Medworth Energy from Waste
Combined Heat and Power Facility

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Applicant's Response to the CCC and FDC Local Impact Report

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Contents

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 Cambridgeshire County Council (CCC) and Fenland District Council's (FDC) joint Local Impact Report (LIR) submitted for Deadline 1 (10 March 2023).

1.1.3 CCC and FDC have addressed the following topics within their LIR:

- Section 2: Planning Policy;
- 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: Climate Change;
- Section 11: Socio-economics;
- Section 12: Health;
- Section 13: Major Accidents and Disasters;
- Section 14: Waste Policy Matters; and
- Section 15: Cumulative Effects.

2. Planning Policy

Table 2.1 Applicant's response to CCC and FDC's Statutory Development Plan comments

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
Statutory Development Plans		
1.7.1 – 1.7.3	**Emerging Fenland Local Plan (EFLP)** FDC is preparing a new Local Plan which will determine what the district will look like in the future. Once the proposed plan has been through Examination and is adopted, the new Local plan will replace the current FLP. Consultation on the Draft version of the Local Plan took place between 25 August 2022 and 19 October 2022. The Draft Plan5 sets out the emerging policies and proposals for growth and regeneration, and the proposed sites to deliver the growth. A Proposed Submission version is due to be published in summer 2023 for public consultation. This version of the plan will then be submitted to central government who will appoint an independent Planning Inspector to carry out a public examination into the document. 1.7.2 The new Plan will focus on commercial deliverability, market demand, and meeting growth targets as well as supporting and encouraging economic growth. The following proposed polices in the emerging plan would be relevant to the proposal, should the Plan be approved following examination: LP4 Securing Fenland's Future LP6 Renewable and Low Carbon Energy Infrastructure LP7 Design LP20 Accessibility and Transport LP24 Natural Environment LP25 Biodiversity Net Gain LP26 Carbon Sinks and Carbon Sequestration	The **Planning Statement (Volume 7.1) [APP-091]** at section 3.1.2 recognises that in addition to NPS EN-1, NPS EN-3 and NPS EN-5, the SoS is required to have regard to factors such as any local impact report provided by a relevant local authority, and any other matters which he or she considers to be both important and relevant to their decision on the DCO application. These 'other matters' may include adopted and emerging local planning policy. The Emerging Fenland Local Plan was published for consultation following the submission of the Application. As such, it is not addressed within the **Planning Statement (Volume 7.1) [APP-091].** The Applicant notes that the EfW CHP Facility Site is identified as a Waste Management Area consistent with the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 located within a Minerals and Waste Local Plan Consultation Area. That part of the EfW CHP Facility Site located south of the IDB ditch which bisects the site, west to east is shown as being allocated for Employment/non-residential development (Policy LP37.01) with land to the south and east similarly allocated (LP37.01, LP37.06 and LP37.07). The EfW CHP Facility Site is shown as being within an Established Employment Area (Policy LP15). It is interesting to note that the Emerging Local Plan Allocations and attendant policies have not been identified by CCC and FDC within the LIR. Policy allocation LP37.01 which includes that part of the EfW CHP Facility Site and the land to be used for the Temporary Construction Compound (TCC) as: *…. an extensive area suitable for employment development. There is some existing employment development at the east of site. It is estimated that*

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	LP27 Trees and Planting LP32 Flood and Water Management LP34 Air Quality	*approximately 60 hectares of land is available, which is expected to be developed incrementally over the course of the plan period.* The following comments are made with regard to the individual policies referenced by CCC and FDC: LP4 Securing Fenland's Future: States that proposals should clearly demonstrate how they will achieve emission minimisation, climate change adaption and adaption to a changing climate. **ES Chapter 14 Climate (Volume 6.2) [APP-041]** includes an assessment of GHG emissions as a result of the construction, operation and decommissioning of the Proposed Development and the measures to be embedded within the Proposed development to ensure that it is resilient to climate change. The **Planning Statement (Volume 7.1) [APP-091**] concludes at Section 4.5 that the Proposed Development would make a positive contribution to the achievement of UK, and local, climate change commitments. In consequence, the Proposed Development is in accordance with national and local policy on GHG emissions. With regard to climate change adaptation, it notes ES Topic Chapters 6-17 (Volume 6.2) consider the future baseline, including climate change where this is considered relevant. **ES Chapter 9 Landscape and Visual [APP-036**] and Chapter 12 Hydrology) **[APP-039]** (both Volume 6.2) for example explain that the **Outline landscape and Ecology Strategy (Figure 3.14, Volume 6.4) Rev 2** submitted at Deadline 2 has been designed to take account of episodes of drier weather whilst **Chapter 12 Hydrology (Volume 6.2) [APP-039]** describes the ways in which the Proposed Development has taken into account future flood conditions. **Chapter 14: Climate (Volume 6.2) [APP-041]** identifies all of the climate resilience embedded into the Proposed Development. On this basis, the Proposed Development is considered to also be in accordance with policy on climate change adaptation. LP6 Renewable and Low Carbon Energy Infrastructure: The policy is supportive providing the scale, siting and design impacts on landscape character; visual amenity; biodiversity; geodiversity; flood risk; townscape; historic assets; and highway safety are addressed as well as upon aviation and the amenity of sensitive neighbouring uses.

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		LP7 Design: the Applicant has prepared a **Design and Access Statement (Volume 7.5) [APP-096]** that explains the context, alternatives and evolution of the Proposed Development's design. LP20 Accessibility and Transport: The Applicant has assessed accessibility and transport within **ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033]** and within **Appendix 6B Transport Assessment (Volume 6.4) [APP-073**]. The assessment concludes that effects would not be significant. Mitigation in the form of the Outline Construction Traffic Management Plan (Volume 7.12) **(Volume 6.4) [REP1-011]** and Outline Operational Traffic Management Plan (Volume 7.15) **[REP1-025]** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirements 10 and 11 respectively. LP24 Natural Environment: The Applicant has assessed the potential for effects upon biodiversity within **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008].** The assessment concludes that effects would not be significant. LP25 Biodiversity Net Gain. The Applicant will provide BNG. This is secured by **Draft DCO (Volume 3.1) [REP1-007**] Requirement 6. LP26 Carbon Sinks and Carbon Sequestration. The Applicant commits to consider the future opportunities for carbon capture through the delivery of biodiversity net gain. This is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 6. LP27 Trees and Planting: The Applicant proposes a landscaping scheme which will include trees, hedgerows and grassland. This is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 4. LP32 Flood and Water Management: The Applicant has prepared a **Flood Risk Assessment (FRA) (Volume 6.4) [APP-084]** and an **Outline Drainage Strategy Appendix 12F (Volume 6.4) [APP-086]**. A detailed Drainage Strategy will be submitted to the relevant planning authority; secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 8. LP34 Air Quality: The Applicant has prepared an Air Quality Assessment which is reported within **ES Chapter 8 Air Quality (Volume 6.2) [APP-035]**. The Applicant proposes to mitigate the potential for odour and dust through

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		measures set out within the **Outline Construction Environmental Management Plan (Volume 7.12) [REP-024]** and the **Outline Odour Management Plan (Volume 7.12) [REP-021].**
Other Relevant Local Policy		
1.8.1 – 1.8.3	**Cambridgeshire County Council Priorities 2023-2024** The Strategic Framework 2023-2024 sets out CCC's vision and corporate ambitions. It is approved by the Full Council of its democratically elected joint administration. All Council decisions and policies are made within the context of this Framework. CCC's Strategic vision is to: "Create a greener, fairer, and more caring Cambridgeshire. This vision guides a 'decentralised' approach to CCC's relationships with partners, communities, and residents, so that Cambridgeshire can become greener, fairer, and more caring in the ways that are most suitable to the variety of people and communities we serve." CCC has 7 ambitions to achieve the Strategic vision: 1. Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes 2. Travel across the county is safer and more environmentally sustainable 3. Health inequalities are reduced 4. People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs 5. Helping people out of poverty and income inequality 6. Places and communities prosper because they have a resilient and inclusive economy, access to	The Proposed Development would be supportive of the Council's priorities. 1. Net Zero**: ES Chapter 14 Climate (Volume 6.2) [APP-041]** at section 14.9.50 concludes that the Proposed Development will have a positive contribution in supporting carbon reduction targets and ambitions for carbon neutrality and net zero in areas where landfill would otherwise be used for residual waste. 2. Travel across the county: Vehicle routing restrictions for the construction and operational phases of the Proposed Development ensure HGV traffic is directed onto the major highway network and, for example, away from travelling through Wisbech town centre. **The Outline Operational Traffic Management Plan (Volume 7.15) [REP1-025]** and **ES Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** are secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 12 and 11 respectively. To promote sustainable travel for staff during construction and operation of the Proposed Development, outline travel plans accompany the DCO Application, see, **Appendix 6C Outline Operational Travel Plan (Volume 6.4) [APP-074]** and **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-022]**. These commitments are secured by the **Draft DCO (Volume 3.1) [REP1-007]** Requirement 15 and 10 respectively. 3. Health inequalities. **ES Chapter 16 Health (Volume 6.2) [APP-043]** concludes that there would be no significant effects upon health. In the assessment the chapter records that income and work are two of the most important determinants of health and wellbeing (section 16.9.39). Whilst not significant, the employment opportunities created by the construction and operation of the Proposed Development would have a beneficial effect upon health inequalities. 4. Healthy, safe and independent lives. Whilst not directly applicable the Proposed Development would not create unsafe conditions, for

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	good quality public services, and social justice is prioritised 7. Children and young people have opportunities to thrive.	example with regard to traffic and transport. This is demonstrated within **ES Chapter 6 Traffic and Transport (Volume 6.2) Appendix 6B Transport Assessment (Volume 6.4) [APP-073].** 5. Poverty and income inequality. The creation of up to 700 construction and 40 operational jobs, in addition to indirect job creation, would support economic activity within the Study Area **(ES Chapter 15 Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042]**. 6. Resilient economy. As above with regard to economic resilience. 7. Children and young people. The Applicant's **Outline Employment and Skills Strategy (Volume 7.8) [APP-099]** provides opportunities to support local schools and colleges and to provide educational and skills support including apprenticeships.
1.9.1	**Fenland District Council Priorities 2022-2023** FDC's Business Plan (2023-20246) sets out FDC's vision and corporate ambitions. All Council decisions and policies are made with the following priorities in mind; Communities: • Support vulnerable members of our community. • Promote health and wellbeing for all. • Work with partners to promote Fenland through Culture and Heritage. Environment: • Deliver a high performing refuse, recycling, and street cleansing service. • Work with partners and the community on projects that improve the environment and our street scene. • Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion. Economy:	The Proposed Development would be supportive of the Council's priorities. Communities It would support communities primarily through the job opportunities that it would create. These are set out within **ES Chapter 15 Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042]. ES Chapter 16 Health (Volume 6.2) [APP-043]** concludes that there would be no significant effects upon health and recognises that income and work are two of the most important determinants of health and wellbeing (section 16.9.39). Whilst not significant in health terms, the employment opportunities created by the construction and operation of the Proposed Development would have a beneficial effects upon health inequalities. Environment The Proposed Development would not affect recycling targets in that it would only receive residual waste. The Applicant's **Outline Employment and Skills Strategy (Volume 7.8) [APP-099]** includes a waste education programme for primary and secondary schools together with bespoke support to higher and further education establishments. The Strategy is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 21. Economy **ES Chapter 15 Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042]** states that up to 700 construction and 40

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	• Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland. • Promote and enable housing growth, economic growth, and regeneration across Fenland. • Promote and lobby for infrastructure improvements across the districts.	operational full time jobs would be created. Local supply chains would also be supported. The opportunity to access low carbon heat and steam may be attractive to some existing and new businesses.
1.10.1	**CCC's Climate Change and Environment Strategy (published February 2022)** This Strategy outlines CCC's vision in relation to climate change and informs all of the Council's work. It is available to view in full on the County Council's public-facing website, it states the following: "Climate Change is a very real challenge for our communities, businesses, and nature. We believe that, as a Council, it is our responsibility to act now. We must: reduce the contribution the county is making towards Climate Change through our carbon emissions, support the development of resilient communities so that they can adapt to the impacts of climate change, and reduce our impact on the natural environment by supporting nature and biodiversity to thrive. We recognise, and take seriously, the opportunity we have to provide much needed local leadership to tackling the climate crisis in Cambridgeshire. This new Strategy is our commitment to working for and with people, communities, businesses, and all political parties to deliver - urgent action across Cambridgeshire. This ambition and our principles will provide a practical framework to guide creativity and collaboration. CCC has identified 9 priority areas to action: 1. Communication and engagement with Businesses and our communities. 2. New economic models and sustainable finance.	This Strategy is identified within the **Planning Statement (Volume 7.1) [APP-091]** and within **ES Chapter 14 Climate (Volume 6.2) [APP-041]** Table 14.6.

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	3. Energy efficient, low carbon buildings. 4. Low carbon transport – prioritising walking, cycling and public transport, and supporting the uptake of electric vehicles. 5. Waste and Pollution - Reducing waste, minimising pollution, and rethinking how we deal with the waste we produce. 6. Green spaces, restoring natural habitats and Beneficial land management. 7. Peatland - developing understanding of the scale of the challenge and opportunities for management best practice. 8. Water management, availability, and flood risk, to improve water quality while improving resilience to flooding and droughts. 9. Resilience of our services, Infrastructure and supporting vulnerable people."	
1.10.2	The County Council has an additional ambition for Cambridgeshire to be Net Zero by 2045. The strategic approach to this is: - "We commit to ensuring the County Council delivers on its target of net zero emissions. This means achieving net-zero for our direct emissions and halving scope 3 emissions through our supply chains by 2030. We will take a broad and long-term view of initiatives in order to deliver the most sustainable change possible and lead by example. Driving change through collaboration - We want to work transparently and in partnership with other organisations, businesses, and communities to support all sectors to reduce carbon emissions, benefit nature and take positive climate action. Aligning our efforts will bring greater impact for all of us.	The Council's ambition is that its communities and businesses will decarbonise by 2045. The Proposed Development is supportive of this ambition in that it will provide the opportunities for local businesses to replace fossil fuel natural gas with low carbon heat and power in their industrial processes. Furthermore, the Applicant is committed to investigate and report on opportunities for carbon capture. **Draft DCO (Volume 3.1) [REP1-007] Requirement 22** requires the Applicant to maintain the carbon capture and export readiness reserve space whilst Requirement 23 requires the regular submission of a carbon capture and export readiness monitoring report to the Secretary of State. The Proposed Development provide an opportunity for Cambridgeshire to stop landfilling its residual waste and instead move the treatment up the waste hierarchy to provide useful, renewable energy. MVV and consequently the Applicant's corporate objectives are to be carbon neutral by 2040 and thereafter carbon negative, i.e., climate positive, see **Section 1.2, ES Chapter 1: Introduction (Volume 6.2) [APP-028].** MVV's objective is within CCC's own journey for Cambridgeshire to be Net Zero by 2045 (Net Zero Cambridgeshire 2045, (2022).

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	Harnessing the power of our local communities - We will take a place-based approach to climate change. Local communities know their environment best and can identify solutions to local environmental challenges. Harnessing the power of local communities and local networks will enable all of us to amplify impact and support a socially just transition to net zero. Carbon Literate Cambridgeshire - We will work to develop a county-wide understanding of carbon reduction so that people, communities, and businesses have the knowledge they need to identify and act upon nature based and other opportunities for carbon reduction and doubling nature".	
1.11.1 – 1.11.2	**Cambridgeshire Green Infrastructure Strategy (2011)** This Strategy is designed to assist in shaping and coordinating the delivery of green infrastructure in the County to provide social, environmental, economic benefits now and in the future. This Strategy demonstrates how Green Infrastructure can be used to help achieve four objectives: 1. To reverse the decline in biodiversity. 2. To mitigate and adapt to climate change. 3. To promote sustainable growth and economic development. 4. To support healthy living and well-being. "Green Infrastructure is part of our natural life-support system. It is the network of natural and man-made features such as open spaces, woodlands, meadows, footpaths, waterways, and historic parks, which help to define and to link the communities, villages, towns, and cities of Cambridgeshire with each other and to the	The Applicant's approach to biodiversity net gain and the reversal in biodiversity decline has been informed by the natural Cambridgeshire Developing with Nature Toolkit that requires the understanding of the surrounding landscape context and provision of contributions that are relevant to strategic biodiversity conservation and green infrastructure in the local context; the design of green infrastructure concurrently with hard infrastructure to maximise opportunities to retain existing biodiversity features and provide additional biodiversity and green infrastructure contributions; amongst other best practices. **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** at section 9.6.7 states that **Figure 3.14: Outline Landscape and Ecology Strategy (Volume 6.3) [APP-049],** includes for the selection of species most resilient to climate change. The planting would connect to and link with the existing hedgerow along the edge of the Disused March to Wisbech Railway.

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	surrounding landscape. Green Infrastructure is vital to quality of life for both existing and future residents of Cambridgeshire and is nationally acknowledged as an important element of well-designed and inclusive places."	
1.12.1	**Cambridgeshire & Peterborough Health & Wellbeing and Integrated Care Strategy (HWICS)** The HWICS sets priorities to benefit health and wellbeing for residents. In 2022, Cambridgeshire County Council and Peterborough City Council agreed to form a Joint Health and Wellbeing Board. It collaborates with the Integrated Care Partnership, bringing together and creating a stronger local partnership around integrated health and social care. The overarching mission of "All together for healthier futures" is supported by three overarching ambitions: • Have better outcomes for our children; • Reduce inequalities in deaths under 75 years; • and increase the number of years that people live in good health. The four priorities of the HWICS are: • Ensure our children are ready to enter education and exit, prepared for the next phase of their lives. • Create an environment to give people the opportunity to be as healthy as they can be. • Reduce poverty through better employment, skills, and housing. • Promote early intervention and prevention measures to improve mental health and wellbeing.	The Applicant has engaged with the CPICP via EEAST. A draft **Statement of Common Ground (Volume 9.11) [REP1-045]** was submitted at Deadline 1 to record the areas of agreement between the parties. Both organisation confirmed that they were in agreement with an updated SOCG on 21 March 2023 and this updated document is submitted at Deadline 2.

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1.13.1 – 1.13.2	**Local Transport Plan (LTP)** The Cambridgeshire and Peterborough Combined Authority (CPCA) are the Strategic Transport Authority for Cambridgeshire and Peterborough, and the Cambridgeshire and Peterborough Local Transport Plan (January 2020) is the LTP which sets out the vision, goals, and objectives that define how transport will support the Cambridgeshire & Peterborough Combined Authority's Growth Ambition, and approach to meeting these objectives. The Plan will remain current until the adoption of the final Local Transport and Connectivity Plan. The vision for the LTP is to deliver a world-class transport network for Cambridgeshire and Peterborough that supports sustainable growth and opportunity for all. The vision is intended to capture the aspirations for Cambridgeshire and Peterborough's transport network, reflecting our ambition to provide: • 'A world-class transport network' – Cambridgeshire and Peterborough aspire toward a transport system of the highest quality on a global stage, which meets the needs of residents, businesses, and visitors. • 'Sustainable growth' – the network will support the delivery of future economic and housing growth across the region that enhances overall quality of life, supports the transition to a Net Zero carbon economy and protects or enhances the environment. • 'Opportunity for all' – the network should support access to jobs, services, and education for all, irrespective of income, age, ability, location, or access to a car.	The LTP is referenced within the **Planning Statement (Volume 7.1) [APP-091]** at Table B2. One of the strategic projects set out in the plan is to construct a new rail link between March and Wisbech, utilising the disused railway. The Applicant supports the reopening of the March to Wisbech railway and the Proposed Development has been designed so as to not impede the reopening of the railway.

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1.14.1 – 1.14.4	**Cambridgeshire County Council Rights of Way Improvement Plan (2016 Update)** The Rights of Way Improvement Plan (ROWIP) is a statutory document under the Countryside & Rights of Way Act 2000, which forms part of the CPCA's Local Transport Plan 3 (LTP3). The Plan is a strategy document that contains the vision of improved countryside access in Cambridgeshire and builds on the rights of way network to bring benefits to transport, tourism, the rural economy, social integration, health, and the environment. The ROWIP recognises that demand for access to the countryside is growing and is becoming increasingly important due to its importance to the rural economy, public health and well-being and place-making as well as the significant contribution that the public rights of way network makes to the active travel agenda. Delivery of the Plan requires a range of functions and organisations to work in partnership to achieve the strategic plans of the ROWIP in co-ordination with the emerging Active Travel Strategy and the LTP3. The ROWIP's Statements of Action (SOAs) are intended to protect and bring about improvements to the rights of way network and countryside access. The following key SOAs are relevant to this Application: • SOA2: A safer and health-enhancing activity: Countryside access provision should be safe for users and encourage healthy activities. • SOA3: 72,500 new homes: new development should not damage countryside provision. Where appropriate, development should contribute to the provision of new links and/or improvement of the existing PROW network. • SOA5: Filling the gaps: Countryside provision should build on the platform of the historical	Public Rights of Way (PRoW) would not be directly affected by the Proposed Development. **The Access and Rights of Way Plan Rev3 (Volume 2.4) [REP1-005]** identifies the PRoWs in close proximity to the Proposed Development and confirms that those PRoWS that cross the A47 are terminated at the point at which they enter the highway verge. The Grid Connection will be placed within the highway verge. Notwithstanding the above, **ES Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** includes at section 7.4.14 – 7.4.15 for the provision of a banksperson at specified key locations to ensure the safe conduct of pedestrians in the presence of construction works. The **Outline CTMP** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	network to meet the needs of today's users, particularly equestrians, and land managers. The ROWIP works in partnership with the existing Cambridgeshire & Peterborough Health & Wellbeing and Integrated Care Strategy.	
1.15.1	**The Defra 25 Year Environmental Plan (D25YEP)** The D25YEP sets out the government's plan to improve the environment within a generation, including details how this is to be achieved. It is this Government's ambition to leave our environment in a better state than we found it. The 25 Year Environment Plan outlines the steps we must take to achieve the ambition. The policies in Chapter 3 concern connecting people with the environment in order to improve health and wellbeing, they seek to enhance people's engagement with the natural world and to address inequalities in access, by opening up the mental and physical health benefits of the natural world to people from the widest possible range of ages and backgrounds. The Covid pandemic has underlined the important role of nature for our health and wellbeing, particularly for those living in disadvantaged areas, and there is growing evidence to support the many beneficial effects of being outside, including reducing stress and increased physical activity. The relevant actions and outcomes detailed in Chapter 3 include: 1. "Helping people improve their health and wellbeing by using green spaces; 2. Encouraging children to be close to nature, in and out of school; and, 3. Greening our towns and cities." Through increased engagement with nature, people come to care more about the natural environment and	The Plan sets out the Government's proposed steps to achieve its ambition to improve the state of the environment. The Applicant does not consider the Proposed Development to be directly relevant to the plan but does recognise the CCC's opinion that the Proposed Development, through engagement with the local community and provision, has the opportunity to help address the requirements of the Plan. The Proposed Development includes a landscaping scheme that emphasises ecology and habitats creation (**Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.4) [APP-049]**). The administration building will be BREEAM 'Excellent' and will incorporate a brown roof, green wall and grey water recycling. It will have a visitor area which will be used to accommodate and educate local primary and secondary schoolchildren and other local interest groups. The **Outline Community Benefits Strategy (Volume 6.2) [APP-105]** includes commitments to community and sponsorship funds, ecological enhancement and local initiatives that improve wellbeing. **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain Rev 2 (Volume 6.4) [AS-009]** sets out the Applicant's strategy to deliver net gain.

