted for the appropriate assessment and agreement in advance of the proposal being completed and operational.

10.55 In west Norfolk the flood risk issues at the grid connection point will need to be addressed. This should include an appropriate flood emergency plan during both the construction phase and also the running phases.

Geology, Hydrogeology and Contaminated Land

10.56 We have reviewed the Environmental Statement Chapter 13: Geology, Hydrogeology and Contaminated Land, June 2022. A large part of the proposed grid connection scheme falls within the borough council's area. Due to the distance to the EfW CHP facility site, those sections of the report do not refer to receptors within the borough council area, so this response is related to the CHP connection. The ES sets out potential land contamination constraints within the study area of the CHP Connection. A buffer of 250m has been applied to represent a zone of influence for land contamination. The Grid Connection will be a linear underground cable with above ground connections to the EfW CHP and Walsoken Substation.

10.57 The 250m zone of influence is shown on Figure 13.1iii: Potential land contamination constraints within the Study Area CHP Connection, Access Improvements and Temporary Construction Compound. Table 13.8 Lists the Reports and desktop data, reports of walkover surveys and ground investigation, including:

MVV (2020) Wisbech Phases 1 and 2 Geo-environmental Desk Study and Interpretative Report, July 2020

Wood (2021) MVV, Medworth Grid Connection Phase 1 Geo-environmental Desk Study, Draft Report, May 2021 (Grid connection area)

Wood (2021) MVV, Wisbech Phases 1 and 2 of the EfW Facility site.

Section 13.5 Describes the baseline for the EfW site and grid connection and summarises potential sources of contamination, also shown on Figure 13.1. Potential sources of contamination for the grid connection are listed as:

(1) Historical landfill at former Wisbech Canal
(2) Localised made ground (including A47 embankment, former railway line, and onsite fly tipping at New Bridge Lane) (cross boundary source)
(3) Walsoken Substation (cross boundary source)
(4) Offsite: Former petrol filling stations
(5) Natural peat deposits (source of ground gas including methane)
(7) Offsite: Pollution incident at the drainage ditch north of the site
(8) Offsite: refuse tip dating from 1967 (also the site of the former Walsoken brick and tile works).

10.58 The borough council's contaminated land inspection of the Wisbech Canal site is referenced. The applicant should note that the Walsoken site has also been inspected and the report is available on our web page (titled Broad End Road) www.west-norfolk.gov.uk/contaminatedlandpart2a

10.59 Relevant receptors are scoped in within Table 13.12 for further assessment for Geology, Hydrogeology and Contaminated Land. Table 13.13 lists likely significant effects for Geology, Hydrogeology and Contaminated Land Receptors.

10.60 The approach for environmental assessment is in line with current best practice guidance, particularly the use of Land Condition Risk Management (LCRM) and both the construction and operational phase are considered. A suitable method is proposed for assessing significance of effects of contamination on relevant receptors.

10.61 Based on the information provided I can agree that, providing the environmental measures, including further investigation (as set out in the Table 13.24 summary of environmental measures) are followed, the risks will be acceptable and no significant effects from land contamination are anticipated.

Climate Change

10.62 NCC will be commenting separately.

Socio-Economics, Tourism and Land Use

10.63 There are no specific comments on tourism. The underground cabling would be located within the highway verge. Given the cabling would be underground it is not envisaged it would affect the existing land uses.

10.64 NCC are leading on this for Norfolk and will be commenting separately.

Health

10.65 Public health at NCC will be commenting separately on this.

10.66 Health guidance will be provided by the UK Health & Safety Agency.

Major Accidents and Disasters

10.67 NCC will lead on this for Norfolk and will be commenting separately.

10.68 Additionally, it is recommended comments are sought from Norfolk Fire and Rescue Service, Norfolk Constabulary and Eastern Region Special Operation's Unit.

Cumulative Impacts

10.69 No comments from a BCKLWN view.

Other Matters

<u>Odour/Nuisance</u>

10.70 The main emission source during the operational phase will come from the stack, with modelling identifying receptor R107 (Northeast of the site, in Wisbech/Fenland). The prevailing wind for this district is South Westerly. Best practice has been followed with the Air Dispersion Modelling undertaken and the accompanying results. The area of study was a 15km zone from the location of the chimney emissions. Receptor locations in the villages of West Walton, Walton Highway, Elm and Emneth have been screened out. A negligible impact from the stack emissions is noted for receptors R67 in Elm and R76 in Emneth. Odour emissions would be controlled via the EA permit.

