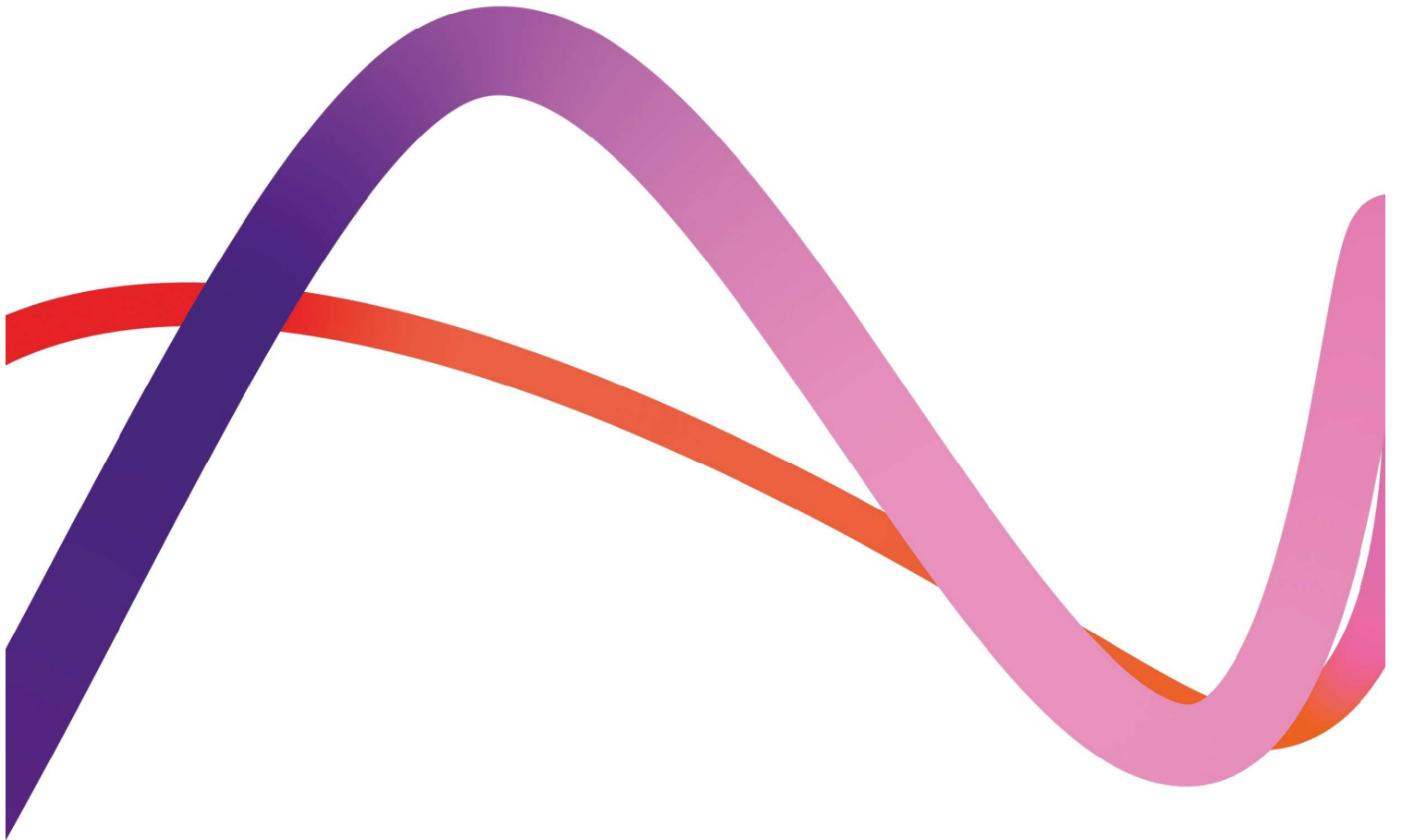


Medworth Energy from Waste Combined Heat and Power Facility

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Applicant's Response to NCC and KLWN's Local Impact Report

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1. Introduction

1.1.1 Medworth CHP Limited (the Applicant) submitted an application for development consent to the Secretary of State on 7 July 2022 (the Application). The Application was accepted for examination on 2 August 2022. The Examination of the Application commenced on 21 February 2023.

1.1.2 This document, submitted for Deadline 2 (24 March 2023) of the Examination contains the Applicant's responses to Norfolk County Council's (NCC) and the Borough of Kings Lynn and West Norfolk's (KLWN) joint Local Impact Report (LIR) submitted for Deadline 1 (10 March 2023).

1.1.3 NCC and KLWN have addressed the following topics within their LIR:

- Section 2: Relevant Planning Policy Framework;
- Section 3: Traffic and Transport;
- Section 4: Noise and Vibration;
- Section 5: Air Quality;
- Section 6: Landscape and Visual;
- Section 7: Historic Environment;
- Section 8: Biodiversity;
- Section 9: Hydrology;
- Section 10: Geology, Hydrogeology and Contaminated Land;
- Section 11: Climate Change;
- Section 12: Socio-Economic and Community Issues;
- Section 13: Health;
- Section 14: Major Accidents and Disasters;
- Section 15: Cumulative Impacts;
- Section 16: Waste Need; and
- Section 17: Draft Development Consent Order (DCO).



4 Applicant's Response to NCC and KLWN's Local Impact Report

2. Relevant Planning Policy Framework

Table 2.1 Applicant's response to NCC and KLWN's Statutory Development Plan comments

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
5. Relevant Planning Policy Framework		
5.1	<p>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-forenergy-infrastructure</p>	Noted.
5.2	<p>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.</p>	Noted.
5.3	<p>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</p>	Noted.