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	take steps to protect and enhance it. Delivery of the D25YEP outcomes depends upon engaging people with nature and supporting their behaviour change. Through engagement with the local community and provision, the proposed significant EfW facility has the opportunity to help address the requirements of the Plan.	

3. Traffic and Transport (ES Chapter 6)

Table 3.1 Applicant's response to CCC and FDC's Traffic and Transport comments

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.2 Transport Policy Context		
2.2.1	There are several national and local policies that are relevant to the DCO proposal that the Applicant must consider and address, these include, but are not limited to:	Noted.
2.2.2 – 2.2.4	**The Local Transport Plan:** The responsibility to produce the Local Transport Plan (LTP) has passed from Cambridgeshire County Council to the Cambridgeshire and Peterborough Combined Authority (CPCA). The CPCA is currently updating the adopted LTP (2020), and this strategy is aligned with the emerging Cambridgeshire and Peterborough Local Transport and Connectivity Plan (LTCP). The County Council transport strategy documents sit under the CPCA's LTCP and are linked with the Fenland Transport Strategy13 (which will be considered for adoption in March 2023) and the FLP and transport policy documents. The County Council, as the Local Highway Authority (LHA), continues to produce transport strategy documents, including the emerging Fenland Transport Strategy, which are aligned with the emerging vision and objectives of the CPCA LTCP to refresh and reflect the County Council's investment priorities and future aspirations. This strategy work also supports and complements district Local Plans and will review and propose transport improvement schemes for investment for each area.	Please see response to 1.13.1 – 1.13.2 above and 2.2.5 below.
2.2.5	**Gear change: A bold vision for cycling and walking 2020** This is central government's vision for a transformation of the transport system. This policy document sets out the ambition that:	The Proposed Development will improve the footpath along New Bridge Lane as part of the Access Improvements. The improvement will consist of a new 2m wide footpath, new street lighting and a reduction in the speed limit to 30mph.

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	"England will be a great walking and cycling nation. Places will be truly walkable. A travel revolution in our streets, towns, and communities will have made cycling a mass form of transit. Cycling and walking will be the natural first choice for many journeys… • Healthier, happier, and greener communities, • Safer streets, • Convenient and accessible travel, • At the heart of transport decision making."	The Proposed Development includes for the following pedestrian and cycling measures: • Connection to the existing footpath on the Algores Way into the Site via the realigned Algores Way Access; • Connection to the existing footpath on New Bridge Lane as part of the New Bridge Lane Access Improvements; • Appropriate signage and infrastructure will be provided to facilitate pedestrian and cycling modes onsite which will conform to design guidance; • Provision of cycle parking to local CCC standards which will be safe, secure and sheltered; • Provision of changing and washing facilities on EfW CHP Facility Site for employee use; and • Provision of a dropped kerb crossing with tactile paving on Cromwell Road across New Bridge Lane. These commitments are secured via the **Outline Operational Travel Plan (Volume 6.4) [APP-074]** which is itself secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 15. The Applicant will ensure that construction works are managed to mitigate the potential for effects upon pedestrians and cyclist via the measures contained within the **Outline Construction traffic Management Plan (ES Chapter 6 Traffic and Transport Appendix 6A Volume 6.4 REP1-011].**
2.2.6	**Transport Decarbonisation Plan - Decarbonising transport: a better, greener Britain.** This is a government plan which sets out the government's commitments and the actions needed to decarbonise the entire transport system in the UK. It includes: • a pathway to net zero transport in the UK. • the wider benefits net zero transport can deliver.	The Decarbonisation Plan is referenced within the **Outline Operational Travel Plan (Volume 6.4) [APP-074]** which states at section 4.3.5 to 4.3.7 that: *New car parking facilities will be created on the EfW CHP Facility Site which will be suitable for the level of employee use required, given shift patterns, taking into consideration the sustainable transport targets and measures.* *To facilitate the utilisation of electric vehicles, recharging infrastructure is increasingly encouraged as a standard measure in an increasing number of developments. This is of importance given the current target set out in the Department for Transport*

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		Decarbonising Transport Plan 2021, to ban the sale of new petrol and diesel cars/vans in 2030 and phase out new non-zero emission road vehicles by 2040. *EV charging points will be incorporated into the EfW CHP Facility parking facilities.* These commitments are secured via the **Outline Operational Travel Plan (Volume 6.4) [APP-074]** which is itself secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 15.
2.2.7	**Inclusive Mobility** - A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. This central government plan describes features that need to be considered in the provision of an inclusive environment and issues related to disabling barriers, the use of technology, maintenance, awareness of the needs of disabled people, and engagement.	Visitor and employee access to the Proposed Development will be via Algores Way and to the Administration Building. The Administration Building will be constructed to be compliant with Building Regulations Part M Volume 2: buildings other than dwellings.
2.3 Local Policy		
2.3.1	**Cambridgeshire's Draft Active Travel Strategy** is a topic-specific transport strategy produced by the County Council that will sit under the Cambridgeshire and Peterborough LTCP. The strategy sets out an ambitious vision that seeks to embrace active travel at the heart of all future transport projects and developments, that will prioritise walking and cycling and other active travel modes to create a well-connected, safe, and inclusive active travel network across Cambridgeshire to ensure it becomes the 'go-to' travel option for many local journeys.	Please see response to 2.2.5 above.
2.3.2	**Draft Local Cycling and Walking Infrastructure Plan** (LCWIP) forms part of the Government's aim to make walking and cycling the natural choice for all short journeys or as part of a longer journey. DfT recommended that all local authorities should develop LCWIPs and have advised that those authorities with plans will be well placed to bid for future funding. The Cambridgeshire LCWIP covers the whole County and focuses on each district to highlight priority routes for cycling using census	Please see response to 2.2.5 above.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	data to identify where funding could have the greatest effect in terms of where people live and work. For walking it focuses on Cambridge City and the Market Towns to identify the main routes to school, local shops, employment, and train/bus stations. The routes that are identified in the LCWIP are detailed in Cambridgeshire's draft Active Travel Strategy19 action plan as Tier 1 of the proposed active travel network vision.	
2.3.3	The CPCA's sustainable growth ambition frames how they seek to achieve sustainable good growth using their 'Six Keys' to improve lives and double the economy of the region, through all their plans. The Six Keys are: • Climate and Nature • Health and Skills • Innovation • Reducing Inequalities • Infrastructure • Finance and Systems.	The Proposed Development would be supportive of the CPCA's six keys: 1. Climate and Nature: **ES Chapter 14 Climate (Volume 6.2) [APP-041]** at section 14.9.50 concludes that the Proposed Development will have a positive contribution in supporting carbon reduction targets and ambitions for carbon neutrality and net zero in areas where landfill would otherwise be used for residual waste. The Proposed Development includes a landscaping scheme that emphasises ecology and habitats creation (**Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.4) [APP-049]**). **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain Rev 2 (Volume 6.4) [AS-009]** sets out the Applicant's strategy to deliver net gain. 2. Health and skills: **ES Chapter 16 Health (Volume 6.2) [APP-043]** concludes that there would be no significant effects upon health. In the assessment the chapter records that income and work are two of the most important determinants of health and wellbeing (section 16.9.39). Whilst not significant, the employment opportunities created by the construction and operation of the Proposed Development would have a beneficial effect upon health inequalities. Skills development would be supported via implementation of the **Outline Employment and Skills Strategy (Volume 7.8) [APP-099].** 3. Innovation: The Proposed Development represents BAT. It includes an Administration Building that includes grey water recycling, brown roof and green wall. The Applicant has set aside land for carbon capture and export and **Draft DCO**

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		(Volume 3.1) [REP1-007] Requirement 22 requires the Applicant to maintain the carbon capture and export readiness reserve space whilst Requirement 23 requires the regular submission of a carbon capture and export readiness monitoring report to the Secretary of State. 4. Reducing inequalities: **ES Chapter 16 Health (Volume 6.2) [APP-043]** concludes that there would be no significant effects upon health. In the assessment the chapter records that income and work are two of the most important determinants of health and wellbeing (section 16.9.39). Whilst not significant, the employment opportunities created by the construction and operation of the Proposed Development would have a beneficial effect upon health inequalities. 5. Infrastructure: The Proposed Development would provide infrastructure which would move the treatment of waste up the waste hierarchy and away from landfill. 6. Finance and systems: The Applicant considers that this 'Key' is not applicable to the Proposed Development.
2.3.4	**Vision Zero Partnership: Towards 2030 – Making our road safer for all (2020).** The Partnership is working towards a long-term strategic goal of Vision Zero, where there are no deaths and serious injuries on the Partnership's roads. This is an ambitious goal and will need time and effort to be achievable. With this Strategy starting in 2020, the goal is to move towards zero deaths or severe serious injuries in the Partnership area by 2040.	The Applicant has undertaken an accident analysis which is reported within **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]**. Section 5.10 Accident Analysis summarises the accident record at 20 junctions from data provided by the relevant highway authorities. This information is used to assess the potential for significant effects resulting from the construction and operation of the Proposed Development. The conclusion reached within **ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033]** is that effects would not be significant.
2.3.5	**Cambridgeshire County Council Heavy Goods Vehicle (HGV) Policy** was adopted by the Highways and Transport Committee in October 2022 and sets out the County Council's approach to managing HGV movements across the county.	The document states that CCC will consider formal routing agreements when granting planning approval. The Applicant has proposed routing arrangements for construction HGV movements. These are set out within **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan**

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		(Volume 6.4) [REP1-011]. Routing restrictions for operational HGVs are set out within the **Outline Operational Traffic Management Plan (Volume 7.15) [REP1-026].** The plans are secured through **Draft DCO (Volume 3.1) [REP1-007]** Requirements 11 and 12.
2.3.6	**Fenland Cycling, Walking and Mobility Aid Improvement Strategy**. FDC, with support from the Hereward Community Rail Partnership, has approved the development of a Fenland Cycling, Walking and Mobility Improvement Strategy which will set out proposals to develop a core network of routes that can be improved in the short and medium term and built upon in the future. To achieve this, key walking and cycling routes linking densely populated residential areas with safe, direct walking/cycling routes to places of education and employment will be identified, along with routes to rail or bus stations for longer distance multimodal journeys.	The Applicant understands that this strategy was adopted on 3 October 2022 after the application was submitted. The Strategy's proposals for Wisbech do not include the roads surrounding the Proposed Development, including New Bridge Lane.
2.3.7	**Housing Estate Road Construction Specification (2023)** (HERCS) sets out the standards and specification required for the construction for all highways maintainable at public expense within Cambridgeshire.	The Applicant will give due consideration to these standards when preparing the detailed design of the Access Improvements.
2.3.8	**General Principles for Development** sets out the principles for design and implementation for new development related highway infrastructure in Cambridgeshire.	The Applicant will give due consideration to these standards when preparing the detailed design of the Access Improvements.
2.3.9	The **Design Manual for Roads and Bridges** (DMRB) suite of documents is applied within Cambridgeshire to major works comprising complex junction design (i.e. traffic signal installations), structures/ culverts design, AIP, Road Safety Audit process etc which are outside the remit of the HERCS document.	The submitted design for the Access Improvements is consistent with DMRB. The Applicant will continue to follow DMRB when undertaking the detailed design. The Access Improvements designs are presented within the **Outline Construction traffic Management Plan (ES Chapter 6 Traffic and Transport Appendix 6B Volume 6.4 REP1-010)** as Figure 10.1 and 10.2.
2.3.10	**The Road Traffic Regulation Act 1984** relates to the processes and procedures relating to the imposition of a new speed limit on New Bridge Lane.	The **Outline Construction Traffic Management Plan (Volume 6A) [REP1-011]** refers to the speed limit reduction and its implementation potentially via the Road Traffic Regulation Act at section 7.2.6. The OCTMP is secured by **Draft DCO (Volume 6.2) [REP1-007] Requirement 11.**

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.3.11	**Cambridgeshire County Council Street Lighting Specification (2016)** provides the standards required for new street lighting infrastructure to comply with the adoption principles of Cambridgeshire's long term PFI contract for the implementation and maintenance of new adoptable infrastructure.	The Applicant will ensure that the detailed design for the proposed street lighting design for New Bridge Lane complies with the necessary adoptable standards.
2.3.12	**Cambridgeshire and Peterborough Minerals and Waste Local Plan** Policy 23: Traffic, Highways and Rights of Way also applies.	The **Planning Statement (Volume 7.1) [APP-091]** provides the Applicant's planning assessment of compliance with relevant national and local planning policy concerning traffic and transport concluding that the Proposed Development is compliant. With specific regard to Local Plan Policy 23: Criteria a) There are no resonantly available sustainable transport modes. However, the Applicant has set aside land to bring forward a future rail siding for the receipt of waste should the Disused march to Wisbech railway be reopened. The Proposed development includes for EV charging points within the car park which would serve the Administration Building. Currently electrical HCVs are not operational in the UK. The Applicant would be willing to include for future HCV charging should the demand materialise. b) safe and suitable access can be achieved by all. The Applicant's Access Improvements include for a new signalised junction at Cromwell Road/new Bridge Lane, street lighting and a footpath from Cromwell Road to the EfW CHP Facility Site entrance on New Bridge Lane. c) the Transport Assessment (**Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]**) does not identify any significant impacts. d) **Chapter 6 Traffic and Transport and Appendix 6B Transport Assessment (Volumes 6.2 and 6.4) [APP-033 and APP-073**] do not identify any significant effects upon road safety or the road network. Noise and air quality effects arising from traffic are not significant.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		e) The Applicant has proposed routing arrangements for construction and operational HGV movements. These are set out within the **Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [APP-072]** and in the **Outline Operational Traffic Management Plan (Volume 7.15) [REP1-025**] and secured as requirements 11 and 12 to the **Draft DCO (Volume 3.1) [REP1-007].**
2.3.13	**Cambridgeshire County Council's Highway Asset Management Policy, Strategy and Highway Operational Standards** are also relevant to the proposed DCO in the context of traffic and transport issues.	The Applicant will give due consideration to the policy, strategy and standards in so much as they be relevant to the Proposed Development when preparing the detailed design of the Access Improvements.
2.4 Highways Asset Management: Construction Phase Impacts		
2.4.1	The Draft DCO, Article 11 (Power to alter layout, etc., of streets) does not make provision for certification by the Local Highway Authority (HA) that any alterations to the highway are acceptable. Any amendments to the local highway network will fall to CCC to maintain and therefore it is essential that CCC has the facility to approve the design and construction of alterations, including the facility to inspect works during construction. CCC requires appropriate processes for the certification of the design and construction of any amendments to the local highway network, acceptance by the HA of the infrastructure is contingent upon this certification. Failure to provide infrastructure acceptable to CCC as the HA might impose unreasonable financial burdens associated with future maintenance liabilities and might result in infrastructure being handed over that does not satisfy CCC's requirements regarding road safety. The proposed development would precipitate increased levels of heavy goods vehicles using the local highway network, both in the construction and operational phases. Such vehicles have a markedly disproportionate effect upon the condition of roads and will cause extensive damage to local roads, including: B198 (Cromwell Road), New Bridge Lane, Algores Way and Weasenham Road. It will fall to CCC to maintain these roads and make good any such damage and therefore, CCC will require appropriate recompense	Article 11 of the **Draft DCO (Volume 3.1) [REP1-007]** must be read in conjunction with the Requirements set out in Schedule 2 to the Draft DCO. The proposed alterations to New Bridge Lane and Algores Way are set out in **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** submitted for Deadline 1. The final design will be submitted to and approved by CCC. The **Outline CTMP (Volume 6.4) [REP1-011**] which is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11 requires the Applicant to undertake a highway condition survey before, during and after construction of the Proposed Development with a commitment to a programme of works to restore highways to the condition they were in before the construction period began if the results of the survey indicate that this is necessary. The **Outline CTMP (Volume 6.4) [REP1-011]** commits for the scope and nature of any restoration measures to be agreed with the relevant local and strategic highway authority. The Applicant has prepared the **Appendix 9.2A: Technical Meeting Note Traffic and Transport – Algores Way** (**Applicant's response to the Relevant Representations – Part 9 Appendices Volume 9.2 REP1-036**) which sets out the number of HGVs permitted to access the current,

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	for damage caused by such extraordinary traffic, preferably via the provisions of Section 59 of the Highways Act 1980.	permitted use of the EfW CHP Facility Site, which is for waste management and aggregate storage. It demonstrates that the number of vehicles which currently use the site is not too dissimilar to the number proposed by the Applicant during construction and that the numbers proposed could not therefore be considered to be 'extraordinary'. The Applicant is therefore of the opinion that there should be little or no additional damage to the condition of the highway caused by the construction of the Proposed Development. Discussions are ongoing with CCC regarding Heads of Terms for a S278 Agreement to cover the other points raised relating to certification of completed works, commuted sums and maintenance. The Applicant considers that all of CCC's concerns can be sufficiently addressed through the powers in the Draft DCO, discharge of Requirements and a separate S278 Agreement.
2.4.2	**Positive**: None identified.	
2.4.3	**Neutral**: The proposed improvements to New Bridge Lane include the re-instatement of the road across the former Wisbech-March railway level crossing. The highway rights over this level crossing were extinguished by virtue of the British Railways Act 1981. Since that time, only private rights have been permitted across the former railway, although non-motorised users appear to have been afforded permissive access via a gap in the obstructions that have been installed to prevent vehicular access. As the highway rights were extinguished by virtue of the 1981 Act, it is unclear how the Applicant/undertaker intends to re-create these rights, or indeed if this is the intention. Without clarity on the applicant's intentions, it is impossible for the Council to know how the rights of the public will be secured along the improved section of New Bridge Lane. There is currently a risk that an improved road will be constructed that has the appearance of being a continuous public highway, but which, in terms of both the rights of the public to pass-and-repass and the responsibility of the Council to maintain, has a severance at the point of the level crossing. This has the potential to create confusion for the public and may	The rights as they currently exist will be maintained such that New Bridge Lane will continue to be an adopted highway either side of Network Rail's ownership (the former March to Wisbech Railway). Network Rail currently displays a notice under the Highways Ac 1980 to state that there is no right of public access across its land. The Applicant will display similar signs, with the agreement of Network Rail, to notify members of the public that the present situation is maintained and that there is no public right to pass and repass. New Bridge Lane will not become a through-road because of the Applicant's proposals. The **Outline Construction Traffic Management Plan (Figures 10.1) (ES Chapter 6 Traffic and Transport Appendix 6B Volume 6.4 REP1-011)** shows the placement of a bollard at a point east of the proposed access into the EfW CHP Facility. This bollard will replicate the role of the current bollard located at the point at which New Bridge Lane crosses the Disused March to Wisbech Railway and it will prevent through-traffic. The intention is not for the Applicant to re-create the extinguished rights, and therefore the existing situation will not change.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	require unnecessarily complex maintenance arrangements between the Council, the Applicant, and Network Rail.	Maintenance of the crossing will be the responsibility of Network Rail with maintenance works undertaken and paid for by the Applicant. The Applicant has met with Network Rail and is discussing the terms of an agreement regarding the maintenance of the crossing. A scheme for signage will be included within an updated **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** and **Outline Operational Traffic Management Plan (Volume 7.15) [REP1-026].** The Applicant notes that there are other parts of the Algores Way industrial estate where private roads adjoin the public adopted highway and public access is therefore restricted.
2.4.4	As the adjoining road (to both sides of the level crossing) is highway that is maintainable at public expense, it is very important that the Council understands the nature of the connecting part of the route across the level crossing, so it is able to contribute to detailed design, to understand the extent of its maintenance responsibility, and to secure network connectivity for the public user.	The **Draft DCO (Volume 3.1) [REP1-007]** requires the Applicant to submit detailed designs of the proposed Access Improvements, which will include for the proposed crossing of the Disused March to Wisbech Railway, to the relevant planning authority.
2.4.5	Negative: Construction traffic will constitute a significant and extraordinary level of traffic upon the local road network (including: B198 (Cromwell Road), New Bridge Lane, Algores Way and Weasenham Road). This will result in more rapid deterioration of the highway and increased damage to it, which will require reactive and/or planned maintenance to be undertaken. Please see para 2.4.1 above.	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** which is secure by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11 requires the Applicant to undertake a highway condition survey before during and after construction of the Proposed Development with a commitment to a programme of works to restore highways to the condition they were in before the construction period began if the results of the survey indicate that this is necessary. The Outline CTMP **(Volume 6.4) [REP1-011]** commits for the scope and nature of any restoration measures to be agreed with the relevant local and strategic highway authority. Notwithstanding the above, the Applicant has prepared **Appendix 9.2A: Technical Meeting Note Traffic and Transport – Algores Way** (**Applicant's response to the Relevant Representations – Part 9 Appendices Volume 9.2 REP1-036**) which sets out the

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		number of HGVs permitted to access the current, permitted use of the EfW CHP Facility Site, which is for waste management and aggregate storage. It demonstrates that the number of vehicles which currently use the site is not too dissimilar to the number proposed by the Applicant during construction and that the numbers proposed could not therefore be considered to be 'extraordinary'. The Applicant is therefore of the opinion that there should be little or no additional damage to the condition of the highway caused by the construction of the Proposed Development.
2.4.6	Please see related comments under Public Rights of Way concerning the need to protect the existing, and enhance, Non-Motorised Users (NMU) rights along New Bridge Lane, over the crossing and beyond to the wider road and rights of way network. NMUs could be significantly adversely affected by the construction traffic, and this point should be explicitly considered as part of the Construction Traffic Management Plan (CTMP). Appropriate measures to protect NMUs/NMU access should be agreed with the County Council in the CTMP.	The Applicant has proposed routing arrangements for construction HGV movements. These are set out within **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011].** The arrangements will prevent HGVs from routing through the town centre and other areas of high footfall. With regard to the use of New Bridge Lane by construction traffic, access will only commence once the Access Improvements have been completed. The Access Improvements will include for the provision of new pedestrian crossing points with tactile paving, new street lighting and a new footpath along the length of New Bridge Lane. The **Outline CTMP (Volume 6.4) [REP1-011]** also commits the Applicant to apply to CCC to request that the speed limit of New Bridge Lane be reduced from the national speed limit of 60mph to 30mph. These measures will improve the facilities available to pedestrians over those which currently exist. If CCC wish to identify the measures that it considers appropriate for inclusion within an updated **Outline CTMP (Volume 6.4) [REP1-011]** then the Applicant will give due consideration to further amendments and the resubmission of an updated document at the relevant deadline.
2.4.7	**Mitigations**: Noting that there will be a degrading of the highway, the HA requires that condition surveys be undertaken of the affected highways before, during and after the works. The survey method and frequency must be as agreed with the HA. These surveys should be at the expense of the Undertaker and the	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** which is secure by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11 requires the Applicant to undertake a highway condition survey before, during and after construction of the Proposed Development with a commitment to a programme of works