10.71 At this time, based on the submitted information, we have no concerns regarding odour impacts.

Lighting

10.72 The operational site lies outside this district and lighting is to be positioned such that it should not impact off-site.

10.73 We have no concerns, but we would support Fenland DC and recommend full details are required via condition, when appropriate.

Appendix 3

PLANNING COMMITTEE
7 November 2022

SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE PUBLICATION OF THE AGENDA AND ERRATA

Item 8 Page No. 2 of the additional Agenda/Supplementary Documents

South Wootton Parish Council (SWPC): wish to add their opposition to the proposed Incinerator to be located at Algores Way, Wisbech.

SWPC were astonished to read that the Wisbech Incinerator will be twice the size of the King's Lynn one which we opposed and was rejected by the Inspector at a Public Inquiry in 2013. We raised two main issues in opposition to the development, namely, Health and Safety issues and Traffic congestion issues.

There was and is real concern about the potential adverse Health issues associated with the emissions from Waste Incinerators. Toxic compounds such as dioxins and furans are found in the exhaust gases as well as fine particles of PM10, PM2.5 and smaller. These can cause cardiac and respiratory problems as well as cancer. Heavy metals such as Lead and Mercury are present in the residual ash collected at the bottom of the Incinerator. Although we were told that emissions were constantly monitored and meet required standards, this was not the case as there have been many breaches (at 11 other modern Incinerators) in recent times. SWPC are concerned that air pollution from its 95 metre chimney will be down wind of the triple SSI protected Wash area, Kings Lynn, Sandringham and all their inhabitants including South Wootton residents.

There is a general agreement that the amount of waste going to landfill needs to be reduced but less costly, non-hazardous alternatives should be considered such as Mechanical Biological Treatment and Anaerobic Digestion Plants. These can be built at a fraction of the cost of an Incinerator Plant, especially in the case of the Wisbech Plant which would be twice the size of the rejected Kings Lynn Plant.

SWPC believe that the best practice for waste disposal is via a combination of methods, ie, by reducing waste in the first instance, reusing and recycling where possible and composting appropriate material using non-hazardous systems as mentioned above. There is no place for incineration.

South Wootton Parish Council wishes to join with the residents of Wisbech in opposing the location of the Incinerator close to local schools and other public amenities.

CORRECTIONS/ADDITIONS:

7.6 After the Relevant Representations stage the Council will be asked to submit a Statement of Common Ground and Local Impact Report. It is proposed that this be done jointly with the other host authorities (Cambridgeshire County Council, Fenland District Council and Norfolk County Council) as the local authorities are working closely together. BCKLWN will be able to express their comments.

7.7 It is proposed that if the application is approved by the Secretary of State then the Development Consent Order requirements (conditions) are dealt with by the relevant County Councils as they would normally deal with requirements for this type of application. BCKLWN would be consulted on any requirements that are relevant to our area.

Update to Appendix 3: BCKLWN Draft Relevant Representations:

The following additional comments will be added to the Air Quality section (starting page 18) of Appendix 3: BCKLWN Draft Relevant Representations:

Environmental Quality update following the Air Quality Technical Meeting:

An air quality technical meeting with Medworth CHP Ltd was held on the 31st of October 2022. This summary report provides a brief update of the discussions underway. Ahead of the meeting we were invited to submit technical queries. Background information to these queries is listed within Appendix 3 of BCKLWN Draft Relevant Representations.

The focus of our queries primarily concerns emissions from traffic due to concerns with transport data and that these emissions are combined with those from the stack and reported cumulatively.

Stack emissions will be primarily controlled through the Environment Permit (EP) and we were informed that this application has been submitted to the Environment Agency. Other concerns related to some of the assumptions with the air quality assessment plus clarification on the extent of mitigation being proposed.

These points are set out below:

a) Transport:
In terms of the transport related matters we have not agreed with the negative traffic input values used, as this does not appear to be consistent with Chapter 6. A spreadsheet with the negative values was provided to help explain extent.

Queries were also raised regarding appropriate emission factors used and properly taking into account relative vehicle proportions through appropriate construction traffic management plan. Air quality information is dependent on raw transport data, and which has been agreed to be checked. Where any amendments are required, these can be included within an Air Quality Technical Addendum to the ES.

Controls relating to management of construction traffic as set out within the outline CTMP can be revised that also take account other technical meetings.

b) Air quality modelling / assessment:
In relation to the air quality modelling it was agreed the Air Quality Addendum will consider:

- Correction factor;
- Meteorological data; and,
- Other input parameters (benzene, baseline PEC's etc.).

c) Mitigation:
Quantifying extent of mitigation being proposed by comparison to health damage costs was noted as not raised at earlier consultations (PIER). The concern however is from residual risks that may not have been considered.