5 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	Noted.
5.5	<p>The following policies of the Core Strategy are considered relevant to the Proposed Development:</p> <p>https://www.westnorfolk.gov.uk/downloads/download/68/core_strategy_document</p> <ul style="list-style-type: none">• CS01: Spatial Strategy;• CS06: Rural Areas;• CS08: Sustainable Development;• CS10: The Economy;• CS11: Transportation; and• CS12: Environmental Assets.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01, CS06, CS08, CS11 and CS12 as relevant Core Strategy Policies within Table B.7. Policy CS10 The Economy allocates land for employment, promotes opportunities to improve and enhance the visitor economy, outline's the Council's approach to rural exception sites and how it will retain employment land. Of relevance to the Proposed Development is the Council's encouragement for skills and aspirations and to an encouragement for links between training and education providers and business concentrations. The Applicant is committed to work with such providers via the Outline Employment and Skills Strategy (Volume 7.8) [APP-099] secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 21.
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.	Noted.



6 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
King's Lynn & West Norfolk Borough Council Local Development Framework - Site Allocations and Development Management Policies Plan (Adopted September 2016)		
5.7	<p>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.</p>	Noted.
5.8	<p>The following policies of the Site Allocations and Development Management Policies Plan are considered relevant to the Proposed Development:</p> <p>https://www.westnorfolk.gov.uk/downloads/download/68/core_strategy_document</p> <ul style="list-style-type: none">• 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.	<p>The Planning Statement (Volume 7.1) [APP-091] identifies DM1, DM12, and DM15 as relevant development management policies. Other policies it identifies are DM3 Groundwater and Surface Water, DM4 Flood Risk, DM8 Design, Local Landscape and Townscape Character, DM9 Archaeological Sites, DM10 Transport DM 11 Sustainable Construction and DM13 Air Quality.</p> <p>Policy DM2 Development Boundaries permits development within the development boundaries of settlements shown on the Policies Map. The Walsoken Substation lies outside the Walsoken Settlement boundary although it is on land owned by UKPN to the front of its existing operational substation. The policy is not considered to be relevant to the Proposed development which can only connect to existing substations on the electricity network.</p> <p>Policy DM19 Green Infrastructure/Habitats Monitoring and Mitigation states that the Council will seek opportunities to link wider networks working with partners within and beyond the Borough. The Applicant has prepared a BNG Strategy (Appendix 6.4) [AS-009] which is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 6.</p> <p>Policy DM20 Renewable Energy supports renewable energy proposals and associated infrastructure unless the benefits of renewable energy are outweighed by the impacts. The EfW CHP Facility is located outside of the Borough's administrative area with the exception of the Grid</p>



7 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
		<p>Connection. The Environmental Statement (Volume 6.1-6.4) does not identify any significant effects as a result of the Grid Connection.</p> <p>Policy DM21 Sites in Areas of Flood Risk refers to sites allocated by the Council. The Grid Connection route and Walsoken Substation location are not sites allocated by the Council.</p> <p>F3 Wisbech Fringe and F3.1 Walsoken recognises that the area adjacent to Wisbech, in West Norfolk represents a significant opportunity for sustainable growth. The allocation F3.1 lies approximately 0.5km to the west of the Walsoken Substation and would not be affected by the construction or operation of the Grid Connection.</p> <p>G.110 Walsoken cross-references back to F3.1 (see above).</p>
The Borough Council of King's Lynn & West Norfolk's Emerging Local Plan Review (2016-2036)		
5.9	<p>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:</p> <ul style="list-style-type: none">• 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;	<p>The Planning Statement (Volume 7.1) [APP-091] does not refer to the Local Plan review given its current, unadopted status with policies that in the early stage of development.</p>



LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<ul style="list-style-type: none"> • 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. 	
<p>Norfolk Minerals and Waste Development Framework: Core Strategy and Minerals and Waste Development Management Policies and Development Plan Document 2010-2026 (2011)</p>		
<p>5.10</p>	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>The Planning Statement (Volume 7.1) [APP-091] identifies CS13, CS14, CS15 and CS16 with Table B.5. It also identifies DM1, DM3, DM4, DM8, DM9, DM10, DM12, DM13 and DM15 within Table B.6.</p>



9 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted.
5.12	<p>The relevant policies of the Core Strategy can be viewed through the following link:</p> <p>https://www.norfolk.gov.uk/-/media/norfolk/downloads/what-we-do-and-howwe-work/policy-performance-and-partnerships/policies-andstrategies/minerals-and-waste-planning/core-strategy-and-minerals-andwaste-development-management-policies-development-20102026.pd</p>	Noted.
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.	Noted. The Planning Statement (Volume 7.1) [APP-091] at section 3.5.20 records the status of the new local plan.
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:	Noted.



10 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performanceand-partnerships/policies-and-strategies/environment-and-planningpolicies/minerals-and-waste-planning-policies/norfolk-minerals-and-wastelocal-plan-review</p>	
5.16	<p>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.</p>	<p>Noted.</p>
Other Material Considerations		
5.17	<p>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.</p>	<p>The Planning Statement (Volume 7.1) [APP-091] at Section 3.4 records that the NPPs are the primary policy documents used in decision making for DCO applications but that the 2008 Act sets out that the SoS must have regard to other national planning policies. The Planning Statement considers that other national planning policy of relevance to the Proposed Development includes the National Planning Policy Framework (NPPF) and National Planning Policy for Waste (NPPW).</p>
5.18	<p>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.</p>	<p>ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036] identifies the Character Assessment as one of the desktop data sources used in the assessment (Table 9.7).</p>



3. Traffic and Transport

Table 3.1 Applicant's response to NCC and KLWN's Traffic and Transport comments

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033] identifies Policy CS11 within Table 6.2.
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.	ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033] identifies Policy CS11 within Table 6.2.
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.	In accordance with the policy, the Applicant has prepared a Transport Assessment (ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment Volume 6.4 APP-073). It concludes that effects upon the Strategic Road Network would not be significant.