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	Undertaker is to provide the HA with appropriate compensation for damage to the local highway network.	to restore highways to the condition they were in before the construction period began if the results of the survey indicate that this is necessary. The **Outline CTMP** commits for the scope and nature of any restoration measures to be agreed with the relevant local and strategic highway authority.
2.4.8	With regard to the creation of rights across the former level crossing, the HA requires further engagement from the Applicant to understand its intentions and would encourage constructive liaison between the Applicant and Network Rail, as the landowner of the former railway. The Council would be content to attend a tripartite meeting between itself, theApplicant, and Network Rail to try to resolve this matter. The Council also refers to its comments under Public Rights of Way on this matter.	The rights as they currently exist will be maintained such that New Bridge Lane will continue to be an adopted highway either side of Network Rail's ownership (the Diused March to Wisbech Railway). Network Rail currently displays a notice under the Highways Ac 1980 to state that there is no right of public access across its land. The Applicant will display similar signs, with the agreement of Network Rail to explain to members of the public that the present situation is maintained and that there is no public right to pass and repass.
2.4.9	If the development is allowed to go ahead, then it is vital that the developer is required to provide a bridge over the railway line at New Bridge Lane, in the event that the March to Wisbech rail line is reopened.	As set out in the agreed draft **Statement of Common Ground between Medworth CHP Limited and Network Rail [PDA-002]**, the reopening of the disused March to Wisbech Railway remains under consideration and it has not yet been determined whether the proposed railway services would consist of a light rail, heavy rail or busway service. The Applicant is in discussions with Network Rail regarding the terms of an agreement which would commit the Applicant to funding an appropriate crossing of the disused March to Wisbech Railway should it be reopened in the future.
2.5	**Highway Asset Management: Operational Phase Impacts**	
2.5.1	**Positive**: None identified.	Noted.
2.5.2	**Neutral**: None identified.	Noted.
2.5.3	**Negative**: Operational traffic to and from the development site will constitute a significant and extraordinary level of traffic upon the local road network, including: B198 (Cromwell Road), New Bridge Lane, Algores Way and Weasenham Road. This will result in more rapid deterioration of the highway and increased damage to it, which will require reactive and/or planned maintenance to be undertaken. While it is noted that there are no formal user rights	The Applicant has assessed the potential for effects arising from operational traffic to the Proposed Development and has concluded that they would not be significant, as set out in **ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033]**. Furthermore, CCC Transport Assessment Team concluded in its relevant representation (RR-002) that it '*would have no concerns over the impact of the applicant's development subject to the (already*

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	across the level crossing at the present time, New Bridge Lane currently represents a relatively quiet through-route for non-motorised users, owing to the fact that the crossing is closed to motor traffic. This will dramatically change if the improvements to New Bridge Lane are completed and opened to the heavy goods traffic that will be accessing the development site. Those non-motorised users (NMUs) that currently have use of the full width of the carriageway to the east of the level crossing would, after implementation of the proposed improvements, be restricted to a narrower 2m footway that is adjacent to a heavy goods route and requires crossing a busy site entrance. NMUs could be significantly adversely affected by the operational traffic and should be explicitly considered as part of the Operational Traffic Management Plan (OTMP).	*proposed) enhancements to New Bridge Lane and also the signalisation of the Cromwell Road / New Bridge Lane junction'*. The issue of the signalised Cromwell Road/New Bridge Lane junction is addressed below. New Bridge Lane currently provides access to many commercial businesses between Cromwell Road and the crossing of the Disused March to Wisbech Railway. Commercial vehicles including HGVs commonly use the road which does not benefit from modern street lighting or pavements of appropriate standard along its length. The national speed limit also applies along the road. The Access Improvements will include for the provision of new pedestrian crossing points with tactile paving, new street lighting and new footpaths along the length of New Bridge Lane. These measures will improve the facilities available to pedestrians over those which currently exist. **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** at section 7.2.6 also states that the Applicant will apply to CCC with a request to reduce the speed limit to 30mph either using the powers in the DCO or via a Traffic Regulation Order (S84 of the Road Traffic Regulation Act 1984). It is the intention that this speed limit is made permanent. With the above measures in place the Applicant is satisfied that arrangements for NMUs along New Bridge Lane will be enhanced over the situation that exists at present. However, if CCC wishes to identify any additional measures that it considers appropriate for inclusion within an updated Outline Operational Traffic Management Plan (OTMP) then the Applicant will give due consideration to further amendments and the resubmission of an updated document at the relevant deadline.
2.5.4	**Mitigations**: The HA requires that suitable funding be provided by the Undertaker to enable the relevant sections of the local highway network (specifically Cromwell Road, and, after improvements proposed by the applicant are complete, New Bridge Lane) to be made up to and maintained at a standard	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** which is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11 requires the Applicant to undertake a highway condition survey before, during and after construction of the

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	appropriate to accommodate the increased levels of traffic. The HA will establish the extent of works required, based upon condition surveys at the end of the construction phase and predicted traffic levels.	Proposed Development with a commitment to a programme of works to restore highways to the condition they were in before the construction period began if the results of the survey indicate that this is necessary, at its own expense. The **Outline CTMP** commits for the scope and nature of any restoration measures to be agreed with the relevant local and strategic highway authority. Discussions are ongoing with CCC regarding Heads of Terms for a S278 Agreement to cover matters relating to certification of completed works, commuted sums and maintenance. The Applicant considers that all of CCC's concerns can be sufficiently addressed through the powers in the Draft DCO, discharge of Requirements and a separate S278 Agreement.
2.5.5	Appropriate measures to protect NMUs/NMU access should be included in the OTMP.	Please see response to 2.5.3 above.
2.6	**Highway Asset Management: Decommissioning Phase Impacts**	
2.6.1	**Positive**: None identified.	
2.6.2	**Neutral**: Significant changes are proposed to the layout of New Bridge Lane, including the widening of the highway in some locations. In order for Cambridgeshire County Council to effectively manage the amended road layout for the benefit of highway users, it will need to receive updated information detailing the revised highway extent, the as-built road layout, and details of any new or revised highway assets that are provided.	The Applicant will provide these details to CCC via the S278 process. The Applicant intends to be responsible for a 12-month maintenance period following completion of the Access Improvements, following which it would provide a commuted sum for the adoption of the works to New Bridge Lane by CCC as relevant highway authority.
2.6.3	**Negative**: Please see above comments regarding the construction phase impacts upon the condition of the local highway network which might be applicable to the decommissioning phase, dependent upon the extent of works undertaken.	The **Draft DCO (Volume 3.1) [REP1-007]** Requirement 28 requires the submission of a Decommissioning Plan, including a Decommissioning Environmental Management Plan (DEMP). This latter document would include for the management of those decommissioning impacts including, the requirement to undertake, for example, highway condition surveys prior to and following decommissioning with the Applicant responsible for any damage recorded as occurring.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.6.4	**Mitigations**: Please see above comments regarding the construction phase. In respect of highway asset information, the undertaker will be required to enter into a section 278 (Highways Act 1980) and section 38 (Highways Act 1980) agreement with the County Council to ensure that the amendments to New Bridge Lane meet the requirements of the County Council and that the appropriate highway asset information is provided to the Council upon completion of the works.	Please see response to 2.6.2 above.
2.6.5	With regard to the creation of rights across the former level crossing, the Councils perceive that there is a risk that any decisions on the DCO may prejudice the bringing forward of the link. Therefore, the DCO must include rights on that land and the Councils need to be sure that whatever agreement is reached doesn't stifle to possibility of the reopening of the rail link or another beneficial use.	The submitted **Network Rail SOCG (Volume 8.2) [PDA-002]** between the Applicant and Network Rail states that Business Clearance was issued by Network Rail via email on 01/04/2022. Discussions are ongoing between the parties regarding the form of agreement required to document the nature and delivery of a new crossing on New Bridge Lane at the Applicant's cost should the reopening of the disused March to Wisbech Railway proceed.
2.7	**Highway Development Management: Construction Phase Impacts**	
2.7.1	The Examining Authority (ExA) is referred to comments from the Highway Asset Management and Transport Assessment Team regarding traffic during the Construction Phase.	Noted.
2.7.2	**Positive**: None identified.	Noted.
2.7.3	**Neutral**: None identified.	Noted.
2.7.4	**Negative**: Improvements to the junction of Cromwell Road/ New Bridge Lane in the form of signal control have been identified as necessary by the Transport Assessment Team. A preliminary design has been provided to the County Council for consideration, however, commentary from the Signals and Safety Audit Team indicate that an acceptable form of junction design may not be achievable within the existing highway constraints. The consequence of this junction not being property signalised would be that the principal access to the scheme would be unacceptable.	Following sight of the CCC's draft relevant representation, the Applicant met with CCC's highways team on 24 November 2022. At this meeting, the signalisation of the Cromwell Road/New Bridge Lane junction was raised by CCC. Whilst **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]** concludes that the junction can safely operate without signalisation, the Applicant agreed to provide an outline design for its consideration. The Applicant submitted, for comment, the outline design to CCC on 10 January 2023. CCC did not respond.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		The Applicant submitted the outline design at Deadline 1 as **ES Chapter 3 Description of the Proposed Development Figure 3.19i-iv (Volume 6.3) [REP1—009]** and as **Outline Construction Traffic Management Plan Figure 10.1i-iv (Volume 6.4) [REP1-011]**. CCC commented on the outline design in its LIR. the Applicant requests that CCC set out its detailed comments so that they can be considered and if necessary, the outline design amended for the appropriate deadline.
2.7.5	Any junction alterations must be subject to design approval by the County Council and appropriate Road Safety Audit under the terms of GG119 of the DMRB. Such approvals are normally secured prior to the determination of a given planning submission to ensure that an appropriate and safe junction can be delivered in the fullness of time and minimise the risk to the developer and ensure that appropriate mitigation can be achieved in the fullness of time.	See response to 2.7.4 above.
2.7.6	**Positive**: None identified.	
2.7.7	**Neutral**: Noting the commentary above, the authority requires that new adoptable highways works are submitted for technical approval, including carriageway/ footway improvements, street lighting/ signing, lining, drainage etc, this includes junction/ signals design and the attendant road Safety Audit process.	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011] Figure 10.1i-iv** was submitted at Deadline 1. Section 10 of the **Outline CTMP** requires the Applicant to submit detailed drawings to the relevant highway authority for its approval prior to the Access Improvement Works commencing. The **Outline CTMP** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11.
2.7.8	**Negative**: There are a number of details along the New Bridge Lane improvement works that require further review, including pedestrian crossing detail/ siting and access details relating to adjacent land uses/ premises affected by the widening works, and protection and enhancement of NMU access along the lane and over the old railway crossing.	See response to 2.7.4 above.
2.7.9	A street lighting design brief, with details of the design requirements covering the area of the proposed improvements along New Bridge Lane and the junction with Cromwell Road must	Section 10 of the **Outline CTMP (Volume 6.4) [REP1-011]** requires the Applicant to submit detailed drawings to the relevant highway authority for its approval prior to the Access Improvement Works

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	be provided. Until such time as the street lighting design is complied with, in line with the supplied street lighting design brief, the indicative new street lighting positions shown are insufficient. The street lighting design brief would be issued as part of the Section 278 agreement process.	commencing. The **Outline CTMP** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11. This would include for the submission of detailed designs for street lighting and it is understood that it is CCC that would supply the necessary street lighting design brief.
2.7.10	Given the highway changes and signalisation of the junction of New Bridge Lane/Cromwell Road, this section of road would need to be lit as a conflict area which would mean that the current existing lighting at this junction would need to be redesigned/replaced. The requirements for the lighting of the conflict area would include the approaches to the junction which would be outside of the area currently shown on the supplied drawings within the order limits.	It should be noted that the Applicant does not agree with the Council's requirement for the signalisation of the Cromwell Road/ New Bridge Lane junction. The assessment work undertaken and presented within **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]** did not conclude that these measures were necessary. However, and notwithstanding this conclusion, the Applicant is committed to working with CCC to arrive at a junction design agreeable to both parties (see response to 2.7.4).
2.7.11	The existing street lighting columns/lighting installation in the vicinity of the New Bridge Lane/Cromwell Road junction are not currently adopted by the County Council but were installed as part of the Tesco S278 – G106.335 agreement. The associated Highway works have never been completed/ placed on maintenance, and therefore these remain the responsibility of Tesco Stores.	Noted.
2.7.12	**Mitigations:** The off-site highway improvements, if the ExA considers that they are achievable and grants consent for the DCO, should be secured by an appropriate mechanism (for example under S278/S38 of the Highways Act 1980), which can make provision for dedication of additional land as public highway, and for any necessary commuted sums (i.e. for signal maintenance/ renewal).	The existence of certain, existing, streetlights being located outside the control of the highway authority (given that the associated highway works were never completed and adopted) has not been previously raised by CCC. The Applicant is not aware of the reasons why the adoption process under the Tesco S278 Agreement has not been completed and requests the CCC provides an explanation for this anomaly. The Applicant would be willing to agree to a commuted sum for these lights to be upgraded by CCC once it has completed its outstanding adoption process.
2.7.13	**Positive**: None identified.	Noted.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.7.14	Neutral: Whilst New Bridge Lane is a highway, maintainable at public expense between Cromwell Road and the A47(T), a small intervening length exists at the intersection with the former railway line which is apparently in the control of Network Rail. Although these areas are identified in the submitted Land Plans, they need to be amended in light of new information obtained by the County Council in respect of the extent of the extinguishment of public rights.	The information referred to was provided by CCC to the Applicant ahead of Deadline 1. The Applicant subsequently revised the **Access and Rights of Way Plan (Volume 2.4) [REP1-005]** and **Book of Reference (Volume 4.1) [REP1-008]** accordingly for its Deadline 1 submission.
2.7.15	**Negative:** None identified	Noted.
2.7.16	**Mitigations**: Further consideration of and clarity on the extent of the intervening private land belonging to Network Rail is required. The impact that the proposal would have on this requires mitigation during construction and future maintenance and public access (between the adjacent public highway extents) needs to be secured.	See response to 2.4.3 above.
2.7.17	**Positive**: None identified.	Noted.
2.7.18	**Neutral**: None identified.	Noted.
2.7.19	**Negative**: Watercourses will not normally form part of the public highway. On the south-west side of New Bridge Lane, the new carriageway construction is shown in close proximity to the adjacent drain, with limited land being included within the DCO for the construction. The County Council remains concerned that there will be insufficient land available to achieve a robust construction within the DCO boundary. The new highway infrastructure works are likely to require alterations to the watercourse embankments / culverts in order to provide stability and protection for the adjacent carriageway and protect the watercourse asset. Failure to consider the full extent of the land take required for the new carriageway and design amendments accordingly, could result in the proposed works not being achievable.	The Applicant is in the process of concluding discussions on the protective provisions and consents sought by the Hundred of Wisbech IDB to provide the assurance that its assets, including the drain referenced, would not be detrimentally affected by the Proposed Development which the Applicant believes to be the case. These provisions will be included in a future update of the Draft DCO.
2.7.20	**Mitigations**: The Applicant should be required to review the extents available and relevant constraints, identify potential	See response to 2.7.19 above.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	construction options, and then include additional land within the DCO as may be necessary.	
2.7.21	Approvals from the Local Lead Flood Authority (LLFA) / Internal Drainage Board (IDB) or relevant drainage body will be required for alterations to the affected drainage channels.	See response to 2.7.19 above.
2.7.22	**Positive**: None identified.	
2.7.23	**Neutral**: Preliminary consultation identified the need for additional lighting to be provided on New Bridge Lane for safety reasons and to enable the speed limit to be reduced to 30mph. This provision is acknowledged in the submission; however, the document references the contribution of funding to enable the County Council to implement the works.	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** section 7.2 records that CCC as local highway authority supports the Applicant's proposal to reduce the speed limit along New Bridge Lane once the New Bridge Lane Access Improvements have been completed and the road is available to be used by construction traffic. The Applicant will apply to CCC with a request to reduce the speed limit to 30mph either using the powers in the DCO or via a Traffic Regulation Order (S84 of the Road Traffic Regulation Act 1984). It is the intention that this speed limit is made permanent.
2.7.24	**Negative**: Failing to provide the additional street lighting required in the area to the required specification, particularly around the junction (a conflict area), is that the improved / amended junction would not be lit to the correct standard in line with BS5489--1:2020 Design of road lighting. Lighting of roads and public amenity areas - code of practice. The failure to implement the necessary lighting would affect the safety of all road users (including pedestrians).	See response at paragraph 1 of 2.7.10 above. The Applicant's outline lighting scheme was submitted to the Council on 10 January 2023; this included street lighting along New Bridge Lane. Since it was not requested by CCC at the meeting held on 24 November 2022, the Proposed Development did not include for lighting at the Cromwell Road/New Bridge Lane junction. For the avoidance of doubt, the outline lighting scheme referred to is that which was submitted at Deadline 1 as **ES Chapter 3 Description of the Proposed Development Figure 3.19i-iv (Volume 6.3) [REP1-009]** and as **Outline Construction Traffic Management Plan Figure 10.1i-iv (Volume 6.4) [REP1-011].** The Applicant would be willing to agree to a commuted sum for these lights to be upgraded by CCC once it has completed its outstanding adoption process.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.7.25	**Mitigations**: Street lighting should be provided as part of the S278/S38 works, designed to County Council specification, and secured accordingly before being implemented by the developer.	As part of the detailed design process, the Applicant would prepare a design consistent with the street lighting design brief which CCC states would be provided as part of the S278 agreement process.
2.7.26	**Positive**: None identified	Noted.
2.7.27	**Neutral**: In conjunction with the street lighting provision, the reduction of the speed limit on new bridge Lane is required from 60mph to 30mph between Cromwell Road and the site access.	See response to 2.7.23 above.
2.7.28	**Negative**: subject to the need to provide the appropriate highways and street lighting mitigation already detailed above, no negative impacts associated with the reduction in the speed limit have been identified at this stage.	Noted.
2.7.29	**Mitigations**: As part of S278/S38 works, the Applicant should be required to sponsor and implement a reduction in the speed limit in New Bridge Lane from 60mph to 30mph from Cromwell Road to the site access.	See response to 2.7.23 above.
2.7.30	**Positive**: None identified.	
2.7.31	**Neutral**: Reference is made in the submission to the formation of construction accesses to Cromwell Road at the point where the former railway line is bisected, however, no details of the access have been provided.	Reference is made in the sub-heading to CHP Construction Access to Cromwell Road. The Applicant assumes that the road in question is Weasenham Lane. The **Draft DCO (Volume 3.1) [REP1-007]** Requirement 7 Highway access, requires that the construction of any new permanent or temporary means of access to a highway must not commence until an access plan for that access has been submitted to and approved by the relevant highway authority. This requirement would include for the provision of the details requested and for CCC's subsequent approval. The Applicant will prepare outline construction access drawings for submission at Deadline 3.
2.7.32	**Negative**: It is not possible to fully comment on the potential negative impacts of the construction access without provision of	The **Draft DCO (Volume 3.1) [REP1-007]** Requirement 7 Highway access, requires that the construction of any new permanent or

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	the details of the access and therefore the Councils reserve the right to highlight possible impacts once further details have been provided.	temporary means of access to a highway must not commence until an access plan for that access has been submitted to and approved by the relevant highway authority. This requirement would include for the provision of the details requested and for CCC's subsequent approval.
2.7.33	**Mitigations**: Prior to the determination of the DCO, the Applicant should provide additional details relating to the provision of works access at CHP 1 & 2 Cromwell Road.	See response to 2.7.31.
2.7.34	**Positive**: None identified	Noted.
2.7.35	**Neutral**: None identified	Noted.
2.7.36	**Negative**: With reference to Figure 9.2 in the Outline CTMP, as far as can be ascertained, as single swept path diagram is provided for the ingress of Abnormal Indivisible Loads from Cromwell Road to New Bridge Lane. Noting that the details of Abnormal Indivisible Loads are proposed to be agreed via the appointed haulage contractor, the swept path indicates significant over-run of adjacent verges, footways, and services.	**ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** provides as Figure 9.2 details of the swept path prepared to demonstrate the ability of an abnormal load to access New Bridge Lane from Cromwell Road. Section 9.3.3 of the Outline CTMP states that the drawing has been based on a worst-case delivery vehicle arrangement for the largest component needed for the construction of the Proposed Development. It states that when conveyance times/routes/loads are confirmed during the construction process the delivery vehicle used would be more manoeuvrable than that used for the SPA in the CTMP such that it will potentially make use of rear wheeled steered arrangements.
2.7.37	**Mitigations**: The Applicant should provide egress swept path and acknowledge the potential need for temporary accommodation works to the exiting highway and associated assets to accommodate AILs, which needs to be secured by an appropriate agreement with the County Council.	An egress swept path will be submitted at Deadline 3. **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** includes for the consideration of abnormal loads in Section 9. It comments upon the access into New Bridge Lane from Cromwell Road and acknowledges that works may be required to enable deliveries but adds that the modelling undertaken is a worse case.
2.7.38	**Positive**: None identified.	Noted.
2.7.39	**Neutral**: None identified.	Noted.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.7.40	**Negative**: None identified	Noted.
2.7.41	**Mitigations**: Algores Way from a point approximately 230m south-west of Weasenham Lane is a private road owned/ maintained by Fenland District Council and therefore any works to extend Algores Way or alterations thereto are beyond the remit of the County Council as Local Highway Authority and are to be agreed with Fenland District Council.	Noted and the Applicant has confirmed at Deadline 1 that it recognises that CCC does not intend to adopt the highway. The **Draft DCO (Volume 3.1) [REP1-007]** has been amended accordingly.
2.8	**Highway Development Management: Operational Phase Impacts**	
2.8.1	**Positive**: None identified.	Noted.
2.8.2	**Neutral**: None identified.	Noted.
2.8.3	**Negative**: Please refer to comments from Transport Assessment Team on this matter, at section 2.11.3 below.	Noted.
2.8.4	**Mitigations**: The mitigations that are required to address the significant impacts of the development on the road network are set out in section 2.7 above.	Noted.
2.9	**Highway Development Management: Decommissioning Phase Impacts**	
2.9.1	**Positive**: None identified.	Noted.
2.9.2	**Neutral**: None identified.	Noted.
2.9.3	**Negative**: It is considered that the impacts of the decommissioning will be similar to those detailed in the section on Construction Phase Impacts above and do not require further commentary. See comments in 2.7.36 above in respect of Abnormal Indivisible Loads.	Noted.
2.9.4	**Mitigations**: None identified.	Noted.
2.10	**Transport Assessment: Construction Phase Impacts**	
2.10.1	**Positive**: None identified.	Noted.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.10.2	**Neutral**: None identified.	Noted.
2.10.3	**Negative**: The construction phase will have the most significant daily weekday impact on the network, with a maximum of 643 2-way daily vehicles and 14 HGV movements in each peak hour (ref: Tables 6B.11 and 6B.12 of the Environmental Statement – Chapter 6 Traffic and Transport, Appendix B, Transport Assessment).	For the avoidance of doubt the 643 two-way movements comprise 187 HGV and 456 LVs and would occur in Month 14.
2.10.4	The use of New Bridge Lane for the construction phase is predicated on the assumption that vehicles will be permitted to cross the (now disused) Wisbech to March railway line. The crossing has been legally closed by Network Rail and thus Network Rail will need to give the requisite permissions to re-open this crossing as a through route.	Noted.
2.10.5	The Applicant has advised that the correct procedure has been followed and that network rail agree with their approach. However, the Transport Assessment Team have not yet had sight of any correspondence to that effect.	See response to 2.6.5 above.
2.10.6	There is likely to be daily variance in the traffic pattern through the construction period, which will depend on pick -up and delivery slots which may take place during peak hours for commuting traffic. This cannot easily be predicted at the high-level programming stage as details of the origin of construction has not been detailed in the assessment.	CCC's relevant representation **[RR-002]** at paragraph 3.36 states: *The forecast flows in the Transport Assessment have been agreed by both CCC and NH as being a robust case. The HGV traffic will enter and exit the site via New Bridge Lane only. Some light vehicles (cars and vans) may also use this route with some coming into the site via Algores Way.* The Applicant therefore understands that there is agreement on the forecast flows used to model the effects of construction and operational traffic.
2.10.7	The large volume of slow-moving HGV's turning right from Cromwell Road into New Bridge Lane both during construction and operational phases does raise safety concerns, particularly if these are not evenly spaced throughout the day. The Transport Assessment Team are therefore of the view that the existing	The Applicant does not agree with the Council's requirement for the signalisation of the Cromwell Road/ New Bridge Lane junction. The assessment work undertaken and presented within **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]** did not conclude that these measures were necessary. However, and notwithstanding it position the Applicant