We also requested additional information regarding abatement technology. Medworth explained that this additional information is likely to form part of the Best Available Technology (BAT) information in support of application to EA for EP.

In terms of electric vehicle (EV) charging infrastructure it was noted that this is to be secured under Schedule 1 of Draft DCO. Concern was raised regarding future provision EV for waste vehicles.

Workplace Travel Plan: We have received a response which explains that this forms part of DCO Requirement 15 with objectives and targets set out within Outline Operational Travel Plan.

Community Liaison Manager: unclear on role / remit. We have a received a response explaining the position and how this will be secured.

d) Air Quality Monitoring;

Additional air quality monitoring is agreed to be discussed further.

Norfolk County Council's (NCC) comments will be omitted from the Relevant Representations submission as shown in Appendix 3: BCKLWN Draft Relevant Representations. This is because these will be submitted separately by NCC. The Committee Recommendation will therefore need amending as follows:

9 RECOMMENDATION

9.1 Officers consider the comments in Appendix 3 should be submitted to PINS as part of the Relevant Representations consultation. It is recommended:

a) to note that the views expressed about compliance with these statutory duties will not prejudice the council's objection in principle to the application, or any future views; and

b) to endorse the technical Relevant Representations in Appendix 3 for submission to PINS, with the exception of NCC comments as these will be submitted separately by NCC, and with the addition of the Air Quality comments in this late correspondence.

Assistant Director's Comments: SWPC's comments are noted, and have been reported to the committee. The Parish Council will need to submit their comments directly to PINS to ensure they are fully considered. Both the impact on health and SSSI's will be assessed at the Examination by the relevant specialist bodies, rather than by BCKLWN.

It would make sense for BCKLWN to work jointly with the other host authorities on both the Statement of Common Ground and Local Impact Report as it would enable the Councils to pool resources. Additionally, as the County Councils would normally deal with requirements (conditions) for a scheme of this nature, it would be appropriate for them to handle and manage these with input from BCKLWN as necessary.

The Environmental Quality update is noted.

The amendment to the recommendation is considered necessary as NCC's comments will be submitted separately by County.

Appendix 4 – Committee Minutes 7th November 2022

Plans to develop a new Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam, (and associated grid connections) on land at Algores Way, Wisbech: Medworth CHP Ltd

Click here to view a recording of this item on You Tube

Councillor de Whalley left the meeting and addressed the Committee in accordance with Standing Order 34.

The Committee was reminded that at the Council meeting on 25 February 2021, a motion was passed to OBJECT to the principle of the proposal for an energy from waste facility in Wisbech. It was explained that the remained in place and was unaffected by this specific technical consultation response.

The Principal Planner explained that this was a Nationally Significant Infrastructure Projects (NSIP), so it was considered by the Planning Inspectorate (PINS) and ultimately determined by the Secretary of State. The applicants were seeking what was known as a Development Consent Order (DCO) which was effectively the equivalent of planning permission.

The Planning Inspectorate (PINS) had invited the Council to submit a Relevant Representations Response (RR), to the submission of the Medworth EfW, CHP Facility and associated grid connections application. This was a specific stage in the Development Consent process.

The deadline for comments to PINS is Tuesday 15 November 2022. In order for comments to be taken into account, those making representations would need to register as an interested party.

PINS would consider comments it received from the RR stage, which would help to inform the topics and questions to be dealt with at the Examination stage.

The Committee was informed that the Borough Council was one of four host authorities, as the plant and infrastructure were sited within each council area. The other authorities were Fenland District Council (FDC), Cambridgeshire County Council (CCC) and Norfolk County Council (NCC). The main plant and infrastructure was located within FDC and CCC's area, with the underground cabling connecting to a substation in Walsoken in West Norfolk.

The Committee noted the key issues for consideration as set out in the report.