12 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
7.4	<p>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.</p>	<p>The Proposed Development is not located in close proximity, or adjacent to a waterway suitable for the transshipment of waste. The EfW CHP Facility Site is adjacent to the Disused March to Wisbech Railway. The Applicant has configured the layout of the EfW CHP Facility Site so as to enable it to accommodate a rail siding to be used to receive waste from rail should the railway be reopened and the transshipment be considered to be economically viable.</p> <p>Compliance with Minerals and Waste Core Strategy Policy CS15 is established within the Planning Statement (Volume 7.1) [APP-091], ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033], ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034], ES Chapter 8 Air Quality (Volume 6.2) [APP-035], ES Chapter 10 Historic Environment (Volume 6.2) [APP-037] and ES Chapter 11 Biodiversity (Volume 6.2) [AS-008] consider the environmental effects from traffic and conclude that they would not be significant. The Proposed Development is therefore considered to be compliant with Policy CS15.</p>
Environmental Statement		
7.5	<p>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].</p>	<p>Noted.</p>
7.6	<p>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:</p>	<p>Noted. Two of these documents were updated for Deadline 1 as ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan Rev 2 (Volume 6.4) [REP1-011]; Outline Operational Traffic Management Plan (Volume 7.15) [REP1-025].</p>



13 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<ul style="list-style-type: none">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]; andOutline Operational Traffic Management Plan (Volume 7.15) [APP-106].	
Key Issues		
7.7	<p>As set out in the NCC's Relevant Representation, the Highway Authority (HA) has identified issues relating to the following matters:</p> <ul style="list-style-type: none">Impact on the Local Highway Network (on Norfolk roads); andImpact of the Grid Connection at Walsoken (including the Installation of Apparatus in the Public Highway etc); Impact on the Local Highway Network.	Noted.
7.8	<p>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.</p>	Noted. The Applicant has prepared a Transport Assessment (ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment Volume 6.4 APP-073) which considers the construction and operational phases.
7.9	<p>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).</p>	The Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011] and Outline Operation Traffic Management Plan (Volume 7.15) [REP1-026] are secured by Draft DCO (Volume 3.1) [REP1-007] Requirements 11 and 12 respectively.
7.10	<p>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</p>	Noted.



14 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	roundabout as traffic will disperse south and east into Norfolk via this roundabout.	
7.11	<p>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 ongoing throughout the application process, particularly in respect of traffic management.</p>	<p>The Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011] is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 11. Section 7 explains the types of traffic management measures required during the construction of the Proposed Development including sections of highway within which the Grid Connection would be installed. It states at section 7.3.3 that all temporary construction traffic management implementation plans will need to be approved by NH, CCC and/or NCC (location dependant) and will be applied in accordance with guidance and procedures as required by Section 14 of the Road Traffic Regulation Act 1984.</p> <p>The Applicant can confirm that it will continue discussions with the Highway Authority as appropriate, throughout the application process and in particular with regard to the management of construction and operational traffic.</p>
7.12	<p>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:</p> <ul style="list-style-type: none">• 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.	Noted.
7.13	<p>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.</p>	Noted



15 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
7.14	<p>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.</p>	<p>The Applicant has prepared a Transport Assessment (ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment Volume 6.4 APP-073). The numbers referenced by NCC are those set out in section 6.4.8.</p>
7.15	<p>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.</p>	<p>Noted and the Applicant will seek to agree NCC's conclusion within an updated statement of common ground.</p> <p>Extensive discussions have taken place with National Highways. A record of these discussions is set out within the Statement of Common Ground between Medworth CHP Ltd and National Highways (Volume 9.15) [REP1049] Appendix A.</p>
7.16	<p>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.</p>	<p>Noted.</p>
7.17	<p>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</p>	<p>The Applicant has the powers to carry out the street works under Article 10 of the Draft DCO (Volume 3.1) [APP-013]. As set out in Article 10(2), the power is a statutory right for the purposes of the New Roads and Street Works Act 1991. Once the DCO has been granted, the Applicant will register for a Street Works Act (SWA) Code as an organisation that has the power to undertake works in a street. The SWA Codes are administered by GeoPlace on behalf of the Department for Transport. The Applicant is not aware of any reasons why it would not be granted a SWA Code as it will be able to demonstrate that it has the necessary powers once the DCO is granted.</p>



16 Applicant's Response to NCC and KLWN's Local Impact Report

LIR paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	Noted.



4. Noise and Vibration

Table 4.1 Applicant's response to NCC and KLWN's Noise and Vibration comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 and CS06 as relevant Core Strategy Policies within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS08 as a relevant Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as a relevant Core Strategy Policy within Table B.7.
8.4	Site Allocations and Development Management Policies Plan Policy DM12 (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	The Planning Statement (Volume 7.1) [APP-091] identifies DM12 within Table B.8.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 within Table B.8 and within Section 4.3 Noise and Vibration.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 and CS15 within Table B.5. It also identifies DM12 within Table B.6.
Environmental Statement		



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted
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].	Noted. The updated Outline CEMP was submitted at Deadline 1 as Outline Construction Environmental Management Plan Rev 2 (Volume 7.12) [REP1-24] .
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].	Noted. The updated Outline CEMP (containing the updated Noise and Vibration Management Plan) was submitted at Deadline 1 as Outline Construction Environmental Management Plan Rev 2 (Volume 7.12) [REP1-024] .
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.	Noted.
8.11	The BCKLWN refers to its Relevant Representation submission which has detailed comments on noise and vibration.	Noted. The Applicant's response to KLWN relevant representation is provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .
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.	Construction HGV routing is controlled via ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 7.15) [REP1-011] . The management plan is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 11. Draft DCO (Volume 3.1) [REP1-007] Requirement 10 requires the submission of a CEMP for approval pre-commencement and the CEMP must be substantially in accordance with the Outline CEMP.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	<p>DCO (Volume 3.1) [REP1-007] Requirement 10 requires the submission of a CEMP substantially in accordance with the Outline CEMP to be submitted for approval by the relevant planning authority. The Requirement is worded such that the CEMP must be prepared and approved before construction of the relevant part of the authorised development can commence. It therefore allows for a separate management plan to be prepared for the Grid Connection works.</p> <p>Section 5.4.5 of the Outline CEMP (Volume 7.12) [REP1-024] states that:</p> <p><i>A separate Grid Connection Construction Noise Management Plan (GCCNMP) specific to the proposed Grid Connection works will be prepared and submitted to the relevant planning authorities for approval prior to the commencement of this element of the construction activities. The GCCNMP will include the distribution of resident notification letters advising of the dates and times of work and likely operations. It will also provide a summary of mitigation measures documented within the Environmental Statement to mitigate noise.</i></p>
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.	See response at 8.13 above.
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.	<p>The impact on West Norfolk Receptors from vehicle noise related to the development is assessed in Table 7.15 of ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]. All roads with KLWN residents adjacent are subject to negligible increases in traffic noise. Haul routes avoid low flow roads in west Norfolk and specifically avoid the A1101 Elm High Road/Churchill Road corridor.</p> <p>Construction HGV routing is controlled via ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 7.15) [REP1-011]. The management plan is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 11.</p>