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	junction arrangement is not suitable to cater for the additional construction or operational traffic.	has prepared an outline design for the signalisation of the junction, see response to 2.10.8 below.
2.10.8	**Mitigations**: The junction of Cromwell Road with New Bridge Lane will need to be converted to an all-movements signalised junction to address the concerns of the Transport Assessment Team. The Applicant has submitted a concept plan showing such a junction. Comments from both the County's Signals and Road Safety Audit teams have been received and the design is deemed to be unsatisfactory as proposed. The Applicant should be required to submit a satisfactory scheme along with supporting modelling, signals design and Stage 1 Road Safety Audit. This will be subject to further review by the relevant County Council teams.	The Applicant requests that CCC provide detailed comments on the outline design which it submitted on 10 January 2023 and which were submitted to the examination at Deadline 1 as **ES Chapter 3 Description of the Proposed Development Figure 3.19i-iv (Volume 6.3) [REP1-009** and as **Outline Construction Traffic Management Plan Figure 10.1i-iv (Volume 6.4) [REP1-011].**
2.11	**Transport Assessment: Operational Phase Impacts**	
2.11.1	**Positive**: None identified.	Noted.
2.11.2	**Neutral**: None identified.	Noted.
2.11.3	**Negative**: The operation phase of the development will have a negative impact due to the increase in motorised vehicular traffic particularly HGV's.	Noted. **ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033]** assesses the potential for effects upon traffic and transport Receptors and concludes that these would not be significant.
2.11.4	The Operational phase will see an additional 362 2-way daily weekday traffic movements with 42 vehicles (27 HGV) movements in the AM peak and 22 (10 HGV) movements in the PM peak hour (ref: Tables 6B.13 of the Environmental Statement – Chapter 6 Traffic and Transport, Appendix B, Transport Assessment).	Noted
2.11.5	The TRL 'Junctions' software has been used to model the junction of Cromwell Road with New Bridge Lane in the future year (2027) with the additional Operational traffic added to the network. The outputs for the AM and PM peaks respectively (Tables 6B.20 and 6B.23 Environmental Statement – Chapter 6 Traffic and	Noted.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	Transport, Appendix B, Transport Assessment) indicates that there will be no capacity issues.	
2.11.6	However, the modelling assumes that the operational traffic will be evenly spaced throughout the day, and this may not be the case as delivery and pick-up times at the origin of the waste and destination of the residuals will be dependent on the operation of those individual sites and are not covered by this application.	CCC's relevant representation **[RR-002]** at paragraph 3.36 states: *The forecast flows in the Transport Assessment have been agreed by both CCC and NH as being a robust case. The HGV traffic will enter and exit the site via New Bridge Lane only. Some light vehicles (cars and vans) may also use this route with some coming into the site via Algores Way.* The Applicant therefore understands that there is agreement on the forecast flows used to model the effects of construction and operational traffic.
2.11.7	As with the construction phase, the use of New Bridge Lane for operational traffic is predicated on the assumption that vehicles will be permitted to cross the (now disused) Wisbech to March railway line. Again, the Transport Assessment Team will require sight of any correspondence from Network Rail that this has been agreed.	See Response to 2.6.5 above.
2.11.8	**Mitigation**: The implementation of signals at the junction of New Bridge Lane with Cromwell Road will assist in reducing this impact. However, a satisfactory signalised solution has yet to be received from the Applicant.	The Applicant requests that CCC provide detailed comments on the Outline design which it submitted on 10 January 2023 and which were submitted to the examination at Deadline 1 as **ES Chapter 3 Description of the Proposed Development Figure 3.19i-iv (Volume 6.3) [REP1-009]** and as **Outline Construction Traffic Management Plan Figure 10.1i-iv (Volume 6.4) [REP1-007].**
2.12	**Transport Assessment: Decommissioning Phase Impacts**	
2.12.1	**Positive**: None identified.	Noted.
2.12.2	**Neutral**: None identified.	Noted.
2.12.3	**Negative**: The decommissioning phase is expected substantially increase traffic levels above that of the operational phase. However, there are no details in the Transport Assessment of the likely level of vehicle movements in the decommissioning phase.	**ES Chapter 6 Traffic and Transport (Volume 6.1) [APP-033]** section 6.6.1 states that a specific decommissioning phase assessment was scoped out of the assessment for the reasons provided within Chapter 3: Description of the Proposed Development

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		(Volume 6.2). These are that the effects will be the same or less than those assessed for construction and operation.
2.12.4	**Mitigation**: The implementation of signals at the junction of New Bridge Lane with Cromwell Road will assist in reducing this impact. However, a satisfactory signalised solution has yet to be received from the Applicant.	See response to 2.11.8 above.
2.13	**Transport Strategy: Construction Phase Impacts**	
2.13.1	**Positive**: None identified.	Noted.
2.13.2	**Neutral**: None identified.	Noted.
2.13.3	**Negative**: The construction may adversely impact on the Wisbech Access Strategy schemes and the re-opening of the Wisbech to March rail line detailed above.	The Access Improvements proposed for New Bridge Lane have been designed to be consistent with the plans for the Wisbech Access Strategy such that they affect New Bridge Lane. **ES Chapter 6 Traffic and Transport (Volume 6.3) [APP-033]** sections 6.5.66 to 6.5.74 set out the Applicant's understanding of future, potential, highway network changes and describe the three WAS Phase 1 schemes which were initially funded as of July 2020 which are Elm High Road/Weasenham Lane roundabout, A47/Broadend roundabout and minor improvements to the Elm High Road/A47 roundabout. The chapters state: *6.5.70 Following consultation on the PEIR, CCC was asked whether there were any future changes to the highways network to the Year 2027 which it considered should be included in the scope of the assessment. Although there remains a desire to deliver the three schemes, and which are included within the Fenland Local Plan (2014) and WAS, it was confirmed that the improvements to these junctions would not be brought forward within the time scale and should not be included in any future assessments.* *6.5.71 Although the SAR schemes are not currently committed it is recognised that these schemes could influence the proposed access*

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		arrangements to the EfW CHP Facility from New Bridge Lane. Therefore, the Access Improvements for New Bridge Lane are designed to accommodate SAR1 proposals should these come forward at a future point……. With regard to the A47/Broadend roundabout and minor improvements to the Elm High Road/A47 roundabout. The Grid Connection crossing of Elm High Road is proposed at a depth of 2m to avoid potential conflict with future improvements to the Elm High Road/A47 Junction. The route of the Grid Connection at the Broadend Road/A47 junction has been informed CCC's design for future improvements at this junction. The Applicant is therefore confident that it has designed the Proposed Development such that it will not detrimentally affect the delivery of the WAS. With regard to the Disused March to Wisbech Railway please see the Applicant's response to 2.11.3 above.
2.13.4	**Mitigations**: None identified.	Noted.
2.14	**Transport Strategy: Operational Phase Impacts**	
2.14.1	**Positive**: None identified.	Noted.
2.14.2	**Neutral**: None identified.	Noted.
2.14.3	**Negative**: None identified over and above those outlined above for Construction Phase Impacts.	Noted. See response to 2.13.3 above.
2.14.4	Mitigations: Public rights of way, as highways, must be included in the Construction & Traffic Management Plan (CTMP) to ensure appropriate measures to protect public access to those routes during the course of construction, and appropriate measures for any temporary closures. The CTMP must:	The Proposed Development does not directly affect public rights of way. This is confirmed by reference to the **Access and Public Rights of Way Plan (Volume 2.4) Rev3 [REP1-005]**. There will therefore be no closure of formal public rights of way. The Access Improvement works will require the temporary, partial closure of the highway and footpath along New Bridge Lane and

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	• recognise closures as a last resort • require agreement of any closures with the relevant highway authority; • require agreement of alternative routes during any closures, including signage and location of signage • include a communications plan.	Algores Way (the latter to facilitate the Algores Way access). **ES Chapter 6 Traffic and Transport Appendix 6A Construction Traffic Management Plan (Volume 6.4) [REP1-011]** sets out the management measures to be undertaken regarding potential closures and diversions. Section 7.2.2 states that: *The details and timings of road closures will require discussion and agreement between the appointed EPC Contractor and relevant highway authority (CCC) prior to the commencement of the works.* The Outline CTMP also includes further commitments with regard to the provision of advanced notifications of works with the potential to affect the highway and identified local businesses with the potential to be affected. The document also references the establishment of a liaison group between the Applicant, its contractor and the relevant emergency services. The Applicant will reference the inclusion of CCC and NCC as the relevant highway authorities within the liaison group within an updated Outline CTMP to be submitted at an appropriate deadline.
2.14.5	The County Council requests consultation of the Communications Plan to ensure that appropriate stakeholders are included and that appropriate timescales are proposed for notifications and consultations.	The Applicant would be willing to include CCC and NCC within this group as the relevant highway authorities and is agreeable to updating the **Outline CTMP (Volume 6.4) [REP1-011]** to this effect.
2.14.6	The impact during operation is largely dependent on the mitigation that is put forward. If the correct mitigation is put in place, it is expected that much of the impact can be mitigated. More information related to this is provided in comments from the Transport Assessment team.	Noted.
2.15	**Transport Strategy: Decommissioning Phase Impacts**	
2.15.1	**Positive**: None identified.	Noted.
2.15.2	**Neutral**: None identified.	Noted.
2.15.3	**Negative**: None identified.	Noted.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.15.4	**Mitigations**: None identified.	Noted.
2.16	**Public Rights of Way: Construction Phase Impacts**	
2.16.1	**Positive**: None identified.	Noted.
2.16.2	**Neutral**: None identified.	Noted.
2.16.3	Negative: PROW are highways and must be included in the Construction & Traffic Management Plan to ensure appropriate measures to protect public access to those routes during the course of construction, and appropriate measures for any temporary closures.	See response to 2.14.4 above. In addition, **ES Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** includes at section 7.4.14 – 7.4.15 for the provision of a banksperson at specified key locations to ensure the safe conduct of pedestrians and other NMUs in the presence of construction works. The Outline CTMP is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 11.
2.16.4	Currently, New Bridge Lane rail level crossing is open to NMUs and New Bridge Lane unclassified road provides a safe, quiet access for active travel alternatives to the busier roads within Wisbech, as well as recreational activities that support physical and mental well- being. Although the proposed site is within an industrial area of town, the lane is on the very edge of Wisbech and provides views out to the countryside. New Bridge Lane continues beyond the A47 to an important network of byways and quiet roads in the wider countryside, and has the potential to be a key arterial route out to the countryside and its communities.	Noted. New Bridge Lane is not however identified by FDC within the *Fenland Cycling, Walking and Mobility Aid Improvement Strategy* as a 'Core Cycling/Walking Route'. Furthermore, the Council's own plans as set out within the Wisbech Access Strategy (SAR1) (without rail) include for a substantial upgrade to New Bridge Lane requiring the creation of two four-arm roundabouts between the Disused March to Wisbech Railway and New Drove with the aim of opening up land south of New Bridge Lane for industrial and commercial development. The 'with rail' option reduces one four-armed roundabout to a three-armed junction. The Applicant concludes that the current character of New Bridge Lane particularly as a quiet route will change significantly should funding for the implementation of the WAS be made available.
2.16.5	NMUs are sensitive visual and noise receptors in the landscape. Existing NMU access along New Bridge Lane is likely to be significantly adversely affected by the Application because changing what is currently a quiet countryside fringe route into a significantly more industrialised, noisier environment with increased heavy traffic along the route during construction site will have a significant adverse psychological effect on users which may result in changing their travel choices and lifestyle habits.	See response to 2.14.4, 2.16.3 and 2.16.4 above.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	They may therefore be discouraged from using the route during construction of the development. Wisbech has low public health outcomes, and so it is particularly important that NMU access is protected to support public health outcomes and active travel opportunities.	
2.16.6	**Mitigation**: The Applicant's Construction Environmental Management Plan (CEMP) should be reviewed to consider how the adverse impact of construction on NMUs as both visual and noise receptors during construction can be mitigated. This should include explaining how NMU access along the route will be retained and protected, in order not to break healthy lifestyle habits people in the local area may currently have.	**ES Chapter 6 Traffic and Transport Appendix 6A Construction Traffic Management Plan (Volume 6.4) [REP1-011]** sets out the management measures to be undertaken regarding potential closures and diversions and at section 7.4.14 – 7.4.15 for the provision of a banksperson at specified key locations to ensure the safe conduct of pedestrians and other NMUs in the presence of construction works. With regard to the potential for visual and noise effects the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** includes at section 4.3.2 for the design of hoardings around construction activities which will include for the character of the surrounding landscape (e.g., solid hoarding, use of artwork where appropriate, viewing windows, etc). Section 5.8.2 states that in order to reduce visual impacts of construction activity upon surrounding Receptors, a temporary 2.4m high solid fence would be installed adjacent to New Bridge Lane to act as a visual screen. The hoardings would mitigate noise and visual effects to NMUs along New Bridge Lane and the **Outline CEMP** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 10.
2.16.7	The CEMP should be reviewed to consider how NMU rights along New Bridge Lane, including over the crossing, can be adequately protected during construction, along with protection of the ROWIP and the right of the public to use this highway under statutory provisions of the Highways Act 1980.	NMU rights along New Bridge Lane will not change from those which exist at present. The Applicant is of the opinion that the **Outline CEMP (Volume 7.12) [REP1-024]** and **Outline CTMP (Volume 6.4) [REP1-011]** provide sufficient safeguards to NMUs. Please see responses to 2.14.4, 2.16.3, 2.16.4 and 2.16.6 above.
2.16.8	The CTMP should be amended to: • Require NMU access to be retained during construction	**ES Chapter 6 Traffic and Transport Appendix 6A Construction Traffic Management Plan (Volume 6.4) [REP1-011]** sets out the management measures to be undertaken regarding potential closures and diversions and at section 7.4.14 – 7.4.15 for the

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	• Recognise closures of PROW and linking local roads, especially New Bridge Lane, as a last resort; • Require agreement of any closures with the relevant highway authority; • Require agreement of alternative routes during any closures, including signage and location of signage; and, • Include a communications plan with key stakeholders (that has been designed in consultation with the Councils to ensure that appropriate stakeholders are included and that appropriate timescales are proposed for notifications and consultations).	provision of a banksperson at specified key locations to ensure the safe conduct of pedestrians and other NMUs in the presence of construction works. At Section 2 it discusses the potential for the partial, temporary closure of New Bridge Lane and Weasenham Lane and a commitment to agree the details and timings of such closures with the relevant highway authority prior to the commencement of the works. Within the same section it discusses the matter of temporary diversion signage where this may be required. The document also references the establishment of a liaison group between the Applicant, its contractor and the relevant emergency services. The Applicant will reference the inclusion of CCC and NCC as the relevant highway authorities within the liaison group within an updated **Outline CTMP** to be submitted at an appropriate deadline.
2.17	**Public Rights of Way: Operational Phase Impacts**	
2.17.1	**Positive**: None identified	Noted.
2.17.2	**Neutral**: It appears that NMU access is to be retained along New Bridge Lane with a replacement pavement.	Noted. A 2m wide footpath is proposed.
2.17.3	**Negative**: As noted above under Public Rights of Way Construction Phase, NMUs are sensitive visual and noise receptors in the landscape, and are likely to be significantly adversely affected by the proposed development during the operational phase due to the change from a quiet countryside fringe route into a significantly more industrialised, noisier environment with HGV traffic along the route servicing the operational site. This will have a significant adverse psychological effect on users, and is likely to discourage them from using the route both during operation of the development.	See response to 2.16.6 above.
2.17.4	**Mitigations**: It is vitally important that the adverse impact of the development on NMUs and the local community who use New Bridge Lane and connecting routes is adequately mitigated. To help achieve this the CEMP should be reviewed in light of the Council's landscape conclusions in terms of adverse impact upon	The rights of NMUs at operation will be those which exist at present in that New Bridge Lane would continue to be adopted with permissive access provided by Network Rail over its land.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
	rights of way as historic and living features in the landscape, and the needs of NMUs and the local community. The CEMP should be reviewed and explain how NMU rights along New Bridge Lane, including over and beyond the crossing, will be adequately protected and what enhancement will be put in place to improve NMU provision along the route and in the area to help mitigate the adverse impact of the scheme experienced during construction and through the operational phase of the development. The CEMP needs to demonstrate how it will meet the requirements of SOA 2, 3, and 5 of the ROWIP; the Defra 25-year Environment Plan, the Cambridgeshire & Peterborough Health & Wellbeing Integrated Care Strategy, and the emerging Active Travel Strategy.	The **Outline Construction Environmental Management Plan (Volume 7.12) [REP-024]** identifies measures to manage construction related effects as opposed to operational effects. The Access Improvements will include for the provision of new pedestrian crossing points with tactile paving, new street lighting and new footpaths along the length of New Bridge Lane. These measures will improve the facilities available to pedestrians over those which currently exist. **ES Chapter 6 Traffic and Transport Appendix 6A Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** at section 7.2.6 also states that the Applicant will apply to CCC at the start of the construction phase with a request to reduce the speed limit to 30mph either using the powers in the DCO or via a Traffic Regulation Order (S84 of the Road Traffic Regulation Act 1984). It is the intention that this speed limit is made permanent. In addition to the above, the Proposed Development, once operational, will include for a landscaped frontage to New Bridge Lane. **The Outline Landscape and Ecological Strategy (ES Chapter 3 Description of the Proposed Development Figure 3.14 (Volume 6.3) [APP-049]** identifies species rich neutral grassland, native hedgerows and native trees which will be maintained for ecological benefit and provide an attractive frontage to NMUs passing along New Bridge Lane. With the above measures in place the Applicant is satisfied that arrangements for NMUs along New Bridge Lane will be enhanced over the situation that exists at present and that where applicable the Proposed Development is compatible with the ROWIP; the Defra 25-year Environment Plan, the Cambridgeshire & Peterborough Health & Wellbeing Integrated Care Strategy, and the emerging Active Travel Strategy (see responses to 1.14.1-4, 1.15.1, 1.12.1 and 2.2.5).
2.18	**Public Rights of Way: Decommissioning Phase Impacts**	

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.18.1	**Positive**: None identified.	Noted.
2.18.2	**Neutral**: None identified	Noted.
2.18.3	**Negative**: Existing NMU access along New Bridge Lane appears to be retained during operation but there is no clear plan as to what will happen upon decommissioning. No enhancement to NMU provision is proposed for the local community to mitigate the adverse impact of the development.	The **Draft DCO (Volume 3.1) [REP1-007]** Requirement 28 provides for the submission of a decommissioning plan to include for a decommissioning environmental management plan. This latter document will include for the measures necessary to protect NMUs during decommissioning as well as for the retention of permissive access or otherwise along New Bridge Lane including the point at which it crossed the Disused March to Wisbech Railway. The Applicant's **Outline Community Benefits Strategy (Volume 7.14) [APP-105]** summarises at section 3.1 the Applicant's offer which includes for the following measures which could be directly or indirectly beneficial to NMUs and the local community: • Establishment of a community fund. The amount and scope to be agreed in discussion with the Liaison Committee, local authorities, and local community groups; • Establishment of a sponsorship fund; • Ecological enhancement and enhancement of public amenity to improve wellbeing; • Support for local initiatives that improve wellbeing, such as Active Fenland's 'Wellbeing Walks' and other networking groups and CICs described above.
2.18.4	**Mitigations**: The Applicant needs to demonstrate how it will provide lasting mitigation of the adverse impact of the development on users of New Bridge Lane and the connecting NMU network that it serves from the construction and operational phase beyond the life of the scheme. Meaningful enhancement of NMU provision along New Bridge Lane and connecting routes in the immediate vicinity is needed.	See response to 2.18.3 above.
2.19	**Wisbech Access Strategy and Wisbech Rail: Construction Phase Impacts**	

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.19.1	**Positive**: None identified.	Noted.
2.19.2	**Neutral**: None identified.	Noted.
2.19.3	**Negative**: Comments were made in the Relevant Representations document at 3.44 onwards. Strategic Road schemes along the A47 (considered as part of the Wisbech Area Strategy) and future rail opportunities linked to the Wisbech area to deliver this will need to be considered by PINS when assessing this DCO application. It should be noted that the Wisbech Access Strategy is a package of individual transport schemes that aim to improve the transport network in Wisbech. The following key areas were investigated by the Wisbech Access Strategy, and these are noted because the impact of the proposed DCO on the local highway network has the potential to prejudice the ability to deliver the improvements: • Freedom Bridge Roundabout • Wisbech Bus Station • Cromwell Road and the A47 roundabout • Elm High Road and the A47 roundabout • Weasenham Lane and Ramnoth Road junction • A New River Crossing • A Western Link Road • Southern Access Road- including New Bridge Lane • A47 Broad End Road Junction All these individual areas have been developed to different extents ranging from very high- level concept early feasibility and options development to preliminary design. It should also be noted that National Highways are currently developing options for Elm High Road A47 roundabout and Weasenham Lane and Ramnoth Road junction.	CCC has raised a number of projects which it accepts are at different stages of design. The Applicant has engaged with CCC throughout the design process leading up to the submission of the application for the Proposed Development with a view to ensuring that relevant schemes are understood and accommodated within the Proposed Development to the extent that it would not prejudice their implementation**. ES Chapter 6 Traffic and Transport Appendix 6D Stakeholder Consultation (Volume 6.4) [APP-075]** provides the records of discussions held. With regard to those schemes which are understood to be most progressed, a meeting was held with CCC on 8 April 2021 to discuss opportunities to pre-position ducts under the Elm High Road/A47 prior to CCC's works commencing to accommodate the Grid Connection as well as CCC's designs for the Broadend Road/A47 junction. CCC provided costs for the instalment of ducts, but the scheme has not been taken forward. CCC also provided design drawings for Broadend Road/A47 which were used by the Applicant to design an appropriate route for the Grid Connection that would not prejudice any future junction improvement. The Applicant has proposed routing restrictions for construction and operational phase HGVs. These are set out and controlled **via ES Chapter 6 Traffic and Transport (Appendix 6A) Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** and by the **Outline Operational Traffic Management Plan (Volume 7.15 [REP1-026]** and secured by requirements 11 and 12 of the **Draft DCO (Volume 3.1) [REP1-007].** The routing restrictions would prohibit HGVs from using the Freedom Bridge roundabout and the highways around the Wisbech Bus Station together with preventing operational HGVs from using Weasenham Lane/Ramnoth Road.