In accordance with Standing Order 34, the following Councillors attended and outlined their concerns to the application:

Councillor A Kemp stated that incinerators emitted a number of harmful substances such as PCBs and PAHs. She explained the effect of exposure to PCBs and exposure to small amounts of these could cause developmental and neurological problems in children. PCBs could also build up in sediment in coastal areas and rivers and the fatty tissue of fish, which could then be transmitted through the food chain. PAHs were a class of widespread environmental carcinogens and there was no legal limit to the emissions which came out of incinerators from pcbs and pahs however much modelling or monitoring there was. She added that the dispersion modelling was uncertain. It did not account for whether the weather was static and whether there was going to be fast and strong winds. The direction of the winds would be south-west prevailing over West Norfolk. There had been no health damage costs

included within the papers put forward by Medworth. She also had concerns over the diesel generator back-up system which could emit harmful diesel.
There had been no consideration of the fact that the area downwind of the incinerator was the 30% most vulnerable and most deprived population area in the whole country. We as a Council had to safeguard the area. There was no need for the incinerator, it was outdated technology and once it was there it would be very difficult to get it stopped if anything went wrong. It was known that breaches did occur and that the deprived population did look for the Council to safeguard them. The Council should continue to tell the Government that this was not acceptable and must not happen.

Councill de Whalley stated that there was significant public interest in this proposal and was over an extended area and would suggest that pressing the necessity to hold the examination process in public in its entirety. PM 2.5 had been mentioned, they were seldom properly monitored because it was expensive, and done by mass rather than particle numbers, which was a far more informative indicator of the harm that they were causing. There was no need for waste incineration and there was over capacity in this country for waste incinerators and did not want to be in the position of burning other people's waste. It would also harm recycling and the more incinerators would make it harder to reach recycling targets. Co2 capture was unproven technology and was expensive and inefficient.

Councillor Blunt addressed the Committee and outlined his concerns. Firstly, why this site on the edge of Wisbech. If I was considering an Energy from waste site
I would consider firstly is their sufficient waste to feed the plant, located close to the proposed site. Secondly is their sufficient demand to use the Energy being generated. On the first point, by the need to transport several lorry loads of waste to the site every day, there is clearly not enough waste generated locally to need the site in Wisbech. Therefore, look for sites where sufficient waste is generated to feed the demand now and in the future.

On the second point is their enough demand locally for the energy generated either steam or power. This area has a limited demand for the steam to be used in local factories and the power generated will be fed into the National Grid and be used anywhere the need arises. Therefore, there is no real reason why the plant needs to be built here, build it where the demand for steam is high.

Next have alternative sites been considered by the applicant. Based on the lack of need for the site in Wisbech, has the applicant considered sites where there is a local need for incinerating waste. Has the applicant considered any sites where the demand for the steam generated by the plant is high either now or in the future?
Thirdly the impact on people of the surrounding area including Wisbech and West Norfolk

The fact that the A47 that will be used to bring waste to the site is currently heavily congested seems have been ignored. When travelling north the traffic on the stretch of the A47 from the Tesco roundabout to the Elme House roundabout is regularly at a complete standstill. This the main southern entrance into Norfolk from the Midlands. It is a route for business traffic and visitors supporting the economy of Norfolk.

Has any consideration be given that within 1 mile there are several schools. The Thomas Clarkson Academy, Meadowgate Academy, Elm road Primary School, Ramnoth Road Junior, Wisbech Grammar School, Peckover Primary School Orchard Church of England School. That is where the majority of the children of Wisbech are educated. All these schools are north of the proposed site and in the direction of the prevailing winds from the proposed site.
Finally, I think we should be looking at methods that encourage solutions that reduce the production of waste and encourage the use of renewables and therefore reduce the need for such a plant to be built.

Councillor Dark addressed the Committee and stated that there was a sad irony that COP27 was being held that day. He added that the Secretary of State was the decision-maker and the Council was not the determining body. However, Officers would put in a technical response. The Council had put a motion forward that it opposed this. Norfolk County Council had also taken a similar stance and other Councils in the surrounding area were doing the same. There was significant community concern regarding this application and concerns of the Parish Councils regarding the narrowness of the consultation which was supported by this Committee. The Council had widely promoted how people could have their say.

He added that he felt that the proposal was not needed and was too large. He was not against business or development. However, with regards to this particular site Norfolk County Council and the Borough Council had sufficiency in the disposal chain. There were also ambitious targets on how to reduce waste and how to increase recycling so the demand for this type of project should be reduced. He asked if the facility was needed and whose waste it would burn, why this location. He felt that there was an insufficiency of data.

The Principal Planner advised that with regards to the A47, National Highways would be commenting separately. Norfolk County Council would also be commenting separately on health grounds and the issue of need. With regards to schools, Cambridgeshire County Council would respond on that together with need.

The Assistant Director explained that technical issues would be dealt with at the Examination which would be held in public. This was an important part of the process which would help to inform the Inspector to set the topics for discussion at the Examination. He advised that anyone wishing to participate had to register their interest to do that. He added that the Council would be working closely with the other host authorities on both the Statement of Common Ground and Local Impact Report as it would enable the Councils to pool resources and use the technical expertise that the Council's had.