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
		<p>The Applicant will access the EFW CHP Facility Site from New Bridge Lane as soon as the construction works necessary to implement it are completed. ES Chapter 3 Description of the Proposed Development (Volume 6.2) [APP-030] provides the construction programme as Graphic 3.23 Construction Programme Summary. This shows the Access Improvement works starting in Month 2 and completing in Month 7.</p>
8.16	<p>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.</p>	<p>Draft DCO (Volume 3.1) [REP1-007] Requirement 19 requires the submission to the relevant planning authority of an Operational Noise Management Plan (ONMP) substantially in accordance with the Outline ONMP. The ONMP will include for the management of operational noise from the Walsoken Substation although it is the opinion of the Applicant that the equipment will result in no significant noise emissions and that any noise emitted by the equipment would not be audible at the nearest Receptor locations (ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034] section 7.6.34.</p>
8.17	<p>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.</p>	<p>Construction vibration has been assessed qualitatively in ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034] Table 7.39, Page 7-89. There were no Receptors within West Norfolk considered to be at risk of exposure to significant vibration effects and therefore no further assessment is required.</p>



5. Air Quality

Table 5.1 Applicant's response to NCC and KLWN's Air Quality comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 and CS06 as relevant Core Strategy Policies within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS08 as a relevant Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as a relevant Core Strategy Policy within Table B.7.
9.4	Site Allocations and Development Management Policies Plan Policy DM12 (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	The Planning Statement (Volume 7.1) [APP-091] identifies DM12 within Table B.8.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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 DM15 (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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 within Table B.8. The Applicant has assessed the effects upon air quality and odour within ES Chapter 8 Air Quality (Volume 6.2) [APP-035] which concludes that effects are not significant.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 and CS15 within Table B.5.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM12 within Table B.6.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM13 within Table B.6 and within Section 4.4 Air Quality.
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.	Noted.
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.	Noted.
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.	Noted. The Applicant's response to KLWN relevant representation is provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .
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	Construction HGV routing is controlled via ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 7.15) [REP1-011] . The management plan is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 11. The management plan also sets out the core working hours at section 7.4.8-7.4.11.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	Plan (CEMP) would be required, to address harm to residents with respect to dust.	Draft DCO (Volume 3.1) [REP1-007] Requirement 10 requires the submission of a CEMP substantially in accordance with the Outline CEMP. The Outline CEMP includes as Appendix A the Dust Management Plan. This outline document will be finalised and submitted to the relevant planning authority for approval prior to the commencement of the construction of the relevant part of the authorised development.
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/revise 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.	Noted. The document referred to was submitted at Deadline 1 as ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015] .
9.14	As with the Relevant Representation, the following Chapters have been utilised in drafting this response: <ul style="list-style-type: none">• 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	Noted.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<ul style="list-style-type: none">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).	Noted.
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 locations should be identified on a plan. There are also Department of Transport traffic survey points situated along parts of the traffic network.	Noted. The Applicant has prepared an Outline Local Air Quality Monitoring Strategy (LAQMS) (Volume 9.21) [REP1-055] which was submitted at Deadline 1. The LAQMS is secured in Requirement 27 of the Draft DCO (Volume 3.1) [REP1-007] . The strategy includes the monitoring locations which have been suggested by the relevant Environmental Health Officers (EHOs) and includes for passive and automatic continuous monitoring at the Thomas Clarkson Academy.
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.	Noted. Both short-term and long-term impacts predicted from the EfW CHP Facility have been assessed.
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.	Noted.
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	Noted.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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 NO _x . 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 NO _x 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.	<p>Noted and agreed. The technical note referred to is understood to be ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015].</p> <p>An application has been made by the Applicant for an Environmental Permit (EP) in August 2022. An assessment of the Best Available Technology (BAT) for the plant is included in the EP submission.</p> <p>NO_x emission controls have been assessed. The BAT Assessment concludes that selective non-catalytic reduction (SNCR) represents the BAT option for the proposed EfW CHP Facility. This is because whilst Selective catalytic reduction (SCR) performs better from a NO_x emissions release perspective (NO_x emission reductions achieved with SNCR are expected to be 78% of those achieved with SCR), SNCR has fewer cross media effects than SCR (e.g. ammonia slip and spent catalyst waste streams) and, on its own, will meet the required BAT-AELs and prevent an exceedance of respective environmental benchmarks.</p>
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	Noted.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	Noted. The Revised Technical report referred to is understood to be ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015] .
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 PM10 and PM2.5 which appeared to be incorrect. These matters appear now to have been resolved.	Noted. The information requested was provided within ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015] .
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.	Noted.
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.	Noted.
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	The HGV AADT flows along New Bridge Lane were calculated by the Applicant to inform the transport assessment and also used to inform the assessment of air quality. The Applicant can confirm that the flows are 284 AADT. The Applicant notes that the AADT flows along New Bridge Lane during the operational phase of the Proposed Development as



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>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.</p>	<p>reported within Annex D of the ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015] are not reported as 284 AADT.</p> <p>This was a reporting error in Annex D of the ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015]. Construction traffic flows were attributed incorrectly to the operational scenarios of the road traffic assessment. The correct operational traffic flows are now reported with the summary Table 8B6.1, Annex D and Annex H updated as a result. The Applicant can confirm that this update has not changed the overall conclusion of significance made within the ES Chapter 8: Air Quality (Volume 6.2) [APP-035].</p>
9.27	<p>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.</p>	<p>Noted.</p>
9.28	<p>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.</p>	<p>Noted.</p>
9.29	<p>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.</p>	<p>Noted.</p>