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
		CCC has not provided details showing proposals for the Cromwell Road/A47 junction, but the Applicant is satisfied that the Proposed Development would not directly or indirectly impact upon it. This is because the Applicant's modelling results presented within **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment (Volume 6.4) [APP-073]** show that the additional traffic will not cause any issues in terms of capacity at this junction. The Applicant understands that CCC's proposals would seek to increase capacity further. **ES Chapter 6 Traffic and Transport (Volume 6.2) [APP-033]** at section 6.5.71 confirms that the Access Improvements for New Bridge Lane are designed to accommodate SAR1 proposals should these come forward at a future point.
2.19.4	**Mitigations**: No funding has been committed to delivering the Wisbech Access Strategy, therefore none of the proposals can be viewed as committed schemes. However, both CCC and the CPCA will be seeking the necessary reassurance and appropriate mitigation as part of the Examination process to ensure that these proposals wouldn't be prejudiced moving forward if consent is granted.	See response to 2.19.3 above.
2.19.5	The details of the March to Wisbech link are not yet finalised, and the nature of the solution for the New Bridge Lane Crossing is not currently known. The commitments in relation to a bridge will therefore also need to provide sufficient flexibility to apply to any crossing form in the event that the final solution changes. Without this guarantee, we cannot be reassured that the proposals would not prejudice the reopening of the disused Wisbech Rail for sustainable travel.	The Applicant has set aside land to the frontage of the EfW CHP facility to enable the construction of embankments necessary to construct an over-bridge to a potentially reopened March to Wisbech railway should this come forward. Other crossing alternatives, such as an at-grade crossing would require less land. See response 2.6.5 for the status of discussions with Network Rail.
2.19.6	Discussions on the design detail and securing the legal obligations to deliver this strategic infrastructure in line with the Design Manual for Roads and Bridges (DMRB) are required.	The Applicant is in continuing discussion with CCC as highway authority with regard to the legal obligations necessary to deliver the Proposed Development.
2.20	**Wisbech Access Strategy and Wisbech Rail: Operational Phase Impacts**	

LIR paragraph	Summary of CCC and FDC Comments	Applicant's response
2.20.1	**Positive**: None identified.	Noted.
2.20.2	**Neutral**: None identified.	Noted.
2.20.3	**Negative**: No new impacts identified over and above those detailed in 2.19 above.	Noted.
2.20.4	**Mitigations**: No new mitigations identified over and above those detailed in 2.19 above.	Noted.
2.21	**Wisbech Access Strategy and Wisbech Rail: Decommissioning Phase Impacts**	
2.21.1	**Positive**: None identified.	Noted.
2.21.2	**Neutral**: None identified.	Noted.
2.21.3	**Negative**: No new impacts identified over and above those detailed in 2.19 above.	Noted.
2.21.4	**Mitigations**: The Demolition Environmental Management Plan (DEMP) should include a requirement to agree, and deliver before decommissioning is complete, the status of public rights over the rail crossing with the local highway authority and Network Rail, if it has not been resolved at the DCO stage.	The existing rights of access will be maintained during construction, operation and decommissioning.

4. Noise and Vibration (ES Chapter 7)

Table 4.1 Applicant's response to CCC and FDC's Noise and Vibration comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
3.2 Policy Context		
3.2.1	Cambridgeshire and Peterborough Minerals and Waste Local Plan - Policy 18: Amenity Considerations states that: 'Proposals must ensure that the development proposed can be integrated effectively with existing or planned (i.e. Development Plan allocations or consented schemes) neighbouring development. New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including: (c) noise and/or vibration levels resulting in disturbance; …. Where there is the potential for any of the above impacts to occur, an assessment appropriate to the nature of that potential impact should be carried out, and submitted as part of the proposal, in order to establish, where appropriate, the need for, and deliverability of, any mitigation'.	The **Planning Statement (Volume 7.1) [APP-091]** references Policy 18 within the planning assessment reported within section 4.4 (Air Quality) section 4.8 (Dust, Odour, Artificial Light, Smoke, Steam and Insect Infestation), section 4.11 (Landscape and Visual), section 4.12 (Land Use) and section 4.13 (Noise and Vibration). The assessments consider the potential for the Proposed Development to conflict with relevant national and local policy including Policy 18 and conclude that the Proposed Development would not be in conflict. The Applicant considers that the **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]** meets all the requirements of Policy 18 with respect to noise, vibration and impact upon amenity. There are no predicted significant residual effects (Section 7.12). The proposed mitigation has been evaluated as appropriate, necessary, and deliverable.
3.3 Construction Phase Impacts		
3.3.1	**Positive:** None identified.	Noted.
3.3.2	**Neutral:** None identified.	Noted.
3.3.3	**Negative:** There is concern that the proposed development will lead to increased noise levels and exhaust emissions from additional HGVs and associated vehicle movements during the construction phase. The Thomas Clarkson Academy (TCA) and its surrounding play areas and sports pitches have not been identified as a noise receptor by the Applicant, as identified in 4.13 of CCC and FDC's Relevant Representations. No monitoring has been proposed to	The concern is noted, however, the assessment presented in **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034][** demonstrates that the noise levels, due to construction phase traffic, will be negligibly higher on all routes except New Bridge Lane, where an increase in noise levels would be experienced at residential properties from Salters Road onwards.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	assess the impact of the proposed development on the school and its assets during construction.	The reference to the TCA not being identified as a Receptor is incorrect. TCA is identified in **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034] and** given the identifier "R28". Baseline noise monitoring was carried out at a proxy location representative of the TCA. Monitoring is not proposed at the TCA as there are no predicted significant effects at this Receptor at any phase of the development as reported in **Section 7.9 and Table 7.39 of ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]**. Monitoring would not be practical, as it will be difficult to disaggregate the construction noise from the general environmental ambient noise, dominated by existing traffic on Weasenham Lane and A1101 Churchill Road. The **Outline CEMP (Volume 7.12, Appendix F Outline Construction Noise and Vibration Monitoring Plan [REP1-024])** Section 4 sets out the Applicant's proposals for noise monitoring.
3.3.4	The Outline Construction and Environmental Management Plan (Outline CEMP) proposes measures to reduce construction noise including using quieter plant, programming activities to avoid overlapping with other intensive works. Therefore, the implementation of mitigation measures in the Outline CEMP and monitoring of their performance will be key to ensuring that all noise and vibration sensitive receptors are appropriately protected. This encompasses residential, educational, and environmental settings.	Noted. The **Outline CEMP (Volume 7.12) [REP1-024]** is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 10.
3.3.5	**Mitigations:** An updated CEMP should be submitted for approval by all relevant consultees prior to the commencement of any site clearance, ground preparations, demolition and construction associated with the site, which: · Is drawn up in accordance with the relevant legislation and technical guidance – and contains all associated content;	The Applicant generally accepts the recommendations and submitted an updated **Outline CEMP (Volume 7.12) [REP1-024]** at Deadline 1 to cover the matters requested within **Appendix F Outline Construction Noise and Vibration Monitoring Plan (CVMP).** However, the request to provide detailed calculations of mitigation outcomes for each Receptor within the Outline CNVMP is onerous in the opinion of the Applicant. The Applicant considers that assessing the

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	• Is presented in a logical format, to enable ease of interpretation; • Includes a table which provides a high summary level of the determined significance of construction noise and vibration impact at each receptor; and, • Includes detailed explanation of the measures which will be implemented to address each identified impact as necessary for each measure, a statement and/or other evidence/calculations as necessary - to verify the predicated impact outcome of the implementation of each mitigation measure at each receptor.	impact of works and evidencing mitigation effectiveness at a selection of Representative Receptors would be more practicable while still addressing the Local Planning Authorities' concerns.
3.3.6	The CEMP should be reviewed to take into consideration adverse impact on NMUs, and should identify appropriate mitigation.	The **Outline CEMP (Volume 7.12) [REP-024]** does take into account NMUs with respect to noise. Section 4.3 sets out the Applicant's proposals for construction site hoarding and fencing which would include the frontage to New Bridge Lane used by NMUs.
3.3.7	Given that the TCA should be regarded as a sensitive receptor, some acknowledgement and further consideration, along with monitoring to mitigate any real-time impact, should be provided. Furthermore, on the basis that only short-term monitoring is proposed for the Cambian Education Foundation Learning Centre and Riverside Meadows Academy school sites this also needs to be given further consideration and longer-term mitigation.	Concerning TCA see response at 3.3.3 above. As the Cambian Education Foundation Learning Centre and Riverside Meadows Academy school sites are located within the Weasenham Lane and Algores Way industrial areas, the acoustic environment is not conducive to long-term unattended monitoring. Monitoring is not proposed at any educational Receptors as there are no predicted significant effects at any of these Receptors at any phase of the development (Section 7.9). The **Outline CEMP Appendix F Outline Construction Noise and Vibration Monitoring Plan (Volume 7.12) [REP1-024])** Section 4 sets out the Applicant's proposals for noise monitoring.
3.3.8	The Outline CEMP also proposes to reduce construction noise by measures such as using quieter plant and programming activities to avoid overlapping with other intensive works. Therefore, the implementation of mitigation measures in the Outline CEMP and their performance will	Noise from construction activity due to the use of plant is not predicted to have any significant impact on any educational Receptor (Section 7.9). Results for the construction phase assessment are reported in Table 8B.H1, **Annex H of the Air Quality Appendix 8B (Volume 6.4) [REP1-**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	be key to ensuring the noise and exhaust emission levels do not further impact air quality in and around the TCA and Free School site.	**015]** which has been updated and submitted as part of Deadline 1. The results show negligible impacts at each sensitive Receptor. The air quality assessment presented in **ES Chapter 8: Air Quality (Volume 6.2) [APP-035],** outlines the approach taken to scoping Receptors into the assessment (Sections 8.6.5-8.6.14). The Receptors identified included the closest Receptors to the emissions sources (chimney and traffic), to ensure the maximum impact on the local community was considered**. ES Appendix 8B Chapter 8 Air Quality Appendices) (Volume 6.4) [REP1-015]** provides a list of Receptors considered. These Receptors are also presented in Figure 8.3: Modelled Receptor, **Volume 6.3 ES Chapter 8 Air Quality Figures (Volume 6.3) [APP-052].**
3.4 Construction [Operational] Phase Impacts		
3.4.1	**Positive:** None identified.	Noted.
3.4.2	**Neutral:** None identified.	Noted.
3.4.3	**Negative:** The proposed development will lead to increased exhaust emissions from additional HGVs and associated vehicle movements during the operational phase. The Thomas Clarkson Academy (TCA) and its surrounding play areas and sports pitches have not been identified as a noise receptor by the Applicant, as identified in 4.13 of CCC and FDC's Relevant Representations. No long-term monitoring has been proposed to assess the impact of the proposed development on the school and its assets.	TCA is regarded as a sensitive Receptor, see response 3.3.3 above. The operational noise from the EfW CHP facility will be significantly lower than the ambient noise level at the school during the school daytime. Cambian Education Foundation Learning Centre ID reference R27 in the ES is closer to the Proposed Development (200m) than TCA (750m). The predicted operational noise, as reported in **Table 7.38** of the **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]** level at this location 46dB was 12dB lower than the prevailing ambient noise. Therefore, the operational noise will not increase levels at the Cambian Education Foundation Learning Centre and that is significantly closer to the Proposed Development than TCA. Monitoring would not be practical, as it will be difficult to disaggregate the construction noise from the general environmental ambient noise, dominated by existing traffic on Weasenham Lane and A1101 Churchill Road.
3.4.4	Low frequency noise has longer wavelengths and can be a concern because sound at lower frequencies is harder to	The nature of the sound generated by the EfW CHP Facility is not considered to be a source of significant levels of low-frequency noise.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	control, it is less directional and can travel around barriers. Insulation is also less effective at lower frequencies and thicker and denser materials are required to reduce the level. When the frequency of the sound is so low that it becomes in-audible to the human ear (usually below 20Hz), it is possible for other parts of the body to feel resonance which can then cause annoyance.	The operational noise assessment presented in **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]** was based on sound level data accounting for the frequency content of operational sound sources, and the prediction methodology used to predict operational sound levels also accounts for the frequency content of operational sound sources. In the assessment of numerous similar developments, both for planning and for operational compliance, low frequency sound has not been a significant component of the operational sound and hence is not considered to give rise to any adverse impacts.
3.4.5	**Mitigations:** An updated Noise Management Plan to be submitted for approval by the relevant consultees prior to the operation of the site which: • Is drawn up in accordance with the relevant legislation and technical guidance – and contains all associated content; • Is presented in a logical format, to enable ease of interpretation; • Includes a table which provides a high summary level of the determined significance of operational noise impact at each receptor; and, • Includes detailed explanation of the measures which will be implemented to address each identified impact as necessary for each measure, a statement and / or other evidence / calculations to verify the predicated impact outcome of the implementation of each mitigation measure at each receptor.	The Outline Operational Noise Management Plan **(ES Chapter 7 Noise and Vibration Appendix 7D Outline Operational Noise Management Plan (Volume 6.4) [REP1-013])** has been updated for Deadline 1. The Applicant generally accepts the recommendations and submitted an updated Outline Operational Noise Management Plan **(ES Chapter 7 Noise and Vibration Appendix 7D Outline Operational Noise Management Plan (Volume 6.4) [REP1-013])** has been updated at Deadline 1 to cover the matters requested by FDC. However, as with the construction mitigation (see response at 3.3.5), the request for detailed calculations of mitigation outcomes for each Receptor is considered onerous. The Applicant considers that assessing the impact of operational noise and evidencing mitigation effectiveness at a selection of Representative Receptors would instead be more practicable while still addressing the Local Planning Authorities' concerns.
3.5 Decommissioning Phase Impacts		
3.5.1	**Positive:** None identified	Noted.
3.5.2	**Neutral:** None identified.	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
3.5.3	**Negative:** Although the DCO, if granted, would provide consent for the whole project, including decommissioning, concerns are raised regarding the impact of noise and vibration on any new noise and vibration sensitive receptors and impacts at the time of the decommissioning.	Concerns are noted. However, the nature of works to decommission the Proposed Development, and the future Receptors that it will affect cannot be predicted at this stage. It is considered that the sound levels generated by decommissioning works are likely to be similar in magnitude to those produced in the construction of the Proposed Development, but over a shorter duration. The control of environmental impacts during the decommissioning process will be subject to a Decommissioning Environmental Management Plan (DEMP) which is secured through Requirement 25 of the **Draft DCO (Volume 3.1) [REP1-007].** The Applicant will prepare an Outline DEMP for submission at the appropriate deadline.
3.5.4	**Mitigations:** A demolition management plan should be drawn up to detail the mitigation measures, in accordance with the relevant legislation and technical guidance, it must be: • presented in a logical format, to enable ease of interpretation; • Include a table which provides a high summary level of the determined significance of operational noise impact at each receptor; and, • Include detailed explanation of the measures which will be implemented to address each identified impact as necessary for each measure, a statement and / or other evidence / calculations to verify the predicated impact outcome of the implementation of each mitigation measure at each receptor.	See response to 3.5.3 above.
3.5.5	Notwithstanding the content of the EN010110-000530-MVV Volume 5.2 Statement of Statutory Nuisance, legal advice received confirms that should FDC receive allegations of any type of statutory nuisance (not just noise), it would still have a duty to investigate - and take enforcement action if any such allegation is substantiated.	Noted.

5. Air Quality (ES Chapter 8)

Table 5.1 Applicant's response to CCC and FDC's Air Quality comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
4.2 Policy Context		
4.2.1	Policy 1 of the MWLP notes that design should: "take into account any significant impacts on human health and wellbeing and on air quality". Policy 18 addresses amenity considerations, stating that: *"new development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including: ... (f) air quality from odour, fumes, dust, smoke, or other sources...".*	The **Planning Statement (Volume 7.1) [APP-091]** references Policy 18 within the planning assessment reported within section 4.4 (Air Quality) and section 4.8 (Dust, Odour, Artificial Light, Smoke, Steam and Insect Infestation). The assessment considers the potential for the Proposed Development to conflict with relevant national and local policy including Policy 18 and concludes that the Proposed Development would not be in conflict as it does not give rise to 'unacceptable' adverse impacts with effects recorded as not significant within **ES Chapter 8 Air Quality (Volume 6.2) [APP-035]**. Regarding the potential for effects upon health (Policy 1), **ES Chapter 16 Health (Volume 6.2) [APP-043]** concludes that these would not be significant. This conclusion is supported by the UKHSA **[RR-023]** which notes within its relevant representation that it is satisfied that the Proposed Development would not result in any significant adverse impact on public health.
4.2.2	The current Fenland Local Plan includes Policy LP16 to deliver and protect high quality environments. This states that a development would only be permitted if it: *"does not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light."*	Please see response to 4.2.1 above. The **Planning Statement (Volume 7.1) [APP-091]** references Policy LP16 within the planning assessment reported within section 4.4 (Air Quality) and section 4.8 (Dust, Odour, Artificial Light, Smoke, Steam and Insect Infestation).
4.2.3	Policy LP34, Air Quality, of the Emerging Fenland Local Plan sets out the circumstances under which a Low Emissions Strategy will be required to mitigate the impacts of development. These include proposals that would: *"j. have a significant adverse effect on air quality; k. have an adverse effect on the air quality factors that led to the*	Please see response to 4.2.4 below.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	affected AQMA being designated; l. cause a significant increase in the number of people that would be exposed to poor air quality; or m. lead to a designated nature conservation site or protected species that is sensitive to poor air quality being adversely affected by changes in air quality."	
4.2.4	It could be argued that the proposed development would increase Nitrous Oxides (NOx), Particulate Matter (PM) and Sulphur Dioxide (SO_2) emissions in the retained Nitrogen Dioxide (NO_2) PM and SO_2 Air Quality Management Areas (AQMA). The NO_2 AQMA was declared due to traffic emissions and PM and SO_2 from an industrial source (no longer operating), both road and industrial emissions would have an 'adverse effect'. If this is the case, then the Fenland Policy requires a 'Low Emission Strategy'.	A summary of the predicted impacts on air quality during normal operation of the Proposed Development are provided in **Table 8B6.1** of the **Air Quality Appendix 8B (Volume 6.4) [REP1-015]** which has been updated and submitted as part of Deadline 1. The overall conclusion is that emissions to air during normal operation of the Proposed Development do not result significant 'adverse effect'. There are sensitive Receptors that were modelled as part of this air quality assessment within the **Air Quality Appendix 8B (Volume 6.4) [REP1-015]** that are found within AQMA's declared by FDC. Therefore, the conclusion of no 'significant effect' applies to these sensitive Receptors. The AQMA's declared by FDC are not expected to be impacted by any 'adverse effect' as a result of the Proposed Development. Therefore, a Low Emission Strategy is not required.
4.3 Construction Phase Impacts		
4.3.1	**Positive**: None identified.	Noted.
4.3.2	**Neutral**: None identified.	Noted.
4.3.3	**Negative**: The impact of construction phase dust and PM emissions on dust soiling and human health. The 2014 Institute of Air Quality Management (IAQM) guidance on the assessment of dust from demolition and construction that has been followed to identify the risk of impacts and identify appropriate mitigation states that if mitigation measures commensurate with the identified levels of risk are put in place, then the effects will be not significant. However, this terminology relates to the technical guidance and it should not be assumed that 'not significant' means that there is no negative impact. The assessment of emissions from	Noted and agreed. The air quality assessment identifies the potentially significant impacts to air quality that are expected as a result of the Proposed Development. **ES Chapter 8: Air Quality 9 (Volume 6.2) [APP-035]** identifies the different air quality effects which were scoped into the air quality assessment. The air quality assessment has then predicted what the impact to air quality would be from these effects. This air quality assessment therefore does not imply that there are no impacts at all as a result of the Proposed Development's construction.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	construction phase traffic demonstrates that statutory limits would be met and although the impacts would be defined as negligible using the 2017 IAQM Guidance on Land-Use Planning & Development Control: Planning for Air Quality31, this is again a technical qualification that does not imply that there are no negative impacts.	**ES Chapter 8: Air Quality 9 (Volume 6.2) [APP-035]** makes conclusions on significance since an EIA focusses on aspects and matters where a likely significant effect may occur (positive and negative). This is line with the EIA regulations.
4.3.4	**Mitigations**: The CEMP should include a Dust Management Plan and measures to minimise emissions from Non- Road Mobile Machinery.	The **Outline Construction Environmental Management Plan (CEMP) (Rev 2) [REP1-024]** contains best practice measures to ensure that emissions from NRMM are minimised. The Outline Dust Management Plan is found in Appendix A of the Outline CEMP.
4.4 Operational Phase Impacts		
4.4.1	**Positive**: None identified.	Noted.
4.4.2	**Neutral**: None identified.	Noted.
4.4.3	**Negative**: Human Health The assessment of the combined impact of emissions from the EfW stack and traffic generated by the proposals demonstrated that all statutory limits will be met and the effect of the proposals on annual mean concentrations of pollutants would be defined as negligible using the 2017 IAQM Guidance on Land-Use Planning & Development Control: Planning for Air Quality. Based on a number of worst-case assumptions, the maximum impacts upon short-term concentrations of nitrogen dioxide and sulphur dioxide are described as small, for all other pollutants the short-term impacts would be negligible. Although there are no proven significant impacts on human health, the perception of impacts is also important as it can detrimentally affect mental health and well-being which could further justify a requirement for air quality monitoring.	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. The Strategy also proposes that passive air quality monitoring tubes will be located in the following villages: • Emneth; • Marshland St James; • Walpole Highway; • West Walton and • Walton Highway.
4.4.4	**Negative**: Ecological Receptors	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	The effects on ecological receptors are discussed in Chapter 7.	
4.4.5	**Negative**: Odour The process has been designed to minimise odour emissions during normal operations. During abnormal operations, when it is not possible to vent building air via the furnace, the modelled odour concentration at the nearest receptor would be below the guideline value.	The Applicant has prepared an **Outline Odour Management Plan (OMP) (Volume 7.11) [REP1-021]** which is one of many operational procedures controlled within the Applicant's Integrated Management System (IMS). This IMS is certified to international standards ISO9001, ISO14001, ISO45001 and ISO5001. **Table 4.1, Outline OMP (Volume 7.11) [REP1-021]** sets out the measures and procedures to control and monitor potential releases of odour associated with the operation of the Proposed Development. As detailed in Section 1.1.2, the Outline OMP is informed by EA guidance and the Best Available Techniques (BAT) Reference Document for Waste Incineration. In the experience of the Applicant, as a result of the appropriate building and process design, the waste bunker can always be kept under slight negative pressure, thus avoiding fugitive emissions of odour. During operation, primary air is drawn from the waste bunker into the combustion chamber where odorous compounds are destroyed. As such, odour is expected to be effectively managed. The odour assessment within Revision 3 **of ES Chapter 8 Appendix 8B Air Quality Technical Report (Volume 6.4)** submitted at Deadline 2 considered periods of maintenance or repair where both furnaces are shut down as a worst-case scenario. During these periods, waste is likely to remain within the storage bunker. The odour assessment considered a scenario where the building air would be extracted and vented through carbon filters by the shut-down exhaust system, to remove odorous compounds, before being released to the atmosphere. The results of this odour assessment concluded that there would be no significant effects on sensitive Receptors.
4.4.6	**Mitigations**: Monitoring of Air quality at agreed locations. The ES notes that additional mitigation would be in place during any periods of abnormal operations, although it is not listed in the 'environmental measures to be implemented in the ES'.	Table 8.36 in **ES Chapter 8: Air Quality (Volume 6.2) [APP-035]** details measures to be implemented under normal operation. Additional monitoring during abnormal operation is detailed in the **Outline Odour Management Plan (OMP) (Volume 7.11) [REP1-021].**

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		As detailed in section 1.1.2, the **OMP (Volume 7.11) [REP1-021]** is informed by EA guidance and the Best Available Techniques (BAT) Reference Document for Waste Incineration. As such, odour is expected to be effectively managed. As detailed in Table 4.1, monitoring for potential odorous emissions will be undertaken during any outage period. It is the duty of the operational staff to conduct twice daily 'sniff test' assessments on site. An off-site 'sniff test' at set locations in the local area at points of sensitive Receptors will be carried out daily throughout full shutdown outage periods. All records of odour monitoring will be retained. The "Action taken if outside optimum process parameters" column of Table 4.1 of the **Outline OMP (Volume 7.11) [REP1-021]** will be reviewed in response to specific circumstances. These are: a change to site operations; an incident; or following receipt of a justified complaint. For example, as detailed in Section 5 of the Outline OMP, complaints will be investigated including an investigation of all odour control measures to ensure they are operating correctly. If it is found that all odour control measures are operating in accordance with the Outline OMP, and the odour complaint is justified, then it will be clear that the existing odour control measures are not sufficient and the "Action taken if outside optimum process parameters" column will be updated accordingly, for example by introducing new procedures in relation to particular odour sources.
4.5 Decommissioning Phase Impacts		
4.5.1	**Positive**: None identified.	Noted.
4.5.2	**Neutral**: None identified.	Noted.
4.5.3	**Negative**: The decommissioning phase impacts have not been assessed.	The air quality effects associated with the decommissioning phase of the Proposed Development have been considered in **ES Chapter 8: Air Quality 9 (Volume 6.2) [APP-035]** where the chapter reports that the likely significance of effects relating to the construction phase assessment reported in **ES Chapter 8: Air Quality 9 (Volume 6.2) [APP-035]** are applicable to the decommissioning phase. The significance of effects from the construction phase are reported within

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		Table 8.35 of the **ES Chapter 8: Air Quality 9 (Volume 6.2) [APP-035]** as 'Negligible'.
4.5.4	**Mitigation**: It was requested that further work was undertaken by the Applicant on the Health Impact Assessment in relation to the impacts of the decommissioning which will have similarities but there will be clear differences i.e. decommissioning a "dirty" incinerator.	The control of environmental impacts during the decommissioning process will be subject to a Decommissioning Environmental Management Plan (DEMP) which is secured through Requirement 25 of the **Draft DCO (Volume 3.1) [REP1-007].** The Applicant will prepare an Outline DEMP for submission at the appropriate deadline. Decommissioning will also be controlled via the Environmental permit.