The Chairman, Councillor Mrs Spikings expressed concern relating to the impact of traffic on the Elm High Road, which was congested at the present time. She also made reference to Bottom Ash and whether this had been taken into account. She added that the report also made reference to an emergency generator and asked for clarification regarding that.

With regards to if there was a major accident or emergency on site, the Principal Planner advised that Norfolk County Council would be responsible and would comment on this.

The Environmental Health Manager advised that bottom ash would not be processed on the site and would be transported off site, however the location was not known but would likely be in the locality. Also transported off-site in sealed units would be the residue from the air handling plants which would collect the particles and other types of chemicals and would be taken off site and disposed of as land fill.

With regards to the back-up generator and disasters, this would be covered by the Environmental Permit, the back-up generator had been modelled and tested. The back-up generator was there if the site lost electrical power and the site had to do an emergency shutdown. The details would be covered by the Environmental Permit.

Councillor Rust stated that it was clear in the documents that the Borough Council's role was to provide local technical knowledge. Many of the people that lived downwind of the site were the 30% most disadvantaged in the country. She added that whilst Norfolk County Council and Health might be putting forward reports or information about the health in general, it was important that the Council made the case for the residents in the area. She added that it would be significant as hazardous waste and bottom ash would be exported off the site and anything that had to be moved out and transported would present more danger. The health, air quality

and highways issues would all impact on the health of the Borough's residents, and it was up to the Committee and Members to make the strongest possible case for the residents.

The Chairman, Councillor Mrs Spikings referred to page 23 of the report where it referred to cumulative impacts.

Councillor Parish added people got very emotive over the health hazards that the proposal might generate, quite rightly, but explained that West Norfolk's waste was burnt in Suffolk, and what about the health hazards of those people in Suffolk. He made reference to COP27 taking place today, which would be talking about reparation, and this was a similar instance.

Councillor Squire explained that everyone in the room had their waste burnt somewhere else and lorries of waste were sent somewhere else, however with regard to this application it was not just the A47 which was affected but also the A1101. The traffic impact would be significant, and the Council needed to comment on this and not leave it to Norfolk County Council. She added that the traffic was worse in the summer particularly on a Friday. She also explained that the A47 would be at a standstill from the Tesco roundabout to the Elm Hall roundabout. She also had concerns about digging up the verge and how this would affect the traffic. The whole road system needed to be redesigned around there and would not cope with lorries going into the site and bottom ash being removed from the site.

In response to a question from Councillor Holmes, the Principal Planner advised that, as a host authority, it should submit a representation, otherwise it might be difficult to be involved at the Examination stage. It was also important for individual Members to comment and register through the Planning Inspectorate website.

The Assistant Director explained that officers could attach an extra appendix of Members individual comments so that the Inspector would be aware of issues that had been raised. Given the timescales for submission this should be by then end of day on 11th November. He added that if Members wished to speak at the Examination, then they would need to register to do so themselves. Details on how to do so had been provided to Members.

Councillor Storey added that the proposal was in the wrong place and was the wrong project at the wrong time.