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
9.30	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>The Outline CTMP (Volume 6A) [REP1-011] refers to the proposed traffic routing. The Outline CTMP is secured by Draft DCO (Volume 6.2) [REP1-007] Requirement 11. The routes proposed for operational traffic are set out within the Outline OTMP (Volume 7.15) [REP1-025] which is secured by Draft DCO (Volume 6.2) [REP1-007] Requirement 12.</p>
9.31	<p>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.</p>	<p>Noted and agreed.</p>
9.32	<p>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.</p>	<p>Noted and this will be clarified within the Deadline 2 update to ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015].</p>



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
9.33	<p>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.</p>	<p>Noted. This was clarified within ES Chapter 8 Air Quality Appendix 8B Air Quality Technical Note (Volume 6.4) [REP1-015].</p>
9.34	<p>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.</p>	<p>Noted. Please refer to our response to comment 9.26 above.</p>
9.35	<p>To put this into context traffic (HGV) input values would primarily affect NO₂ and to a lesser extent PM therefore since:</p> <ul style="list-style-type: none">• Maximum NO₂ Process Contribution (PC) from the stack is predicted as 0.78 ug/m³ at receptor R96 and,• Maximum NO₂ PC from the stack and traffic is 1.2 ug/m³• Overall change, i.e.1.2 ug/m³ represents a 3% increase when compared to AQAL (the NO₂ annual mean as 40 ug/m³).	<p>Noted.</p>



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted and agreed.
9.37	<p>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):</p> <ul style="list-style-type: none"> • 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. 	<p>The Applicant has prepared an Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP1-055] which was submitted at Deadline 1. The Strategy at Section 2.4 states that passive and automatic air quality monitoring will be placed in Wisbech town locations consistent with the air quality survey monitoring locations which were selected to inform the environmental assessment, (Figure 8.1 ES Chapter 8: Air Quality (Volume 6.3) [APP-052]), or such other locations as may be approved in the final LAQMS. The monitoring will demonstrate that pollutant concentrations on local communities are within the health based objectives and provide confidence to the public.</p> <p>The Strategy also proposes that passive air quality monitoring tubes will be located in the following villages:</p> <ul style="list-style-type: none"> • Emneth; • Marshland St James; • Walpole Highway; • West Walton and • Walton Highway.
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 NO2 significantly even after checking via DMRB screening. An additional NO2 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	Noted. The Applicant is willing to commit to undertaking (and thereby finding) regular monitoring for air quality at locations to be agreed with the Environmental Health Officers of NCC and KLWN. The Applicant has prepared an Outline Local Air Quality Monitoring Strategy (OLAQMS) (Volume 9.21) [REP1-055] which was submitted at Deadline 1. The requirement for a detailed strategy to be submitted to and agreed by the relevant planning authorities and implemented has been secured via Requirement 27 to the Draft DCO (Volume 3.1) [REP1-007] submitted at Deadline 1.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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 Wisbech 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.	<p>The air quality assessment of the Proposed Development is primarily concerned with chimney emissions; there are adequate abatement measures included within the BAT assessment.</p> <p>Therefore, any damage cost associated with the chimney emissions are offset by the BAT measures including Selective Non-Catalytic Reduction (SNCR) (NOx abatement). These are presented in detail in the BAT assessment submitted for the Environmental Permit application.</p>
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.	See response to 9.37
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.	See response to 9.37.
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	See response to 9.37



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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 (PM10 and PM2.5) and also nitrogen dioxide (NO2). 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.	See response to 9.37 above.



6. Landscape and Visual

Table 6.1 Applicant's response to NCC and KLWN's Landscape and Visual comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 as a relevant Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as a relevant Core Strategy Policy within Table B.7. Further consideration is provided within Section 4.11 Landscape and Visual. The Planning Statement records that there would be no significant effects upon landscape or townscape.
10.3	Site Allocations and Development Management Policies Plan Policy DM15 (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	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 within Table B.8.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 and CS15 within Table B.5.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM8 within Table B.6.
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.	Noted.
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].	Noted.
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	Noted.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	Noted.
10.10	Both NCC and the BCKLWN refer to the comments within their previously submitted Relevant Representation with respect to landscape and visual impacts.	Noted. The Applicant's responses to the Councils' relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .
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.	Noted.
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.	Noted. Requirement 4 of the Draft DCO (Volume 3.1) [REP1-007] requires a landscape and ecology strategy to be submitted to and approved by the relevant planning authority prior to commencement of the Proposed Development. The submitted landscape and ecology strategy should be substantially in accordance with the outline landscape and ecology strategy in Volume 7.7 Outline Landscape and Ecology Management Plan [APP-098] .
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	The Visual Assessment in Appendix 9J of ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079] and summarised in ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036] , concluded that visual effects from settlements within Norfolk would be Not Significant. The assessment for Viewpoint 16 in Appendix 9I of ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079] also concluded Not Significant visual effects from this location, noting that ' <i>private views from nearby residential properties are typically more restricted by intervening and adjacent tree cover</i> '. Paragraph 4.1.7



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>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.</p>	<p>of NPS EN-1 states that “<i>The IPC should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects</i>”. The Applicant considers that it would not be reasonable to mitigate Not Significant visual effects with offsite planting, which in the example given, would be experienced by road users as fleeting oblique views.</p> <p>Due to the changeable and temporary nature of a visible plume, the presence of which requires the combination of a variety of favourable meteorological conditions (which are more likely at night when cooler temperatures prevail), and the likelihood that the plume would be visible for a maximum of 7.2% of the time during any year, the plume has not been illustrated on the visualisations.</p> <p>However, the presence of the plume is considered as part of the assessment in ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036] under assumed maximum height parameters. The assessment recognises that the infrequent presence of the occasional visible plume (if meteorological conditions were suitable) may draw Receptors' attention and emphasise the presence of the chimneys. However, the detailed analysis of its potential scale and periods of visibility leads to the conclusion that the very infrequent, often small-scale and temporary presence of the plume would not give rise to any significant landscape or visual effects. The assessment concludes that there would be no significant landscape and visual effects experienced by any Receptors within Norfolk. This includes residential, recreational and vehicular visual Receptors, at the agreed viewpoint locations within Norfolk and the landscape character Receptors within Norfolk.</p>
10.14	<p>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.</p>	<p>The 17km LVIA Study Area was agreed with the Host Authorities during a meeting held on 2 November 2020. Receptors located outside of the study area, including those within King's Lynn (in excess of 19km distant) have not been considered in the LVIA. Visualisations presented for Viewpoints 28, 29 and 30 in ES Chapter 9 Landscape and Visual Figures 9.40 to 9.46 (Volume 6.3) [APP-061] and the accompanying viewpoint assessments in Appendix 9I in ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079], demonstrate that at distances in excess of 16km, the magnitude of visual change would not</p>