6. Landscape and Visual (ES Chapter 9)

Table 6.1 Applicant's response to CCC and FDC's Landscape and Visual comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
5.1 Policy Context		
5.1.1	**Cambridgeshire and Peterborough Minerals and Waste Local Plan - Policy 17: Design** All waste management development, and where relevant mineral development, should secure high quality design. The design of built development and the restoration of sites should be sympathetic to and, where opportunities arise, enhance local distinctiveness and the character and quality of the area in which it is located. Permission will be refused for development of poor design that fails to take the opportunities available to achieve this. New mineral and waste management development must: (a) make efficient use of land and buildings, through the design, layout and orientation of buildings on site and through prioritising the use of previously developed land; (b) be durable, flexible and adaptable over its planned lifespan, taking into account potential future social, economic, technological and environmental needs through the structure, layout and design of buildings and places; (c) provide a high standard of amenity for users of new buildings and maintain or enhance the existing amenity of neighbours; (d) be designed to reduce crime, minimise fire risk, create safe environments, and provide satisfactory access for emergency vehicles;	Policy 17: Design in the Cambridgeshire and Peterborough Minerals and Waste Local Plan is referenced in **Table 9.5** of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** and within **The Planning Statement (Volume 7.1) [APP-091]** which references Policy 17 at section 4.11 (landscape and Visual) and section 4.12 (Land use). The Statement concludes that the Proposed Development is compliant both with local and relevant national policy. With regard to the policy tests, the Proposed Development would be located primarily upon brownfield land. The design is durable, flexible and adaptable in that it includes land set aside for a future railway siding and for carbon capture and storage. Flexibility is enhanced such that land it also retained to enable works to maintain a road crossing of the Disused March to Wisbech Railway should it be reopened. The Proposed Development does not have a significant negative effect upon the amenity of its neighbours a conclusion informed by the absence of significant effects resulting from noise and odour whilst significant visual effects would be restricted to within 2.8km of the base of the chimneys in the EfW CHP Facility Site. The Applicant has submitted an **Outline Fire Prevention Plan (Volume 7.10) [APP-101]** which will put in place measures to address fire risk whilst it has committed via the **Outline Construction Traffic Management Plan (Volume 6.4) [REP-011]** to consult with the relevant emergency services and provide site familiarisation opportunities as required. With regard to the policy test (e and f), **Design and Access Statement (Volume 7.5) [APP-096]** documents the context and illustrates the

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	(e) create visual richness through building type, height, layout, scale, form, density, massing, materials and colour and through landscape design; (f) be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); (g) retain or enhance important features and assets (including trees and hedgerows) within the landscape, treescape or townscape and conserve or create key views; and (h) provide a landscape enhancement scheme which takes account of any relevant landscape character assessments (including any historic landscape characterisation) and which demonstrates that the development can be assimilated into its surroundings and local landscape character; and, where appropriate for the development: (i) provide well designed boundary treatments (including security features) that reflect the function and character of the development and are well integrated into its surroundings; and (j) provide attractive, accessible and integrated vehicle and cycle parking which also satisfies the parking standards of the Development Plan for the area, and incorporates facilities for electric plug-in and other ultra-low emission vehicles.	evolution of the site through reference to historic maps. It explains the design process and the options considered, adopted and dismissed in terms of mass, scale, roof profile and cladding materials to minimise the visual impact of the EfW CHP Facility building. It also details other design matters such as site security as well as setting out principles relating to sustainable design, adaptability and durability, functionality and fitness for purpose. **Table 9.19** of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** describes the landscape and visual environmental measures embedded within the Proposed Development which would be implemented through Requirements 2, 4, 5, 19 and 18 of the **Draft DCO (Volume 3.1) [REP1-007].** **The Outline Landscape and Ecology Strategy (ES Chapter 3 Description of the Proposed Development Figure 3.14 (Volume 6.4) [APP-049]** provides for new landscaping that would include native trees and hedgerows and introduce native grasslands. It also illustrates the landscaping proposed to the visitor and staff car park. **Figure 3.13 ES Chapter 3 Description of the Proposed Development Figures (Volume 6.3) [APP-049]** provide details of the proposed boundary treatments. **The Outline Operational Travel Plan (Volume 6.4) [APP-074]** includes for the provision of EV charging. The Plan is secured by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 15. In conclusion, the Proposed Development is considered to be compliant with Policy 17: Design.
5.1.2	For waste management proposals, detailed design guidance can be found in Appendix 3: The Location and Design of Waste Management Facilities. This guidance provides a framework for creating distinctive places, with a consistent	**The Design and Access Statement (Volume 7.5) [APP-096] (DAS)** documents the design process and explains how site context has informed the resulting design. It considers both the EfW CHP Facility and

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	and high-quality standard of design. Whilst the guidance provides a degree of flexibility, it will be used to assist in determining whether a proposal is consistent with the approach set out in this policy.	Administration Building together with the CHP Connection and Walsoken Substation design. Page 8 of the DAS identifies the policy documents which informed the approach to the design and includes reference to The Location and Design of Waste Management Facilities document. Detailed design approval for the Proposed Development is secured through Requirement 2 of the **Draft DCO (Volume 3.1) [REP1-007].** Landscape mitigation would be implemented through Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]** and thereafter managed in accordance with a landscape and ecology management plan secured through Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007].**
5.3 Landscape Impact Construction Phase		
5.3.1	**Positive**: An Outline Landscape and Ecology Strategy has been produced for the proposed development. This is supported by an Outline Landscape and Ecology Management Plan (LEMP) (Volume 7.7). Detailed landscape plans would be secured post consent.	Landscape mitigation would be implemented through Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]** and thereafter managed in accordance with a landscape and ecology management plan secured through Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007].**
5.3.2	**Neutral**: None identified.	Noted.
5.3.3	**Negative**: The loss of landscape elements within the site itself during construction, would have only highly localised landscape effects at the scale of the LCA. These effects stem from construction activities associated with the EfW CHP Facility (including Access Improvements), and the shorter lasting construction activities for the CHP Connection, the Grid Connection, and the Water Connections, all of which would be concentrated on the southern edge of Wisbech.	Noted. An assessment of the effects on landscape elements within the EfW CHP Facility Site was scoped out of the LVIA on the basis of their low landscape value. This was agreed with the Planning Inspectorate in the EIA Scoping Opinion (ID 4.4.1), as set out in Appendix 9A of **ES Chapter 9 Landscape and Visual (Volume 6.4) Appendices [APP-079].**
5.3.4	More direct landscape effects would be on landscape character and be associated with the introduction of high levels of activity across the site connected with the construction practices required for the erection of the EfW	The construction activities within the EfW CHP Facility Site are considered within the Applicant's assessment of effects on landscape character set out in Appendix 9G (**ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]**) and summarised in Section 9.9

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	CHP Facility including the presence of temporary and permanent structures, plant, and vehicular movement. Elevated construction activities including the deployment of tall cranes (a maximum height of 75m (95m for a very short duration close to the end of the construction period)), would have a visual presence from within much of the study area over the 36-month construction period.	of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036],** This concluded that there could be short-lived periods of the construction phase when the magnitude of change could be high and consequently significant within a localised part of the host LCA immediately around the EfW CHP Facility Site, along New Bridge Lane and south to the closest section of A47. All other indirect effects on landscape character within the Study Area would be Not Significant. As demonstrated by the ZTVs in **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053**], the statement made in in the LIR with regard to the elevated construction activities having a '*visual presence from within much of the study area*' is not an accurate summary. There are large parts of Wisbech and the surrounding settlements, as well as around March, along the eastern periphery of the 17km Study Area and localised areas in between that fall outside of the ZTV and where no visual presence would exist. This is verified by the visualisations presented **ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 [APP-058]**, **ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 [APP-059]**, **ES Chapter 9 Landscape and Visual Figures 9.33 to 9.39 [APP-060]** and **ES Chapter 9 Landscape and Visual Figures 9.40 to 9.46 [APP-061]** (all of which are in Volume 6.3), which demonstrate that the Proposed Development would not be visible from six (20%) of the 30 viewpoint locations agreed with the Host Authorities (Viewpoints 3, 10, 11, 26, 27 and 29).
5.3.5	The gradual elevation of the EfW CHP Facility out of the site over the 36-month construction period, and due to its eventual scale and mass would lead to Significant effects on the character of the rural landscape to the south of Wisbech towards the surrounding rural villages of Elm, Begdale and Wisbech St Mary within the Wisbech Settled Fen and The Fens landscape character areas with the development being perceived as the dominant built element in this landscape.	Significant effects on the landscape character of the Wisbech Settled Fens landscape character area are contained by the A47 to the south in an area of land outside the settlement boundary that is currently largely undeveloped but is allocated for development in the Fenland Local Plan as indicated in **Figure 18.2 ES Chapter 18 Cumulative Effects Figures (Volume 6.3) [APP-067**]. No significant effects on the Fens landscape character area are predicted. The Applicant is of the opinion that it is not accurate to state that the EfW CHP Facility would be perceived as the dominant built element in this landscape. The photomontages from Viewpoint 8 in **Figure 9.24 (ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 Volume 6.3 [APP-058])** and Viewpoint 9 in **Figure 9.25 (ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 Volume 6.3 [APP-059])** from locations close to Elm and Begdale, show

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		that the Proposed Development (and its construction) would be co-prominent alongside the Cold Store and cannot be accurately described as a *'dominant* built element'.
5.3.6	Photomontages produced from viewpoints 8 and 9 on the northern edges of Elm and Begdale and 15 from the eastern edge of Wisbech St. Mary demonstrate the visual prominence associated with the scale and mass of the taller elements of the proposed EfW facility across this landscape. The conflict provided by the industrial nature of the development which would be detrimental to the rural character of the landscape between these settlements and the southern edge of Wisbech that forms the rural hinterland to Wisbech.	The Applicant's assessment of effects on the Wisbech Settled Fen LCA in **Appendix 9G** (**Volume 6.4 ES Chapter 9 Landscape and Visual Appendices [APP-079]**), describes the existing context of the landscape between the Site and Elm and Begdale, which is influenced by large-scale built form (the Cold Store, other extensive commercial and industrial development in southern Wisbech and/or steel lattice pylons) with corresponding lower levels in scenic quality, higher levels of light intrusion and movement with its associated audible and visual disturbances along the A47 and lower levels of tranquillity and remoteness. The photomontages from Viewpoint 8 in **Figure 9.24 (ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 Volume 6.3 [APP-058])** and Viewpoints 9 and 15 in **Figure 9.25 (ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 Volume 6.3 [APP-059])** show that the Proposed Development (and its construction) would have an incremental urbanising role from within a landscape where vertical or large scale infrastructure has a baseline role as opposed to being a new and completely contrasting element. The Applicant's assessment in **Appendix 9G** (**ES Chapter 9 Landscape and Visual Appendices Volume 6.4 [APP-079])** and summarised in **Section 9.9** of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** concluded that Significant landscape effects could occur within a small portion of the Wisbech Settled Fen LCA located immediately around the EfW CHP Facility Site, along New Bridge Lane and south to the closest section of A47.
5.3.7	There would only be highly localised landscape effects associated with presence of smaller scale construction plant and activity along the route of the CHP Connection, with effects confined to the disused March to Wisbech Railway corridor which passes through the adjacent industrial area. Effects associated with these works would have minimal influence on the character of the surrounding industrial area or landscape. Similarly, works associated with the undergrounding of the Grid Connection alongside New	This statement reflects the conclusions of the Applicant's assessment as set out in Table 9G.1 of **Appendix 9G (ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]).**

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	Bridge Lane and the A47 (presence of excavator plant) would have limited effects, particularly given the immediate proximity and disturbance associated with the adjacent A47.	
5.3.8	The LVIA concludes that for TCA, (TCA8: Wisbech Retail, Industrial and Commercial Development), despite identifying that once operational the EfW CHP Facility would become the dominant or a prominent built element within the closest parts of the TCA, effects would be Negligible and Not Significant. The host TCA8: Wisbech Retail, Industrial and Commercial Development is of low sensitivity. However, despite its pre-existing light industrial and commercial character, it is considered that the LVIA's findings underrepresent the likely effects on the character of TCA8.	The low magnitude of change identified for TCA8: Wisbech Retail, Industrial and Commercial Development reflects the baseline context of the development i.e., built development of warehouses, including large scale buildings e.g., the Cold Store. One of the key characteristics of this TCA is the 'Larger southern sub-area comprises the late twentieth century Wisbech Retail Park and adjoining industrial estate with large warehouse buildings constructed on a grid' (**Appendix 9D** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]**).
5.3.9	As shown on the photomontages produced for viewpoints 1, 2 and 5 through its scale and mass, the EfW CHP Facility would become the dominant built element within the area surrounding the Site, leading to a Magnitude of Change (MoC) greater than that identified within the LVIA. The Applicants LVIA identifies a Low MoC on TCA8: *"A small- scale change that may include the loss of some landscape characteristics or elements of limited characterising influence, or the addition of some new features or elements of limited characterising influence. They may be a small partial change in landscape character, typically, but not always affecting a localised geographical extent."* However, having reviewed the definitions for MoC utilised within the Applicants LVIA, the Councils take the view that, given the scale, mass and visual appreciation of the EfW CHP Facility within TCA8 that the MoC would more likely to be Medium: *"A medium scale change that may include the loss of some key landscape characteristics or elements or the addition of*	The Applicant considers that the magnitude of change cannot be assigned as 'medium' because there is no loss of key landscape elements. The introduction of the EfW CHP Facility building on a brownfield site in the context of the Cold Store and other buildings on the Wisbech Industrial Estate would not represent a 'new uncharacteristic feature'. Whilst the chimneys would be new vertical elements, these have greater potential to have a characterising influence on the adjoining landscape to the south, and this has been accounted for in the assessment for the Wisbech Settled Fen LCA (**Appendix 9G** in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]**), where localised Significant effects have been concluded.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	some new uncharacteristic features or elements that could alter the perceptual characteristics of the landscape. The size or scale of landscape change could create new landscape characteristics and may lead to a partial change landscape character, typically, but not always affecting a more localised geographical extent."	
5.3.10	The increase in the MoC to Medium increases the significance of effect of the development on the character of TCA8 to Minor from the LVIAs initial conclusions of Negligible. However, effects on the character of TCA8 would remain not significant. The terminology of not significant is a technical classification and it does not mean that there is no effect.	The LIR recognises that whether a Minor or a Negligible effect is concluded, the effects on TCA8 would be Not Significant. Paragraph 3.35 of GLVIA3 emphasises the importance of distinguishing between the significant effects that are likely to influence the eventual decision and those of lesser concern. It states that: '*In reporting on the significance of the identified effects the main aim should be to draw out the key issues and ensure that the significance of the effects and the scope for reducing any negative/adverse effects are properly understood by the public and the competent authority before it makes its decision'*. The terminology regarding significance is in line with the EIA Regulations.
5.3.11	The LVIA identifies Significant visual effects for the following receptors during the construction, operation, and decommissioning phases of the development: • Residents of 9 and 10 New Bridge Lane; • Residents of No. 25 Cromwell Road would see the construction and final form of the middle and upper sections of the EfW CHP Facility above existing commercial buildings; • A small number of properties on the northern edge of Begdale; • People walking along a section of the Nene Way – south of Wisbech; • Cyclists using a stretch of the Sustrans National Cycle Route 63 heading into Wisbech approximately 1.3km from the EfW CHP Facility;	This statement reflects the conclusions of the Applicant's assessment as set out in Section 9.12 of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** with the effects of decommissioning stated in paragraph 9.6.6. It should be noted that the Applicant has acquired 9 New Bridge Lane and its use as a residential property has been ceased (**Book of Reference, Volume 4.1, REP1-008).**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	• People walking along Halfpenny Lane towards Wisbech would experience short-lived close distance views; • Bank/Narrow Drove/Broad Drove at a distance of 1-2.9km would see upper parts of the main building and chimneys once the EfW CHP Facility had been constructed; • Vehicular users of the A47 eastbound (to Wisbech) which would be short-lived and when operational, seen in the context of the existing cold store and other buildings; and • Vehicular users of the B198 Cromwell Road (southwest of Wisbech town centre) although during both construction and operation the Proposed Development would be seen in the context of existing buildings and would be often screened by them in close-up views. • Significant visual effects were also identified for Recreational users of the Public Right of Way 'The Still', south of Leverington for the operational phase only and at a distance of 1.8km to 2.8km. Users would see the EfW CHP Facility as a low focal point above a short section of the south-eastern horizon above the intervening vegetation.	
5.3.12	As demonstrated on the ZTVs potential visibility of the EFW CHP Facility extends across the entirety of the Study Area with the LVIA identifying Significant Major Adverse visual effects extending to distances of up to 2.9km from the site, (Bank/Narrow Drove/Broad Drove). The wide-ranging visibility of the Facility as it is constructed is supported by the photography and photomontage work undertaken by the Applicant which demonstrates visibility of the Boiler Building and Chimneys from locations on the very extent of the Study Area; Viewpoint 28: Welney Wildlife Trust Visitor Centre at 16.12km from the site and Viewpoint 30: Nene Washes NNR Car Park at Eldernell at 16.24km from site.	The ZTVs for the chimneys in **Figures 9.2i** and **9.2ii** of **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]** and main building in **Figures 9.3i** and **9.3ii** of **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]** show areas within the LVIA Study Area which lie outside of the ZTV. This includes large parts of Wisbech and the surrounding settlements, as well as around March, along the eastern periphery of the 17km Study Area and localised areas in between. It is therefore incorrect to state that the ZTVs extend across the entirety of the Study Area. The theoretical visibility pattern indicated by the ZTV has been supplemented by field appraisal and the visualisations figures presented

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 [APP-058], **ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 [APP-059]**, **ES Chapter 9 Landscape and Visual Figures 9.33 to 9.39 [APP-060]** and **ES Chapter 9 Landscape and Visual Figures 9.40 to 9.46 [APP-061]** all of which are in Volume 6.3. These demonstrate that the Proposed Development would not be visible from six (20%) of the 30 viewpoint locations agreed with the Host Authorities (Viewpoints 3, 10, 11, 26, 27 and 29). Whilst the Proposed Development would be visible from Viewpoints 28 and 30 at distances in excess of 16km, it would form a very small visual component in available views and the visual effect would be Not Significant. The viewpoint analysis in **Table 9.14** of **ES Chapter 9 Landscape and Visual (Volume 6.3) [APP-036]** identifies Major Significant visual effects extending to a distance of 1.5km (at Viewpoint 8) and Moderate Significant visual effects extending to a distance of 2.8km from the base of the Chimneys within the EfW CHP Facility (Viewpoint 12). The reference to Major Significant effects occurring at up to 2.9km is made in relation to Public Right of Way network 2) PRoWs west of Begdale: Crooked Bank/Narrow Drove/Broad Drove in **Appendix 9J** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** (pages 9J122 – 9J124). To add greater context to the statement made in the LIR, the assessment in Appendix 9J states that '*Over separation distances of 1.0 -2.9 km the magnitude of change would vary between Very Low and Medium, and the level of effect would be Major and Significant*', with the greatest level of effect reported in the final (right-hand) column of the assessment table. The viewpoint analysis therefore provides more accurate distance thresholds at which Major Significant become Moderate Significant.
5.3.13	The findings of the LVIA are that there are potential significant visual effects arising as a consequence of the construction of the development, the Councils have concerns regarding the sheer number and distribution of visual receptors that would experience adverse visual effects (a combination of Significant and non-Significant effects).	Paragraph 5.9.18 of NPS EN1 states: *"All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The [Secretary of State] will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project".*

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		It is not a balanced or accurate representation to simply describe the *"sheer number and distribution"* of visual Receptors that would experience adverse visual effects as the statement does not properly distinguish between Significant and Not Significant effects. The importance of identifying significant effects is set out in GLVIA 3 at paragraph 3.33 which states that "*it is not essential to establish a series of thresholds for different levels of significance of landscape and visual effects, provided it is made clear whether or not they are considered significant.'"* **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** at paragraph 9.12.3 sets out the summary of likely significant effects at construction and operation. The only residential Receptors that would experience significant visual effects during construction would be confined to two individual dwellings and part of the community of Begdale. The only recreational users that are predicted to experience significant visual effects would be people using localised parts of the Nene Way, NCR 63, Halfpenny Lane, a local PROW 'The Still' and a small group of local PRoW west of Begdale.
5.3.14	Many of the PRoW across the Study Area would allow users views of the EFW CHP Facility, with significant effects being identified at a distance of 2.9km from the site. Adverse visual effects during the construction phase would impact upon users on seven nationally promoted routes; National Cycle Route (NCR) 1, NCR 11, NCR 63, Nene Way, Ouse Valley Way, Hereward Way, and Fen Rivers Way.	Refer to Paragraph 5.9.18 of NPS EN1 (extract at 5.3.13 above) It is not an informative or an accurate representation to simply describe adverse visual effects during construction on seven nationally promoted routes, particularly when other representations for different Receptor groups, including road users at 5.3.15 below, identify where the Significant effects would be experienced. As summarised in Table 9.17 of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** there would be no effect during construction upon views experienced by users of the Fen Rivers Way, Ouse Valley Way and NCR 11 and only a Very Low Magnitude and a Minor and Not Significant effect on views experienced by users of the Hereward Way and NCR1. From the remaining two nationally promoted routes, the Significant effects upon views would be localised and restricted to uppermost construction activities i.e., from a localised section of NCR 63 on Begdale Road, and from a section of the Nene Way south of Wisbech.