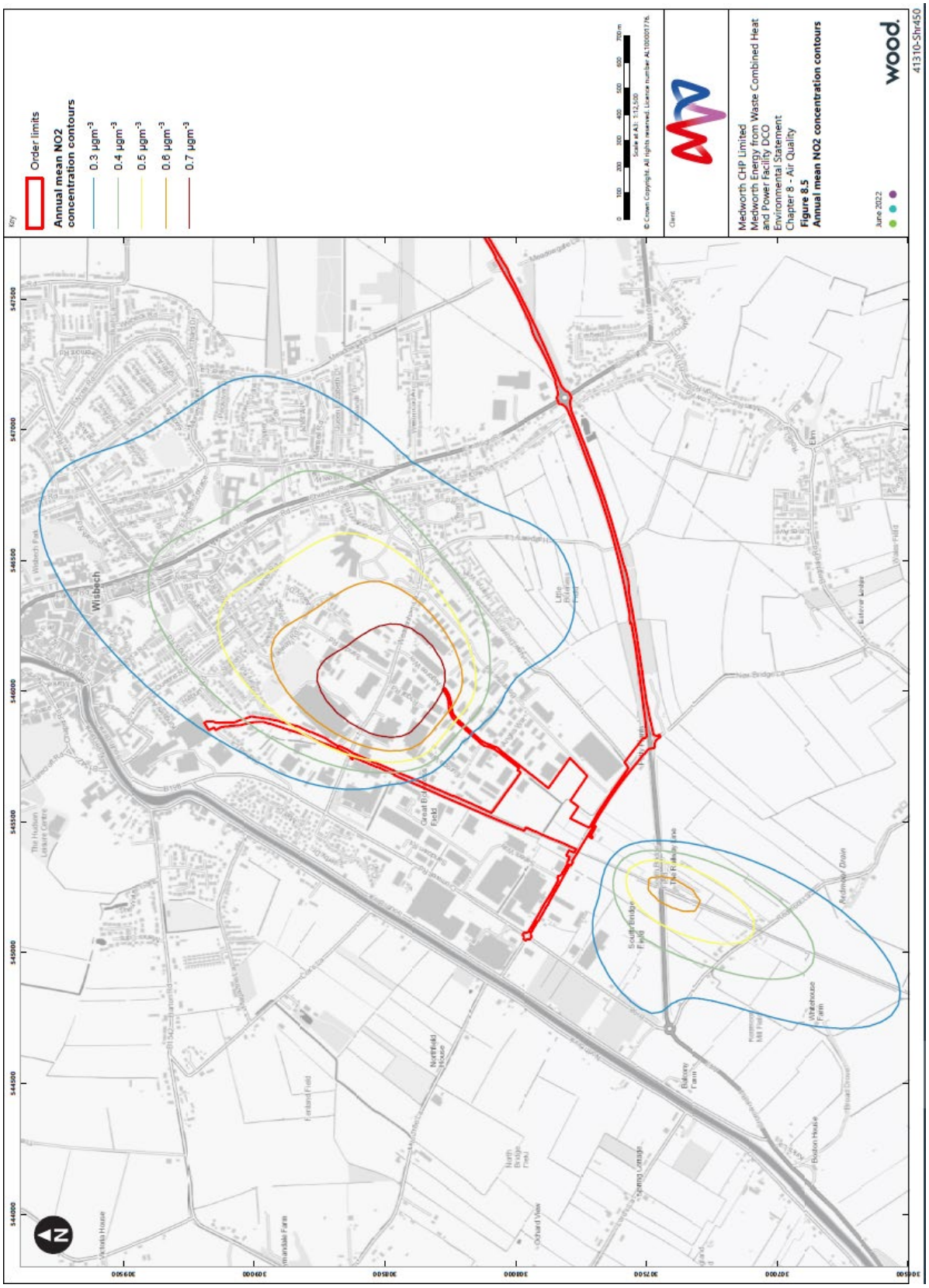
RESOLVED: (1) Officers considered the comments in Appendix 3 should be submitted to PINS as part of the Relevant Representations consultation: It was recommended that:

(a) To note the views expressed about compliance with these statutory duties would not prejudice the Council's objection in principle to the application, or any future views; and
(b) To endorse the technical Relevant Representations in Appendix 3 for submission to PINS, with the exception of NCC comments as these would be submitted separately by NCC, and with the addition of the Air Quality comments, as set out in late correspondence.
(c) That individual Councillors comments would be added as Appendix 4, and should be submitted to officers by end of day on 11 November 2022.