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
10.15	<p>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.</p>	<p>exceed Very Low and effects would be Not Significant, even for High sensitivity Receptors.</p> <p>The submission and approval of the CEMP, substantially in accordance with the Outline CEMP (Volume 7.12) [APP-103], which refers to an Arboricultural Method Statement, is secured in Requirement 10 of the Draft DCO (Volume 3.1) [REP1-007]. The vegetation to be removed and retained within the EfW CHP Facility Site is shown in Figure 3.14 of ES Chapter 3 Description of the Proposed Development (Volume 6.3) Figures [APP-049] (a revised version of this Figure has been submitted at Deadline 2). The individual trees, groups of trees or hedgerows to be removed are either Category B or Category C trees/hedgerows, as assessed in the Tree Survey (Volume 7.13 [APP-104]) and therefore of moderate to low quality. They would be removed to accommodate the permanent access to the EfW CHP Facility Site on New Bridge Lane, as well as soil storage bunds, Grid Connection compound and temporary workshop/store building, the locations of which are illustrated in Figure 3.11i and 3.11ii of ES Chapter 3 Description of the Proposed Development Figures (Volume 6.3) [APP-049]. A proportion of group G4 (early mature Poplar trees) would be retained. Figure 3.14 of ES Chapter 3 Description of the Proposed Development Figures (Volume 6.3) [APP-049] also illustrates the location of tree, hedgerow and wet woodland planting using native species of local provenance (where possible) or UK provenance which are appropriate to site conditions and intended habitats.</p> <p>The need to agree a landscape and ecology management plan, substantially in accordance with the Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098] is set out in Requirement 5 of the Draft DCO (Volume 3.1) [REP1-007].</p>



7. Historic Environment

Table 7.1 Applicant's response to NCC and KLWN's Historic Environment comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 as a relevant Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as a relevant Core Strategy Policy within Table B.7. Further consideration within Section 4.10 (Historic Environment) of the Planning Statement concludes that the Proposed Development is in accordance with national and local policy.
11.3	It further 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.	ES Chapter 10 Historic Environment (Volume 6.2) [APP-037] states that the Proposed Development will not directly affect designated historic sites. The Applicant's approach to design, including the history of the EfW CHP Facility Site is set out within the Design and Access Statement (Volume 7.5) [Volume APP-096] .



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
11.4	Site Allocations and Development Management Policies Plan Policy DM15 (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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 within Table B.8.
10.5	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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 within Table B.5.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS15 within Table B.5.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM8 within Table B.6.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM9 within Table B.6.
11.9	It further 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).	ES Chapter 10 Historic Environment (Volume 6.2) [APP-037] states that the Proposed Development will not adversely affect the significance of heritage assets and their settings within the county of Norfolk.
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.	Noted.
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].	Noted. The Outline CEMP was revised and submitted at Deadline 1 as Outline CEMP (Volume 7.12) [REP1-024] .
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.	Noted.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
11.13	The BCKLWN refer to their comments within their Relevant Representation, with respect to the historic environment.	The Applicant's responses to the Council's relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .



8. Biodiversity

Table 8.1 Applicant's response to NCC and KLWN's Biodiversity comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 as a Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as a Core Strategy Policy within Table B.7.
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.	The Proposed Development will not directly or indirectly affect any of the sites or habitats mentioned. The Applicant is committed to enhancing biodiversity through its proposals for landscape planting at the EfW CHP Facility Site as set out within the Outline Landscape and Ecology Strategy (Figure 3.14 Volume 6.3) [APP-049] and will deliver biodiversity net gain through ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Volume 6.4) [AS-009] secured by Draft DCO (Volume 3.1) [REP1-007] Requirements 4 and 6 respectively.
12.4	Minerals and Waste Core Strategy Policy CS14 (Environmental Protection) seeks to ensure the protection	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 as a Core Strategy Policy within Table B.5.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS15 as a Core Strategy Policy within Table B.5.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM1 as a development management policy within Table B.6. The Planning Assessment for biodiversity reported within the Planning Statement at Section 4.6 concludes that the Proposed Development is consistent with national and local policy.
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.	Noted.
Key Issues		
12.8	In relation to ES Chapter 11 Biodiversity, NCC considers that the ecological impact of the grid connection at Walsoken	Noted. The Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024] containing the Outline Ecological Mitigation



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	Strategy is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 10.
12.9	The Outline Landscape & Ecology Strategy Management Plan (and BNG calculations) does not relate to Norfolk so is not relevant for NCC.	Noted.
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).	Noted. Natural England confirmed at Deadline 1 that it is satisfied that the Proposed Development would not give rise to likely significant environmental effects, (Deadline 1 Submission – Answer to ExA Q1 [REP1-085]).
12.11	The BCKLWN does not have any additional comments to make on Chapter 11.	Noted.