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5.3.15	Users of the road network within the Study Area would experience various degrees of visibility of the EFW CHP Facility during construction with Significant visual effects identified for localised sections of the A47 and B198.	As summarised in Table 9.18 of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036],** with the exception of the significant effects experienced by users of localised sections of the A47 and B198 close to the Site, the magnitude of change experienced by other road users scoped into the assessment would typically be Very Low to Low. This assessment reflects the frequent presence of planting along many road corridors and intervening field boundaries where intermittent and fleeting views of the uppermost construction activities at the EfW CHP Facility would result in effects on visual amenity that are Not Significant.
5.3.16	Road users heading east on the A47 would approach Wisbech with the EFW CHP Facility, and hence its construction, being aligned within their direction of travel which would act as a waypoint within the landscape. Despite not being from the A47, the photomontage produced from viewpoint 13 gives an indication of the visibility of the construction of the development that would be likely on this main approach to Wisbech.	It is not agreed that Viewpoint 13 is representative of views from the A47. **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** at **Appendix 9I Viewpoint Assessment** at page 9I28 describes the visual receptor groups that are located at or close to Viewpoint 13 i.e. *"users of the long-distance footpath route and road users on North Brink (south-western end)".* The context of the A47 is described under the baseline view as: *"the busy A47 is located beyond the river and regular vehicle movements are apparent, typically backgrounded by planting that lies close to the road and is typically associated with the curtilage of buildings at Waldersea and Primrose Farms".* At page 9J140 of **Appendix 9J Visual Assessment Table** the assessment of visibility from this section of the A47 is described as: *"Once the A47 has crossed the River Nene and follows its southern side towards Wisbech, the uppermost construction and crane activities would align with travellers forward views. However, these views are only periodically open and along most of this section of the A47 the coalescence of roadside tree and shrub cover provides at least partial screening towards the EfW CHP Facility Site, Site visits including observation of the visibility of the 33m high Cold Store, strongly infer consistent views of the middle and upper-most construction and crane activities would typically only become available after the junction with South Brink, I.e. for ~600m up to the traffic island at the southern end of the B198."*
5.3.17	During the construction phase, visual receptors using the local minor roads to the east and south of the Proposed Development comprising North Brink – Bevis Lane to Barton	It is agreed that there would be up to a Low magnitude of change from these routes, and as set out at pages 9J167 to 9J173 in **Appendix 9J Visual Assessment Tables** in **ES Chapter 9 Landscape and Visual**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Road (B1542), Cox's Lane/Mile Tree Lane, and Redmoor Lane would sustain a Low magnitude of change with most views being of the construction of the upper parts of the boiler house building and the chimneys.	**Appendices (Volume 6.4) [APP-079]** that concludes that views of the construction of the upper parts of the boiler house and chimneys, would be intermittent in nature and where not fully screened by intervening development and/or planting, the magnitude would not exceed Low, even in winter months.
5.3.18	For the remainder of vehicular visual Receptors (the network of 'A', 'B' and minor roads across the remainder of the Study Area), there would be some limitation of visibility but there would still be locations from which transient views of the construction of the EFW CHP Facility would be possible.	The vehicular Receptors scoped into the assessment cover the agreed receptors where there would be potential for Significant visual effects. As set out in Table 9B.5 at page 9B12 of the LVIA methodology in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]**, road users are typically less susceptible to change, being assigned a Medium susceptibility to change, compared with more sensitive Receptors that are assigned a high susceptibility to change that include residents and users of recreational routes. The Planning Inspectorate advised a proportionate approach to the scoping of Receptors that sought to identify potentially significant effects as summarised at pages 9A4 and 9A5 in **Appendix 9A Consultation Response Summaries** in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079].** By contrast the Host Authorities requested an extension of the Study Area from a 5km to 17km radius and the inclusion of receptor assessment and photomontage viewpoints where there was no potential for significant visual effects and in some cases no opportunity for views of the Proposed Development e.g. from Peckover House and the centre of Wisbech (PINS agreed that photomontages from these locations were not required). The original 5km radius LVIA Study Area has proved to be adequate to identify all significant landscape and visual effects.
5.3.19	The LVIA acknowledges that the majority of communities outside the urban area of Wisbech would experience views of the development during the construction phase resulting in minor effects on the settlements of Friday Bridge, Emneth, Chequers Corner/Marshland St. James, The Smeeth/St. John Fen End, Terrington St. John/Tilney St. Lawrence, Walpole Highway, Walton Highway, West Walton, Walpole St Peter/Walpole St Andrew, Gorefield, Wisbech St.	Refer to Paragraph 5.9.18 of NPS EN1 (extract at 5.3.13 above) The effects identified upon communities outside the urban area of Wisbech would typically be Minor at most and Not Significant as set out in **Appendix 9J Visual Assessment Tables** in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079].**

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	Mary/Leverington Common, Guyhirn, Upwell/Outwell, Tydd St. Mary/St. Giles, Parson Drove/Murrow, and March. The LVIA assesses effects on these receptors as being Minor and not significant, which is a good indication of the wide-ranging visibility of the development across the countryside surrounding Wisbech.	
5.3.20	As people live within and move throughout this flat open landscape, there would be continuous opportunities for direct views of the construction of the upper sections of the main buildings and the chimneys of the EFW CHP Facility, constantly indicating the presence of Wisbech and this industrial elements within this otherwise overwhelmingly rural landscape.	Based on the evidence of visibility assessed in the field, recorded within **Appendix 9J Visual Assessment Tables** in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079],** it is inaccurate for CCC and FDC to state there would be "continuous opportunities" for "direct views" of the construction of the upper sections of the main buildings and chimneys of the EfW CHP Facility. Notwithstanding the intermittent opportunities for direct views the construction of the EfW CHP Facility plant would occur over a period of 24 months with the upper parts of the main building visible towards the end of this period. The tallest cranes required to raise the chimneys would only be present for 3 to 5 days as described at paragraph 3.8.43 of **ES Chapter 3 Description of the Proposed Development (Volume 6.2) [APP-030].** From the assessment of all visual Receptors scoped into the assessment the significant visual effects at construction would be restricted to a limited number of Receptors summarised at paragraph 9.12.3 of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036].** It is misleading for CCC and FDC to describe the landscape as "overwhelmingly rural" whilst not acknowledging the presence of other man-made vertical infrastructure in the rural landscape and the immediate built context of the Wisbech Industrial Estate. The baseline photography from the 30 viewpoint locations agreed with the Host Authorities shown in **ES Chapter 9 Landscape and Visual Figures 9.15i to 9.15x (Volume 6.3) [APP-054]**, **Volume 6.3 ES Chapter 9 Landscape and Visual Figures 9.15xi to 9.15xxi (Volume 6.3) [APP-055]** and **ES Chapter 9 Landscape and Visual Figures 9.15xxii to 9.15xxx (Volume 6.3) [APP-056]**, demonstrate that the landscape within the Study Area is not one in which there is an absence of other large scale or vertical infrastructure precedents. The landscape

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		is crossed by 400kV pylons, as evidenced at Viewpoints 8, 14, 16, 17, 20, 21, 23, 24 and 26; features wind turbines, as shown at Viewpoints 25 and 27; the Sutton Bridge Power Station (Viewpoint 27) and the 33m high Lineage Logistics cold storage facility to the east of the Site, which is visible from Viewpoints 5, 6, 8, 9, 16 and 19.
5.3.21	**Mitigations**: None identified.	Noted.
5.4 Landscape and Visual Impact Operational Phase		
5.4.1	**Positive**: None identified.	Noted.
5.4.2	**Neutral**: None identified.	Noted.
5.4.3	**Negative**: The Residential Visual Amenity Assessment (RVAA) concludes that the Residential Visual Amenity Threshold (RVAT) would not be breached for any of the 6 individual properties, or 2 groups of properties included within the assessment. However, having reviewed the RVAA for No. 10 New Bridge Lane and the development proposals it is considered that the RVAT would be breached for this property. The breaching of the threshold for what is considered an acceptable impact on the residents of a property, and the significant impact that the proposed development would have, therefore calls into question the overall acceptability of the scheme.	Given the concerns of the Host Authorities Consultant and the Host Authorities previously made in relation to 10 New Bridge Lane and the RVAT, following the 21/10/22 meeting, cross sections were prepared (**Figure CS1** and **CS2**) to clarify the relationship between the EfW CHP Facility and 10 New Bridge Lane and to compare a similar bungalow on New Bridge Lane (Potty Plants) with the existing Cold Store building. These were issued to the Host Authorities and their consultant on 02 November 2022 and a copy is provided as part of the Deadline 1 submission (**Volume 9.2 Part 9 Appendices**) [**REP1-036**]. The sections demonstrate that the Cold Store is much closer to Potty Plants than the EfW CHP Facility main building would be to 10 New Bridge Lane. Furthermore, the Cold Store occupies a greater vertical proportion of the view than the EfW CHP Facility main buildings in relation to 10 New Bridge Lane. The chimneys of the Proposed Development would occupy a slightly smaller vertical angle of view than the Cold Store from Potty Plants, however chimneys are slimline structures that have a lower potential to be considered overbearing, compared with the much greater bulk of a building. The cross sections support the ES analysis that the RVAT would not be breached between 10 New Bridge Lane and the proposed EfW main buildings and chimneys.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
5.4.4	The Bungalow at 10 New Bridge Lane is located 30m south of the boundary of the EfW CHP Facility Site and approximately 190m south of the chimneys and the main building. New Bridge Lane currently provides access to this dwelling and would be redeveloped to provide access to the EFW CHP Facility with the access located almost immediately adjacent to the access into The Bungalow.	The relationship between the existing access points to the bungalow and the proposed access to the EfW CHP Facility on New Bridge Lane is illustrated on **Figure 3.14 Outline Landscape and Ecology Strategy** in **ES Description of the Proposed Development Figures (Volume 6.3) [APP-049].** Table 9K.4 at page 9K39 and 9K40 of **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** provides further details. The access to the bungalow is located on the south side of New Bridge Lane. The proposed access to the EfW CHP Facility is located on the north side of New Bridge Lane opposite a timber outbuilding within the curtilage of No. 10 New Bridge Lane. The bungalow is located southeast of the access onto New Bridge Lane and would be enclosed by solid gates as part of the 3m high acoustic fence; secured by **Requirement 19 of the Draft DCO (Volume 3.1) [REP1-007].**
5.4.5	The RVAA sets out an accurate description of this property, and its juxtaposition with the site and the proposed EFW CHP Facility. This includes the following description of the predicted change in view as a consequence of the development: *"With a minimum separation distance of 190m, the southern elevation of the operational main building of the EfW CHP Facility would be the principal visual element in residents' northern views from windows in the northern elevation (likely to be bedrooms as opposed to principal rooms as defined in GLVIA3), the main entrance, driveway, and front garden.* *As well as the 90m high chimneys, the southern elevation would comprise the upper section of the boiler house (up to 52m high). To the right-hand side of the main building of the EfW CHP Facility there would be at least partial views of the 132kV switching compound, water treatment plant and turbine hall.* *A proportion of the intervening area beyond New Bridge Lane would be hardstanding used for the parking and*	This statement is as reported in Table 9K.4 of **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079].** The detailed Lighting Strategy is secured in Requirement 18 of the **Draft DCO (Volume 3.1) [REP1-007].**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	circulation of the delivery vehicles using the main entrance off New Bridge Lane and the section of New Bridge Lane to the north of the dwelling would be screened by the proposed 3m tall acoustic fence, replacing the existing low timber fence along the curtilage of the property. *As set out in Appendix 3A: Outline Lighting Strategy (Volume 6.4) these facilities would be subject to operational and security lighting requirements whilst generating increased levels of movement compared with the baseline."*	
5.4.6	The LVIA concluded that for this Receptor (High Sensitivity) would experience a High magnitude of change resulting in a Major effect that is Significant. When considering effects upon the Residential Visual Amenity the RVAA states that: *"The combined scale, height, and mass of the operational components of the main and ancillary buildings at the operational EfW CHP Facility combined with the vehicular movement in the relatively open, closer southern part of the EfW CHP Facility Site and the closest subsection of New Bridge Lane would dominate all northern views available from within the property and its driveway and curtilage."* and that: *"Their effect would be exacerbated by the openness of the view (following partial removal of intervening mature poplars and understorey scrub at the commencement of the construction phase) and movement of delivery vehicles using the main entrance off New Bridge Lane and the section of New Bridge Lane to the north of the dwelling would be partially screened by the proposed 3m high acoustic fence along the northern boundary of the property curtilage."*	The conclusions reported are correctly stated.

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5.4.7	It is considered that the proximity of the EfW CHP Facility, particularly the Boiler House and Chimneys, coupled with the intensification of vehicular movement along New Bridge Lane (including the additional lighting required alongside the entrance) would breach the Residential Visual Amenity Threshold (RVAT) by turning Number 10. New Bridge Lane into an unsatisfactory place to live.	The Applicant disagrees with CCC and FDCs conclusion that the RVAT would be breached for the reasons reported in Table 9K.4 of **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079],** at pages 9K39-9K41. See response in 5.4.3 above. An Outline Lighting Strategy in **ES ES Chapter 3 Description of the Proposed Development Appendix 3B (Volume 6.4) [APP-071]** has been produced to demonstrate how lighting associated with the Proposed Development would be designed to mitigate effects on nearby Receptors, including local residents. This is secured in Requirement 18 of the **Draft DCO (Volume 3.1) [APP-013]**. In summary lighting impacts would be controlled by photocells and timer switches to minimise the period that non-essential lighting is on including outside of normal operating hours. The design of LED lighting on columns would include appropriate deflectors and hoods to minimise light spill and glare. Views of the movement of vehicles would be substantially mitigated, although not eliminated by the 3m high acoustic fence that would be installed along the northern boundary of No. 10 New Bridge Lane; secured by Requirement 19 of the **Draft DCO (Volume 3.1) [REP1-007].**
5.4.8	The proximity, orientation, and outlook of this dwelling to the main entrance is also concerning. Occupants of Number 10. would have direct views from windows in the northern elevation of the property and oblique views from the north-western elevation, which contains the main entrance to the dwelling. Occupants coming in and out of the dwelling on a daily basis would step out of the property and be immediately presented with the EFW CHP Facility, as well as HGV lorries traveling along New Bridge Lane immediately outside of the gateway to the property. To mitigate noise associated with vehicle movement, a 3m high acoustic fence is required to be constructed as part of the DCO within the property of Number 10. This in itself would form a tall barrier along the northern boundary of the property with New Bridge Lane, enclosing the northern curtilage. However, it is important to note, that due to the height of the lorries these would still be visible above this fence.	The relationship between the existing access points to the bungalow and the proposed access to the EfW CHP Facility on New Bridge Lane is illustrated on **Figure 3.14 Outline Landscape and Ecology Strategy** in **ES Description of the Proposed Development Figures (Volume 6.3) [APP-049].** Table 9K.4 at page 9K39 and 9K40 of **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** provides further details. The access to the bungalow is located on the south side of New Bridge Lane. The proposed access to the EfW CHP Facility is located on the north side of New Bridge Lane opposite a timber outbuilding within the curtilage of No. 10 New Bridge Lane. The bungalow is located southeast of the access onto New Bridge Lane and would be enclosed by solid gates as part of the 3m high acoustic fence. Concerning vehicle movements and the acoustic fence see 5.5.7 above.

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5.4.9	As such the proximity of the passing HGVs to the dwelling (the house is just 30m south of the DCO boundary) in combination with the lighting, fencing etc surrounding the main entrance to the EFW CHP Facility are likely to be regarded as overly intrusive.	Concerning vehicle movements and the acoustic fence see 5.5.7 above. As reported in Table 9K.4 of **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079].** An Outline Lighting Strategy in **ES Chapter 3 Description of the Proposed Development Appendix 3B (Volume 6.4) [APP-071]** has been produced to demonstrate how lighting associated with the Proposed Development would be designed to mitigate effects on nearby receptors, including local residents. This is secured in Requirement 18 of the **Draft DCO (Volume 3.1) [APP-013]**.
5.4.10	The RVAA recognises the severity of the change to the front of the dwelling as a result of the development and goes as far as to suggest that the development would alter the manner in which the property would be used: *"However, its extent, height, and scale, considering the slender design of the chimneys, would dominate northern views and possibly influence the manner in which the northern, front portion of the garden would be used."*	It is noted that the front garden facing the Proposed Development to the north of the dwelling is currently not arranged to include a patio or seating area in contrast to rear garden that faces south away from the Proposed Development. The full context of the quotation is provided in the RVAA in **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** at page 9K41: *"As built development and/or vehicular activities would take place across 120-degree angle of view but would not intrude into the property's principal southern view, there would be no potential for residents to consider that they would be surrounded by the Proposed Development. However, its extent, height and scale, considering the slender design of the chimneys, would dominate northern views and possibly influence the manner in which the northern, front portion of the garden would be used."*
5.4.11	In reaching the conclusion that the RVAT is not breached, the applicant's RVAA relies on the relatively minor offset of this property from the main building (190m) and that the property is not surrounded by the development. However, the RVAA fails to consider the proximity of the dwelling to the main entrance of the facility, It is considered that as a result of the mass, scale, verticality and proximity of the main building (52m in height, 177m in length and 102m in width) and of the 2 chimneys (90m in height with a maximum width of 3.2m) combined with the proximity of the dwelling to the	The RVAA in **Appendix 9K** of **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** clearly considers the proximity of the dwelling to the main entrance of the facility and states at page 9K40 and 9K41: *"The combined scale, height, and mass of the operational components of the main and ancillary buildings at the operational EfW CHP Facility combined with the vehicular movement in the relatively open, closer southern part of the EfW CHP Facility Site and the closest subsection of New Bridge Lane would dominate all northern views available from within*