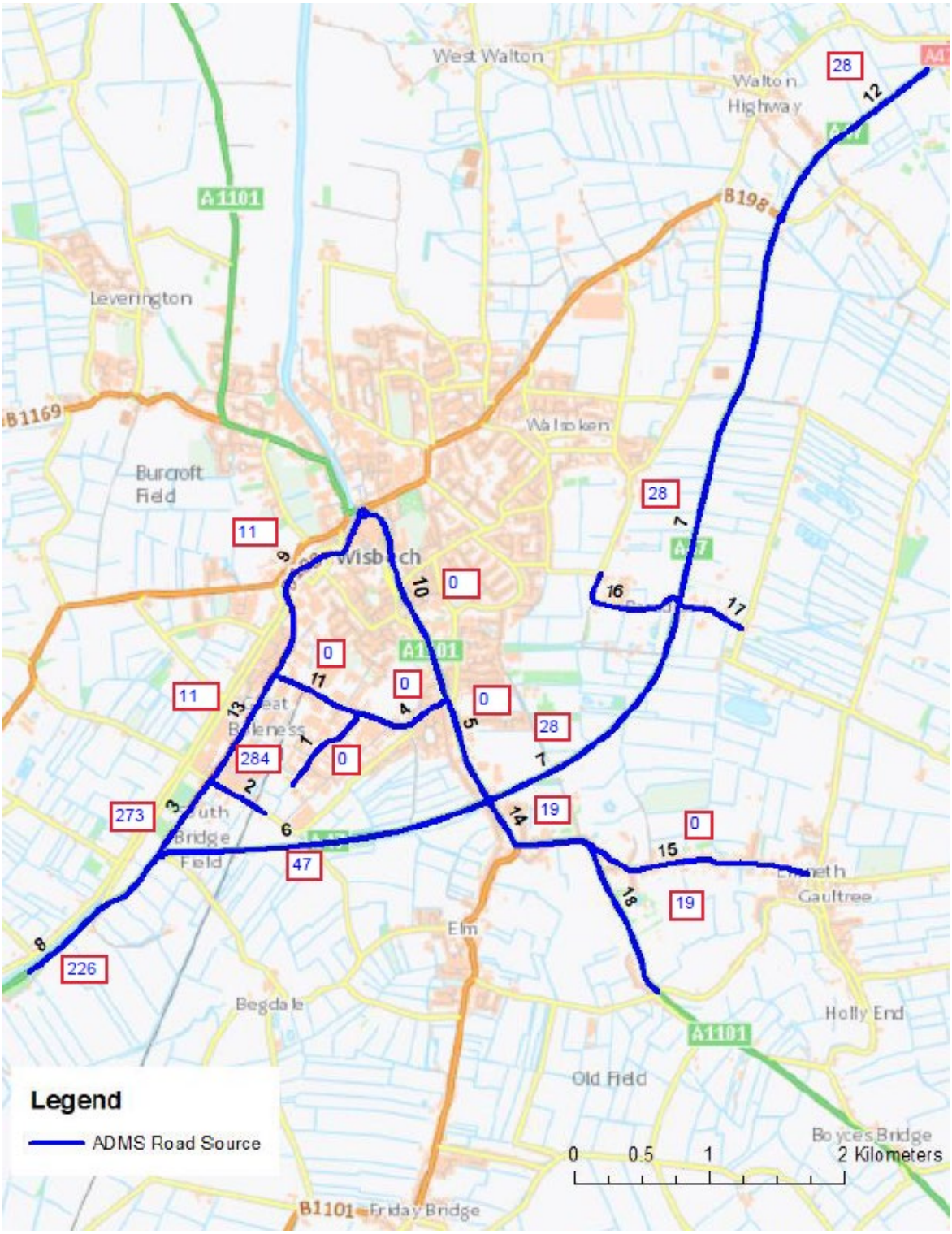
Appendix 3 Table A.1 Changes in operational traffic movements (HGV) as a result of the development

		2027	Cars %	LGV %	HGV %	HGV	AQ HGV Change as AADT	TA HGV Weekday
		AADT						
1	Algores Way	3200	75.1	15.6	8	256	59	0
2	New Bridge Lane	1130	59.7	12.4	26	294	125	284
3	Cromwell Rd A	16939	76.6	15.9	6.3	1067	185	273
4	Weasenham Lane	13252	77.9	16.2	4.7	623	2	0
5	Elm High Rd	20851	77.5	16.1	5.2	1084	2	0
6	A47 CR to HER	21128	74.5	15.5	8.6	1817	46	47
7	A47 EHR LR	20103	74.8	15.6	8.2	1648	43	28
8	A47 S	26103	74.2	15.5	8.9	2323	151	226
9	Cromwell WL TC	16377	78.9	16.4	3.6	590	1	11
10	Churchill Rd	17471	76.5	15.9	6.3	1101	1	0
11	Weasenham CR AW	12278	77.8	16.2	4.9	602	63	0
12	A47 LR A17	26149	76.3	15.9	6.5	1700	55	28
13	Cromwell NBL WL	16077	77.3	16.1	5.5	884	66	11
14	Elm High Rd S A47	20428	78.9	16.4	3.6	735	4	19
15	Church Lane	3163	80	16.6	2.4	76	0	0
16	Broadend Rd E	1712	79.4	16.5	3.1	53	0	0
17	Broadend Rd W	2290	79.5	16.6	2.9	66	0	0
18	A1101 S Church Lane	12593	76.4	15.9	6.4	806	2	19