9. Hydrology

Table 9.1 Applicant's response to NCC and KLWN's Hydrology comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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).	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 and CS08, as relevant Core Strategy Policies within Table B.7.
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.	Policy DM21 Sites in Areas of Flood Risk refers to sites allocated by the Council. The Grid Connection (including Walsoken Substation) is not an allocated site.
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	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 and CS15 as Core Strategy policies within Table B.5.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM3 Groundwater and Surface Water within Table B.6. ES Chapter 12 Hydrology (Volume 6.2) [APP-039] includes a hydrological assessment of the Proposed Development.
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].	Noted.
13.6	A series of outline management plans have also been produced, and secured in the draft DCO (Volume 3.1) [APP-013]: <ul style="list-style-type: none">• 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].	Noted. The Outline Drainage Strategy was updated for Deadline 1 as ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy Rev 2 (Volume 6.4) [REP1-017] and the Outline Flood Emergency Management Plan as Outline Flood Emergency Management Plan Rev 2 (Volume 7.9) [REP1-018] .
Key Issues		



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted.
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.	Extensive consultation has been undertaken with King's Lynn Internal Drainage Board (KLIDB) during the pre-application phase and remains ongoing following the submission of the DCO Application. This engagement includes discussion of watercourse crossings. A summary of the consultation undertaken to date is set out in Appendix 12B of the ES (Stakeholder Engagement) [APP-085] . As indicated in the meeting with NCC's Strategic Flood Risk Planning Officer on 10 January 2023, a site survey confirmed that the only proposed watercourse crossings are of KLIDB maintained/adopted drains (which are already culverted below the A47) and these require consent from KLIDB. The Applicant is working to finalise a Statement of Common Ground with KLIDB which will be submitted during the DCO examination. The Draft SOCG was submitted at Deadline 1 as Statement of Common Ground between Medworth CHP Limited and King's Lynn Internal Drainage Board (DRAFT) (Volume 9.4) [REP1-48] .
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).	Noted. The Outline CEMP was updated at Deadline 1 as Outline Construction Environmental Management Plan Rev 2 (Volume 6.2) [REP1-026] . This document is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 10.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Applicant's responses to the Council's relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .



10. Geology, Hydrogeology and Contaminated Land

Table 10.1 Applicant's response to NCC and KLWN's geology, hydrogeology and contaminated land comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
Relevant Development Plan Policy		
14.1	Site Allocations and Development Management Policies Plan Policy DM15 (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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 within Table B.8.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS14 and CS15 as Core Strategy policies within Table B.5.
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	The Planning Statement (Volume 7.1) [APP-091] identifies DM3 within Table B.6. The potential for effects upon hydrological/hydrogeological receptor is reported within ES Chapter 12 Hydrology (Volume 6.2) [APP-039] and ES Chapter 13 Geology, Hydrogeology and



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	'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.	Contaminated Land (Volume 6.2) [APP-040] respectively. Both assessments conclude that effects would not be significant.
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.	Noted.
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.	Noted.
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.	The Applicant's responses to the Council's relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .



11. Climate Change

Table 11.1 Applicant's response to NCC and KLWN's Climate Change comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
Relevant Development Plan Policy		
15.1	Core Strategy Policy CS08 (Sustainable Development) seeks to ensure that decisions take in account climate change adaption issues.	The Planning Statement (Volume 7.1) [APP-091] identifies CS08 within Table B.7.
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).	The Planning Statement (Volume 7.1) [APP-091] identifies CS13 within Table B.5
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).	Noted.
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.	Noted.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
15.4	The BCKLWN refer to their comments within their Relevant Representation.	The Applicant's responses to the Council's relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .



12. Socio-economic and Community Issues

Table 12.1 Applicant's response to NCC and KLWN's Socio-economics comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS06, CS08, within Table B.7.
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.	As referenced in the Applicant's response to 5.5 above, Policy CS10 'The Economy' allocates land for employment, promotes opportunities to improve and enhance the visitor economy, outline's the Council's approach to Rural Exception Sites and how it will retain Employment Land. Of relevance to the Proposed Development is the Council's encouragement for Skills and Aspirations and to an encouragement for links between training and education providers and business concentrations. The Applicant is committed to work with such providers via the Outline Employment and Skills Strategy (Volume 7.8) [APP-099] secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 21.
Environmental Statement		



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted.
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.	The Applicant's Planning Balance on the matter of socio-economics is reported within the Planning Statement (Volume 7.1) [APP-091] at Section 4.14. It records at section 4.14.13 that, consistent with NPPF policy, the economic benefits of the Proposed Development should be afforded significant weight in the planning balance and that, on balance, the Proposed Development is in accordance with national and local policy in respect of socio-economic impacts.
16.6	<p>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:</p> <ul style="list-style-type: none">• 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.	Noted. The Applicant did engage with NCC in the preparation of the Strategy. This engagement is referenced in the Outline Employment and Skills Strategy (Volume 7.8) [APP-099] in section 3.1.2. The Outline Strategy is secured by Draft DCO (Volume 3.1) [REP1-007] Requirement 21.
16.7	NCC will continue to work with the Applicant to finalise the strategy.	Draft DCO (Volume 3.1) [REP1-007] Requirement 21 requires that a strategy substantially in accordance with the outline be submitted to the relevant planning authority for approval. The Applicant will continue to work with NCC in this regard.
16.8	The BCKLWN does not have any additional comments on Chapter 15.	Noted.



13. Health

Table 13.1 Applicant's response to NCC and KLWN's Health comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS01 and CS06 as relevant Core Strategy policies within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS08 as a relevant Core Strategy Policy within Table B.7.
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.	The Planning Statement (Volume 7.1) [APP-091] identifies CS12 as relevant Core Strategy Policy within Table B.7.
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.	Noted.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	Noted.
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.	The UKHSA has agreed a SOCG with the Applicant which confirms that it is in agreement with ES Chapter 16 Health (Volume 6.2) [APP-043] and with the assessment methodology and conclusions reached. The Statement of Common Ground between Medworth CHP Limited and the UK Health Security Agency (DRAFT) (Volume 9.8) [REP1-042] will be updated to confirm this agreement and the approved SOCG will be submitted to the Examination at Deadline 2.
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.	Noted.
17.8	The scheme could give rise to potential anxiety in local populations both among those living and working	Noted. Draft DCO (Volume 3.1) [REP1-007] Requirement 24 requires the Applicant to appoint a community liaison manager.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>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 Benefits Strategy setting out how the developer could fund and support existing wellbeing initiatives in the local area.</p>	<p>The Applicant has committed to a Community Benefits Strategy which will be developed consistent with the Outline Community Benefits Strategy (Volume 7.14) [APP-105].</p>