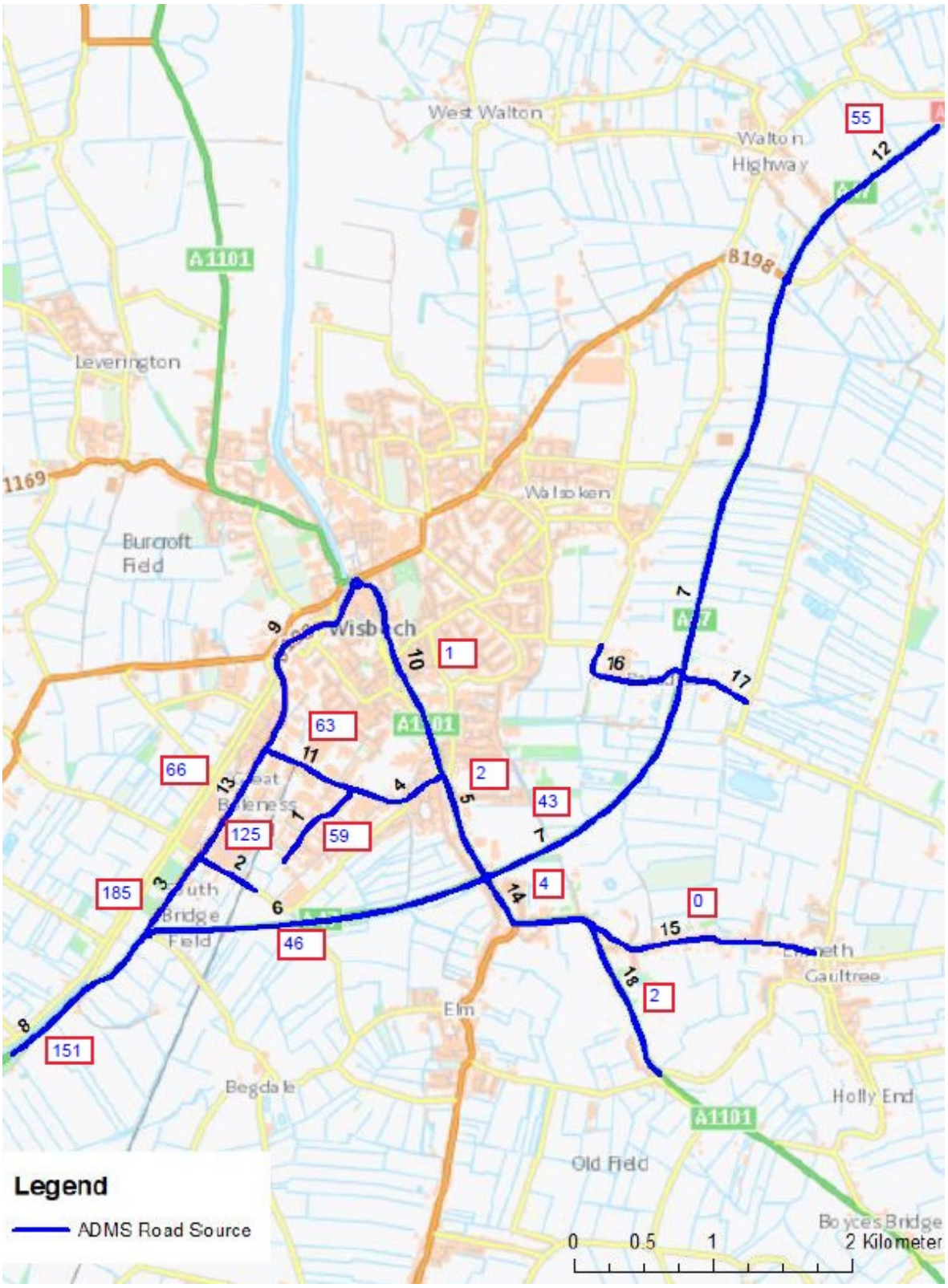
Appendix 4 Figure A.1 Spatial extent of Plume from EfW Facility (taken from Chapter 8 of ES)



Appendix 5 Figure A.2 Distribution of HGV's from TA (as weekday; taken from Table 6.32)



Appendix 6 Figure A.3 Distribution of HGV from traffic AQ input data



Appendix 7 Figure A.4 Operational Traffic Routes and Restrictions (taken Figure 2.1 of Operational TMP)

Appendix 8 Figure A.5 Existing Diffusion Tube Monitoring Locations, Wisbech

Borough Council of King's Lynn & West Norfolk Tel. 01553 616200 - Fax. 01553 691663	Title **Existing AQ Monitoring Locations Wisbech**	N W E S	Scale **1:36,015**
			Date **Feb 2023**
	Project / Details **Review**		Drawn by **DA**
			Drawing / Reference Number **DCO_LIR**