14. Major Accidents and Disasters

Table 14.1 Applicant's response to NCC and KLWN's Major Accidents and Disasters comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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].	Noted.
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.	Noted.
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.	<p>The substation facility will be subject to a fire risk assessment in line with the requirements of the Regulatory Reform (Fire Safety) Order 2005. As this is an existing legal requirement, it does not need to be separately secured through the DCO. The design of the facility will account for the risk of fire. It is noted that the substation will house High-Voltage (HV) electrical infrastructure, and water is unlikely to be a safe medium for firefighting.</p> <p>The Applicant is engaging with UKPN to confirm this position and will provide an update to the Examination in due course.</p>
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	See response at 18.3 above.



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LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	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.	See response at 18.3 above.
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.	Noted. The Applicant has prepared an Outline Flood Emergency Management Plan Rev 2 (Volume 7.9) [REP1-019]. Draft DCO (Volume 3.1) [REP1-007] Requirement 13 requires that the final plan is submitted to the relevant planning authority for approval which would therefore include NCC.



15. Cumulative Impacts

Table 15.1 Applicant's response to NCC and KLWN's Waste Policy comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
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.	The Planning Statement (Volume 7.1) [APP-091] identifies DM15 as a relevant planning policy within Table B.6. ES Chapter 18 Cumulative Effects (Volume 6.2) [APP-045] assesses the potential for cumulative effects arising both from different aspects of the Proposed Development and from the Proposed Development in combination with other projects. It concludes that cumulative effects would not be significant.
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 grid connection at Walsoken.	Noted.



16. Waste Need

Table 16.1 Applicant's response to NCC and KLWN's Cumulative Impact comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
Waste Need Assessment		
20.1	Waste Fuel Availability Assessment (WFAA) (Volume 7.3) [APP-094] was submitted with the DCO Application.	Noted. The Applicant has submitted an updated WFAA for Deadline 2.
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.	Noted.
20.3	NCC does not raise any issues in relation to this topic the proposed EfW facility is to be located outside the area for which it has planning responsibility.	Noted.
20.4	The BCKLWN does not have any additional comments in relation to waste need.	Noted.



17. Draft Development Consent Order (DCO)

Table 17.1 Applicant's response to NCC and KLWN's Cumulative Impact comments

LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
21.1	<ul style="list-style-type: none"> 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 if 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 	<p>Article 21</p> <p>The Applicant does not consider that for each tree removed under Article 21 appropriate mitigation planting is to take place. This is because the trees removed under Article 21 are limited and mitigation planting proposed for the Proposed Development is set out in the Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098].</p> <p>The Applicant can confirm that it will employ a suitably qualified arboriculturist to supervise works undertaken to trees.</p> <p>Schedule 2</p> <ul style="list-style-type: none"> Requirement 6(2) of the Draft DCO submitted at Deadline 1 provides that the biodiversity net gain strategy must be implemented as approved. Failing to do so would be enforced by the relevant planning authority. The Applicant has carefully considered what matters are to be covered in the Odour Management Plan and the Operational Noise Management Plan to avoid duplication with the Environmental Permit. The Odour Management Plan must be substantially in accordance with the Outline Odour Management Plan (Volume 7.11) [REP1-021] and the Operational Noise Management Plan must be substantially in accordance with the Outline Operational Noise Management Plan (Volume 6.4) [REP1-013] to avoid duplication in the final management plans. <p>Schedule 12</p>



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>to ensure long term management or if not, would want confirmation on how this would be enforced.</p> <ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • The Applicant does not consider that chargeable fees or monitoring fees need to be included within the DCO. The Applicant would be willing to enter into a planning performance agreement to cover costs associated with the discharge of requirements and monitoring if required. • The Applicant is content to change the deemed discharge period from 9 weeks to 12 weeks in paragraph 2(1). This will be reflected in the updated Draft DCO submitted at Deadline 3. • The time limits provided for in the deemed consent provisions have been selected as they are seen as allowing the consenting body an appropriate amount of time in which to make the decision, whilst at the same time ensuring that no significant delay to the Proposed Development is experienced. The Applicant does not see the advantage in changing a deemed consent to a deemed refusal and has not made any amendments to paragraph 2(2). Provisions which include a 'deemed refusal' can, in the Applicant's view, result in consenting bodies not fulfilling their role in assisting in the development of nationally significant infrastructure projects by enabling them to ignore applications submitted. Deemed consent provisions have been included in a large number of made DCOs to date. This reflects the unique, nationally significant nature of schemes consented by DCOs and the recognition that they should not be subject to undue delay in implementation as a result of a failure to determine applications for post-consent approval. • The concern with deleting paragraph 3(2) is that the relevant authority may request additional information close to when a decision is expected and for the period of determination to restart once this further information has been provided. Paragraph 3(2) contains a time-limit of 14 days to ensure that there is no undue delay in implementation as a result of a failure to determine applications for post-consent approval within a reasonable timeframe. Similarly, the Applicant is not content with deleting paragraph 3(3), 3(4) and 3(5). • Schedule 12 of the DCO has been used in various development consent orders and can be seen in a similar form in Wheelabrator Kemsley K3 Generating Station Order 2021.



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>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.</p> <ul style="list-style-type: none">• 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	



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>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.</p> <ul style="list-style-type: none">• Sub-paragraph 3(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	



LIR Paragraph	Summary of NCC and KLWN's Comments	Applicant's response
	<p>prejudices the relevant authority's ability to ask for further information after the end of the time limits set out in subparagraphs 3(2) and 3(3).</p> <ul style="list-style-type: none">• 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.	The Applicant's responses to the Council's relevant representations are provided within Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028] .

18. Conclusion

- 18.1.1 The Applicant's response to the NCC and KLWN LIR has been provided in this document and is submitted to the Examining Authority for Deadline 2 (24 March 2023).