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	main entrance would continually reinforce (through vehicular movements, security lighting etc) the immediate proximity and presence of the EfW CHP Facility. This in turn would lead to the effects of the development on Residential Visual Amenity being of such a magnitude that it affects the living conditions of occupants.	*the property and its driveway and curtilage. Their effect would be exacerbated by the openness of the view (following partial removal of intervening mature poplars and understorey scrub at the commencement of the construction phase) and movement of delivery vehicles using the main entrance off New Bridge Lane and the section of New Bridge Lane to the north of the dwelling would be partially screened by the proposed 3m high acoustic fence along the northern boundary of the curtilage."* Taking all views from the property into consideration the RVAA concludes at page 9K41: *"As built development and/or vehicular activities would take place across 120-degree angle of view but would not intrude into the property's principal southern view, there would be no potential for residents to consider that they would be surrounded by the Proposed Development. However, its extent, height and scale, considering the slender design of the chimneys, would dominate northern views and possibly influence the manner in which the northern, front portion of the garden would be used. With a minimum separation distance of 190m to the southern elevation of the main building which would be at the same ground elevation as the property, it is assessed that its presence and operation would not be legitimately considered to be overbearing. The RVAA therefore concludes that the EfW CHP Facilities operation would not breach the RVAT of turning otherwise satisfactory dwellings into unsatisfactory places to live."*
5.4.12	Although views south from the southern elevation of the dwelling or from the rear garden the EfW CHP Facility would not be visible, given the single storey nature of the dwelling, when occupiers move around in the rear garden, the main building and the chimneys would be seen directly behind it towering above and dwarfing the bungalow reinforcing the proximity of this dwelling to this large industrial site.	As illustrated on the aerial photo extract in **Table 9K.4** at page 9K39 of **Appendix 9K – Residential Visual Amenity Assessment** (**ES Chapter 9 Landscape and Visual Appendices [(Volume 6.4) APP-079])** and supported by analysis from public locations along New Bridge Lane, it has been determined that the rear garden of Number 10 New Bridge Lane is centred on a small patio contained by the bungalow to the north and a rear flat roof extension to the east. Agricultural outbuildings and paddocks lie to the south of the garden and there is a driveway to the west. Consequently, given the small size and contained nature of views from the small rear garden we do not agree with the unsubstantiated analysis from CCC that as occupier moves around this small garden, the main building and chimneys could be readily seen above the bungalow.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		The Applicant had proposed that the ExA visits 10 New Bridge Lane as part of the Accompanied Site Inspection **[REP1-037],** but at this time considered the site visit could be carried out from New Bridge Lane with no access required within the boundary of the dwelling. Should the ExA wish to view the rear garden of this property to consider these unsubstantiated claims as part of the accompanied site visit, the Applicant would need to arrange access to the dwelling with the landowners consent.
5.4.13	**Negative**: Wider landscape and visual impacts: The operational EfW CHP Facility would have an urbanising influence from within a largely rural landscape where there is an absence of other large scale or vertical infrastructure precedents. Its presence would be infrequently emphasised when the plume would be visible.	For the Applicant's response on the on the baseline photography from the 30 viewpoint locations agreed with the Host Authorities, see 5.3.20 above. The assessments in **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** and E**S Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** recognise that the infrequent presence of the 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 on its own (i.e., in the absence of any visibility with the EfW CHP Facility) would not give rise to significant visual effects, nor would it tip the balance and lead to a not significant visual effect becoming a significant visual effect for those Receptors with views of the proposed EfW CHP Facility.
5.4.14	As demonstrated on the ZTVs potential visibility of the EFW CHP Facility extends across the entirety of the Study Area with the LVIA identifying Significant Major Adverse visual effects extending to distances of up to 2.9km from the site, (Bank/Narrow Drove/Broad Drove). The wide-ranging visibility of the Facility as it is constructed is supported by the photography and photomontage work undertaken by the Applicant which demonstrates visibility of the Boiler Building and Chimneys from locations on the very extent of the Study Area; Viewpoint 28: Welney Wildlife Trust Visitor Centre at	See response to 5.3.12.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	16.12km from the site and Viewpoint 30: Nene Washes NNR Car Park at Eldernell at 16.24km from site	
5.4.15	The LVIA concludes that there would be no change to the level of effect at Operation Year 15 in comparison with Operation Year 1, this is driven by the lack of any mitigation measures to provide any real-world mitigation of effects arising from the scale, mass, and visual prominence of the EfW CHP Facility within the surrounding landscape. As such it is considered that the comments as set out above for the construction phase are applicable to the operational phase and are not repeated here.	Noted. The design has sought to reduce the landscape and visual impact of the EfW CHP Facility building and the number and geographical extent of significant effects within the parameters of the functional requirements of the buildings. The **Design and Access Statement (Volume 7.5) [APP-096]** documents the design process and the options considered, adopted and dismissed in terms of mass, scale, roof profile and cladding materials.
5.4.16	An additional consideration is that during the operation phase the plume (when visible) would be an added detractor associated with the development. The Applicants have identified parameters for the plume, which is anticipated to be a height of 69m above the chimneys with a maximum potential length of 582m and visible for 7.2% of a year. This figure covers daytime and night-time hours. Given the urban location of the proposed EfW CHP Facility it is worth noting that during night-time hours should the plume be visible, it would also likely reflect the ambient light spill from the urban area of Wisbech below, illuminating the plume, making it apparent above the EfW CHP Facility and highlighting the presence of the facility from within the surrounding landscape intensifying its prominence.	There is no evidence to suggest that light spill within Wisbech would illuminate the periodic plume at a height of up to 69m above the 90m high chimneys. There would be no lighting on the chimneys that could illuminate the plume. An Outline Lighting Strategy in **ES Chapter 3 Description of the Proposed Development Appendix 3B (Volume 6.4) [APP-071]** has been produced to demonstrate how lighting associated with the Proposed Development would include measures to limit light spill and glare. This is secured in Requirement 18 of the **Draft DCO (Volume 3.1) [REP1-007]**.
5.4.17	The operational EfW CHP Facility would be visible from locations across the entirety of the study area. This wide-ranging visibility of the EFW CHP Facility is supported by the photography and photomontage work undertaken by the Applicant which demonstrates visibility of the Boiler Building and Chimneys from locations on the very extent of the Study Area; Viewpoint 28: Welney Wildlife Trust Visitor Centre at 16.12km from the site and Viewpoint 30: Nene Washes NNR Car Park at Eldernell at 16.24km from site. By virtue of its scale, mass and verticality, the EfW CHP Facility would have	The ZTVs for the chimneys in **Figures 9.2i** and **9.2ii** of **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]** and main building in **Figures 9.3i** and **9.3ii** of **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]** show areas within the LVIA Study area which lie outside of the ZTV. This includes large parts of Wisbech and the surrounding settlements, as well as around March, along the eastern periphery of the 17km Study Area and localised areas in between. It is therefore incorrect to state that the operational EfW CHP Facility would be visible from locations across the entirety of the Study Area.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	an urbanising influence across what is a largely rural landscape where there is an absence of other large scale or vertical infrastructure precedents. When present the EfW CHP Facility would be emphasised by the plume.	The theoretical visibility pattern indicated by the ZTVs has been supplemented by field appraisal and the visualisations figures presented **ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 [APP-058]**, **ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 [APP-059]**, **ES Chapter 9 Landscape and Visual Figures 9.33 to 9.39 [APP-060]** and **ES Chapter 9 Landscape and Visual Figures 9.40 to 9.46 [APP-061]** all of which are in Volume 6.3. These demonstrate that the Proposed Development would not be visible from six (20%) of the 30 viewpoint locations agreed with the Host Authorities (Viewpoints 3, 10, 11, 26, 27 and 29). Whilst the Proposed Development would be visible from Viewpoints 28 and 30 at distances in excess of 16km, it would form a very small visual component in available views and the visual effect would be Not Significant. It is misleading for the LIR to describe the landscape as '*overwhelmingly rural*' whilst not acknowledging the presence of other man-made vertical infrastructure in the rural landscape and the immediate built context of the Wisbech Industrial Estate. For the Applicant's response on the on the baseline photography from the 30 viewpoint locations agreed with the Host Authorities, see 5.3.20 above. The assessments **ES Chapter 9 Landscape and Visual (Volume 6.3) [APP-036]**.and **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079]** recognise that the infrequent presence of the 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 on its own (i.e., in the absence of any visibility with the EfW CHP Facility) would not give rise to significant visual effects, nor would it tip the balance and lead to a not significant visual effect becoming a significant visual effect for those Receptors with views of the proposed EfW CHP Facility.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
5.4.18	For residential receptors within the settlement (the LVIA identifies a group of 10 communities across the urban area of Wisbech including the pupils and staff at Thomas Clarkson Academy), the surrounding industrial, commercial, and retail built development in the Wisbech Industrial Estate provides some context to the development and to some extent provides screening. However, As recognised within the LVIA at 9.9.55, there would be opportunities for views, (even if limited to "a couple of streets" from the individual areas of Wisbech included within the assessment) from within the settlement itself, demonstrating the substantial visibility of the EFW CHP Facility.	The ZTVs in **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]**, clarification ZTVs provided as part of the Deadline 1 submission (**Volume 9.2 Part 9 Appendices) [REP1-036]** and visualisation figures for Viewpoints 10 and 11 within Wisbech presented in **ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 (Volume 6.3) [APP-058]** and **ES Chapter 9 Landscape and Visual Figures 9.25 to 9.32 (Volume 6.3) [APP-059]**, demonstrate the substantial lack of visibility of the Proposed Development from within Wisbech. It is therefore inaccurate to state that there would be '*substantial visibility of the EFW CHP Facility*' from within the settlement of Wisbech.
5.4.19	As people live within and move throughout this flat open landscape, there would be continuous opportunities for direct views of the upper sections of the main buildings and the chimneys of the EFW CHP Facility, constantly indicating the presence of Wisbech and this industrial elements within this otherwise overwhelmingly rural landscape.	Based on the pattern of theoretical visibility indicated in the ZTVs in **ES Chapter 9 Landscape and Visual Figures 9.1 to 9.14 (Volume 6.3) [APP-053]** and the evidence of visibility assessed in the field, recorded within **Appendix 9J Visual Assessment Tables** in **ES Chapter 9 Landscape and Visual Appendices (Volume 6.4) [APP-079],** it is inaccurate for CCC and FDC to state there would be '*continuous opportunities*' for '*direct views*' of the upper sections of the main buildings and chimneys of the EfW CHP Facility. From the assessment of all visual Receptors scoped into the assessment (89 visual Receptors have been assessed along with viewpoint assessments from 30 locations), the significant visual effects associated with the operational EfW CHP Facility would be restricted to a limited number of Receptors summarised in **Table 9.14** and at paragraph 9.12.3 of **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036].** It is misleading for CCC and FDC to describe the landscape as '*overwhelmingly rural*' whilst not acknowledging the presence of other man-made vertical infrastructure in the rural landscape and the immediate built context of the Wisbech Industrial Estate. For the Applicant's response on the on the baseline photography from the 30 viewpoint locations agreed with the Host Authorities, see 5.3.20 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
5.4.20	**Mitigations**: The Proposals include a series of Embedded mitigation measures, including: •The design and colour of the cladding used on the buildings. •Use of bellows that would be a maximum of 1.7m above ground level where located to the rear of residential properties. •The planting of trees, woodland, and hedgerows in the southern area of the EfW CHP Facility Site.	Detailed design approval for the Proposed Development is secured through Requirement 2 of the **Draft DCO (Volume 3.1) [REP1-007].** Landscape mitigation would be implemented through Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]** and thereafter managed in accordance with a landscape and ecology management plan secured through Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007].**
5.4.21	**Mitigations**: Design and Colour of Cladding: The Applicants state that the architectural design of the EFW buildings has sought to minimise overall scale, height, and massing within the functional requirements of the EfW CHP Facility. The effort to lower the height of the boiler house building from 55m to 52m is welcomed, however the overall scale and mass of the proposals cannot be understated, with the final dimensions of the main buildings and chimneys still substantial.	The dimensions of the EfW CHP Facility are determined by the functional requirements of the buildings. Para 5.9.21 of NPS EN1 states: '*Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.*' The **Design and Access Statement (Volume 7.5) [APP-096]** documents the design process and the options considered, adopted and dismissed in terms of mass, scale, roof profile and cladding materials to minimise the visual impact of the EfW CHP Facility building. .
5.4.22	The buildings with the EfW CHP Facility would be clad using a three coloured banding approach, using shades of grey that respond to the surrounding buildings on the industrial estate. Lower-level building elevations will be darker grey to create the effect of a unifying plinth throughout the site. Above the lower-level building elevations, there will be a	Detailed design approval for the Proposed Development is secured through Requirement 2 of the **Draft DCO (Volume 3.1) [REP1-007].**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	gradation through a mid-grey for medium level building elevations to a light grey for the boiler house building.	
5.4.23	At 52m tall and with its large mass, the Boiler House (along with the chimneys) would likely be the more visible element of the EfW CHP Facility, with views of the lower levels of the Facility more restricted. To help create additional visual interest on the higher parts of the EfW CHP Facility, the Applicant has included for the use of kinetic cladding on the upper sections of the Boiler House. Kinetic cladding can create shapes and patterns through the design and movement from the wind. The use of Kinetic panels would help provide a consistency with the chosen colour palette and shades but also produce a contrasting texture on the Boiler House to the other buildings.	See response to 5.4.22.
5.4.24	The intention behind the three banded cladding approach and the use of the kinetic panels is to help minimise the overall visual bulk of the buildings and to create cohesion across the various building elements. However, as demonstrated by the photomontages, given the overall scale and mass of the main buildings and chimneys, even at distances of 3km from the site the upper sections of the main building are clearly visible. Photowires have been produced for viewpoints within the wider landscape, but it is likely that despite the use of recessive colours and kinetic panelling, the main building and chimneys would be visually apparent.	See response to 5.4.22.
5.4.25	**Mitigations**: Maximum Height of CHP Connection Bellows: The CHP Connection consists of a pipe to export steam and one to return the condensate (water) to the EfW CHP Facility, electrical and data cables can also be accommodated. The steam pipe would be located on a steel structure approximately 1.6m to 1.7m in height. At the point at which it would cross Weasenham Lane it would be fixed to a pipe bridge measuring approximately 25m in length. The pipe bridge would have an approximate height of 7m, with a 5.5m clearance from the highway. Where the CHP	Noted. This is reflected in the Applicant's visual assessment presented in Appendix 9J of **ES Chapter 9 Landscape and Visual [(Volume 6.2) APP-036].**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Connection would be located to the rear of residential properties (properties on Oldfield Lane/Hillburn Road/Kingsley Avenue/Victory Road) the design has been amended from (up to) 6.7m high expansion loops to bellows that would be a maximum of 1.7m above ground level. This change is welcomed and would lead to a reduced impact upon the visual amenity experienced the nearby residential properties.	
5.4.26	**Mitigations**: Landscaping: Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.3) illustrates the locations of the proposed native planting that will be provided within the operational EfW CHP Facility Site. This landscape planting includes native shrub mix; native hedgerow with trees; native wet woodland, native species rich grassland, brown roof, and green walls. The full details of the final scheme will be based on the Outline Landscape and Ecology Strategy and would be subject to a DCO Requirement.	Landscape mitigation would be implemented through Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]** and thereafter managed in accordance with a landscape and ecology management plan secured through Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007].**
5.4.27	It is appropriately acknowledged within the LVIA that planting would take several years to become established. However, it is important to note that the LVIA does not rely upon the maturity of the proposed planting in assessing impacts and their effects relevant to Receptors at Year 15 of Operation. Furthermore, the LVIA acknowledges that the landscape mitigation planting (even upon reaching maturity after Year 15), would not attain sufficient height to provide any screening of the upper section of the boiler house building or the chimneys of the EfW CHP Facility and that as such there would be no variation in the assessments for any of the residential or community visual Receptor groups between Year 1 and Year 15.	This is reflected in the Applicant's visual assessment presented in **Appendix 9J** of **ES Chapter 9 Landscape and Visual (Volume 6.4) [APP-036]** and summarised in **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036].**
5.4.28	At the point at which the landscape mitigation is established, the trees and wet woodland would only partly screen ground and lower-level components and activities in the views of a small number of community visual Receptors located to the	See response to 5.4.27.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	south of the EfW CHP Facility Site. The assessment also shows that the principal contribution to the impacts that these visual Receptors would sustain would be from the presence of the upper parts of the main building and the chimneys as opposed to the lower components and ground level activities with effects at Year 15 (once the landscaping has established) being consistent as those identified at Year 1 of Operation.	
5.4.29	In essence, the scale and mass of the proposals results in the landscape mitigation not providing any mitigation of the impacts and effects associated with the development.	NPS EN-1, paragraph 5.9.8 states: '*Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate*.' The design has sought to reduce the landscape and visual impact of the EfW CHP Facility building and the number and geographical extent of significant effects within the parameters of the functional requirements of the buildings. The **Design and Access Statement (**V**olume 7.5) [APP-096]** documents the design process and the options considered, adopted and dismissed in terms of mass, scale, roof profile and cladding materials. Whilst the Operation Phase Year 15 assessments within **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036]** recognise the limited screening role that would be performed by the proposed tree and wet woodland planting within the southern part of the EfW CHP Facility Site, the planting nevertheless provides compensation for the existing trees and hedgerows which would be removed as part of the Proposed Development.
5.4.30	The size of the area needed for the built form for the EfW CHP Facility constrains the space available for landscaping within the site itself. The Proposed Development seeks to provide an overall biodiversity enhancement by delivering a positive BNG. Given the land constraints within the site, only a proportion of BNG would be able to be delivered in-situ and a proportion of ex situ contributions would be required	A biodiversity net gain strategy would be submitted and agreed through Requirement 6 of the **Draft DCO (Volume 3.1) [REP1-007].** The Applicant's response to the CCC and FDC's comments regarding BNG are set out in Table 8.1 of this document.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	which would need to be achieved through off-setting via collaboration with independent organisations.	
5.5 Landscape Impact Decommissioning Phase		
5.5.1	**Positive**: Following decommissioning of the EFW CHP Facility, the adverse landscape and visual effects on the character of the surrounding landscape and townscape associated with the proposals would no longer be present.	The identified landscape and visual effects would be long-term but reversible following the decommissioning of the EfW CHP Facility.
5.5.2	**Neutral**: None identified.	Noted.
5.5.3	**Negative**: The landscape and visual effects associated with the decommissioning phase are anticipated to be of a similar level to those identified for the construction phase works. However, decommissioning is anticipated to take a period of one year (see Chapter 3: Description of the Proposed Development, Section 3.11: Decommissioning (Volume 6.2), as opposed to the 3 years (36 months) required for construction. Despite effects occurring over 5a shorter period of time, the likely significance of effects relating to the construction phase assessment is applicable to the decommissioning phase.	This is reflected in paragraph 9.6.6 **ES Chapter 9 Landscape and Visual (Volume 6.2) [APP-036].**
5.5.4	**Mitigations**: None identified.	Noted.

7. Historic Environment (ES Chapter 10)

Table 7.1 Applicant's response to CCC and FDC's Historic Environment comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
6.1 Policy Context		
6.1.1	**Minerals and Waste Local Plan Policy 21: The Historic Environment** The Councils recognise the desirability of sustaining and enhancing the significance of heritage assets (and their setting); the wider social, cultural, economic, and environmental benefits that conservation of the historic environment can bring; the desirability of new development making a positive contribution to local character and distinctiveness; and the opportunities to draw on the contribution made by the historic environment to the character of a place. As such, all mineral and waste management proposals will be subject to the policy requirements set out in the NPPF, including striking an appropriate balance between harm and public benefit, but, as a first principle, development should avoid harm on the historic environment. To assist decision makers, all development proposals that would directly affect any heritage asset and/or its setting (whether designated or non-designated), must be accompanied by a Heritage Statement which, as a minimum, should: (a) describe and assess the significance of the asset and/or its setting to determine its architectural, historic, artistic or archaeological interest;	The **Planning Statement (Volume 7.1) [APP-091]** contains the Applicant's planning assessment of the Proposed Development against relevant national and local policy. Policy 21 is referred to at section 4.10.5. The assessment concludes that the Proposed Development would not result in significant effects upon heritage assets. **ES Chapter 10 Historic Environment (Volume 6.3) [APP-037]** describes and assesses the significant of assets and the impacts of the Proposed Development upon them, including cumulative. No harm is identified. **ES Chapter 10 Historic Environment (Volume 6.3) [APP-037]** records the baseline conditions with respect to sub-surface archaeology and peat and estuarine deposits with reference to baseline information which includes boreholes undertaken within the EfW CHP Facility Site. It concludes that effects would not be significant but proposes that a Written Scheme of Investigation is implemented, and which will be first agreed with the relevant planning authority. The WSI is secured through the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** which is itself secured through the **Draft DCO (Volume 3.1) Requirement 10 [REP1-007].**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	(b) identify the impact of the development on the special character of the asset (including any cumulative impacts); and (c) provide clear and convincing justification for any harm to, or loss of, the significance of a heritage asset (from its alteration or destruction, or from development within its setting). The level of detail in the Heritage Statement should be proportionate to the asset's significance and sufficient to understand the potential impact of the proposal on its significance and/or setting. Where appropriate, and particularly for minerals development proposals, the Heritage Statement must also consider: (d) the hydrological management of the site and the potential effects that variations in the water table or water flow patterns may have on known or potential archaeological remains. This assessment may be required to address an area beyond the planning application boundary; and (e) the potential for palaeolithic or later archaeology at depth, possibly making use of, where appropriate, a deposit model looking at the characteristics and distribution of deposits and natural landforms across the site and the likely potential for archaeology of all periods.	
6.2 Construction Phase Impacts		
6.2.1	**Positive**: None identified.	Noted.
6.2.2	**Neutral**: There are no scheduled monuments in Cambridgeshire that will be directly or negatively affected by the scheme. The Councils are pleased to see that new land take for the Grid Connection cable route will be limited, as the route has now largely moved to being in the verge of the	Noted. The design of the Proposed Development, including the Grid Connection, has minimised the potential for effects upon below ground archaeological remains.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	A47 where archaeological work has already taken place, thereby eliminating the need for archaeological evaluation and mitigation schemes.	
6.2.3	**Negative**: Construction phase will be temporary so no impacts, over and above impacts relating to the operational phase have been identified.	Noted.
6.2.4	**Mitigations**: As explained in 7.3 of CCC and FDC's RR, the Councils consider that any Written Scheme of Investigation (WSI) for archaeology must be led by a brief prepared by CCC's Historic Environment Team to ensure that the county's archaeological priorities and requirements are met, which should be responded to by the appointed archaeological contractor.	In consultation with CCC it was agreed that two geoarchaeological boreholes would be implemented as mitigation prior to construction. This was agreed at a meeting on 19 October 2022 and the scope of this will be set out in a Written Scheme of Investigation (WSI) to be first agreed with the relevant planning authority, and in accordance with a brief to be prepared by CCC's Historic Environment Team. The WSI, including these stipulations, is secured through the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** which is itself secured through the **Draft DO (Volume 3.1)** Requirement [**10 REP1-007]**.
6.2.5	The Outline Construction Environmental Management Plan (Volume 7.12) contains a section for the Historic Environment at 5.9. For this scheme, it is satisfactory but requires an additional note to ground crews in the event of discovering human remains as the treatment of human remains is protected by law, specifically the Burial Act of 1857 and the disused Burial Grounds Act of 1884 (amended 1981).	The **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** has been amended at sections 5.9.4 and 5.9.5, to refer to the **Draft DCO (Volume 3.1) [REP1-007],** which includes measures to ensure compliance with the Burial Act (1857) and the disused Burial Grounds Act (1884, amended 1981).
6.2.6	With reference to section 7.4 of the RR, monitoring and recording of the mixed freshwater and marine deposit sequence should be undertaken with the objective of seeking incipient soils indicative of drier land conditions able to host human activity and by researching the surfaces of roddonised prehistoric river channels. Therefore, geoarchaeological boreholes should be included in a mitigation strategy within the CEMP.	As noted at the response to 6.2.4, this will be secured through the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** in Requirement 10 of the **Draft DCO (Volume 3.1) REP1-007]**.
6.3 Operational Phase Impacts		

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
6.3.1	**Positive**: None Identified	Noted.
6.3.2	**Neutral**: None identified	Noted.
6.3.3	**Negative**: Whilst the proposed development is unlikely to impact directly on the various heritage assets that are concentrated in and around Wisbech Town Centre, it is considered that the presence of the facility will represent a detractor for visitors to the town. The form of the development is purely function driven and no attempt has been made to make its appearance more attractive from an architectural point of view. Whilst it is accepted that the area is already industrial in appearance, the scale of the proposed development means that its presence will be far more obvious.	In accordance with policy and guidance (as described in Section 10.3 of **ES Chapter 10 Historic Environment (Volume 6.2) [APP-037]**) the assessment of effects on Wisbech Conservation Area was carried out with reference to the heritage significance of the asset, rather than with regard to the visitor experience. The heritage significance of Wisbech Conservation Area, the nature of its setting and contribution to the same and the importance of particular views are set out in Section 10.9 of **ES Chapter 10 Historic Environment (Volume 6.2) [APP-037].** This includes a description of the individual character areas within the conservation area including the Brinks, with a photomontage from Elgood's Brewery on North Brink (Figure 9.23b Viewpoint 7, Volume 6.3 **ES Chapter 9 Landscape and Visual Figures 9.17 to 9.24 (Volume 6.4) [APP-058])** showing the greatest extent of visibility from within the conservation area. A photomontage from the northern end of North Brink at the Grade I listed Peckover House (Figure 9.26b Viewpoint 10, in **ES, Chapter 9, Landscape and Visual Figures 9.25 – 9.32 (Volume 6.3) [APP-058])** in which the EfW CHP Facility buildings would not be visible was also included within the ES. Taking account of the heritage significance of the conservation area as a whole and the identified key views within and out from it, and the context of the existing industrial estate including large logistics buildings, that the effect on this asset would not be significant. Consideration of the potential for the Proposed Development to detract, indirectly from tourism within the Study Area is provided within **ES Chapter 15 Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042].** For comments on the design evolution of the EfW CHP Facility, see response to 5.1.2 above.
6.3.4	In his 'Buildings of England' Pevsner describes Wisbech and the North and South Brinks as follows "Wisbech is one of the most attractive towns of east Anglia". The District Council	In accordance with policy and guidance (as described in Section 10.3 of **ES Chapter 10 Historic Environment (Volume 6.2) [APP-037]**) the assessment of effects on Wisbech Conservation Area was carried out

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	and partners have run a number of initiatives that have their foundation on making the most of the quality of the buildings to lift and regenerate the town. The construction of a large and unsympathetically designed structure at the entrance of the town is likely to act as a barrier to people visiting the town and experiencing its quality of place.	with reference to the heritage significance of the asset, rather than with regard to the visitor experience. Consideration of the potential for the Proposed Development to detract, indirectly from tourism within the Study Area is provided within **ES Chapter 15 Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042]**. This considers the potential for effects upon the visitor experience at visitor attractions in the town and concludes that those historic attractions which have a visitor or tourist role: Elgoods Brewery; the Wisbech Conservation Area; and Peckover House Grade II Registered Park and Garden have a particular tourism or recreational offer which is not likely to be affected by the Proposed Development. Effects are considered to be not significant.
6.3.5	Although there may only be glimpsed views of the highest parts of the facility from the town centre, it will be highly visible from every entrance route in to Wisbech. Visitors will be aware of the presence which could, to an extent, detract from their enjoyment of the Georgian character of the central area.	Please see response to 6.3.4 above.
6.3.6	**Mitigation**: None identified.	Noted.
6.4 Decommissioning Phase Impacts		
6.4.1	**Positive**: Following decommissioning the detrimental effect that the presence of the facility will have on the town would be removed.	Noted.
6.4.2	**Neutral**: None Identified.	Noted.
6.4.3	**Negative**: None identified.	Noted.
6.4.4	**Mitigations**: None identified.	Noted.

8. Biodiversity (ES Chapter 11)

Table 8.1 Applicant's response to CCC and FDC's Biodiversity comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.2 Policy Context		
7.2.1	In Cambridgeshire, biodiversity policies are included within FLP, EFLP and MWLP.	Noted.
7.2.2 – 7.2.5	**FLP (adopted May 2014):** The FLP recognises the importance of biodiversity present within the district. An objective of the plan is to avoid damage to designated sties and protected species and maintain / enhance the geographical range, amount and viability of habitats and species (para 2.4.2). This is primarily covered by LP19, but also referenced within policies LP16 and LP14. Policy LP19 seeks to protect and enhance sites designated for their international, national, or local importance for biodiversity. It also states that permission will be refused "for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity". It also promotes preservation, restoration and re-creation of priority habitat and species and *"ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments".* Policy LP16 (page 72) states that all new development… *"will only be permitted if it can be demonstrated that the proposal meets all of the following relevant criteria…. (b) protects and enhances biodiversity on and surrounding the proposal site, taking into account locally designated sites*	Policy LP16 and LP19 of the Fenland Local Plan (adopted) is referenced in **Table 11.4** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]**. Policies LP14, LP16 and LP19 are referenced in **Table B.3** within the **Planning Statement (Volume 7.1) [APP-091]**, which references LP16 at section 4.6 (Biodiversity and Geological Conservation). The Planning Statement concludes that the Proposed Development is compliant both with local and relevant national policy relating to biodiversity including the Government's commitment to BNG. As set out in Section 11.5 of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** the Proposed Development avoids sites designated for their international, national, or local importance to biodiversity, and **Table 11.15** summarises that the Applicant's assessment concludes that there would be no significant effects on any designated sites within the Zone of Influence of the Proposed Development. **Table 4.6** and **Section 5** of the **Habitats Regulations Assessment No Significant Effects Report (Volume 5.3) [AS-007]** summarises that there would be no likely significant effects on European designated sites and their qualifying features as a result of the Proposed Development. Environmental measures have been embedded into the Proposed Development to avoid and minimise impacts on biodiversity as set out in **Section 11.7** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** and **Table 11.15** summarises that the Applicant's assessment concluded there are no significant effects on any protected or notable species or habitats which are within the Zone of Influence of the Proposed Development. Embedded environmental measures pertaining to the

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	and the special protection given to internationally and nationally designated sites, in accordance with Policy LP19; (c) retains and incorporates natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies." Policy LP14 (page 65) states that renewable energy proposals will be *"assessed both individually and cumulatively on their merits taking account of the following factors"* including *"biodiversity considerations".*	protection of species and habitats within and surrounding the Proposed Development are secured through the **Draft DCO (Volume 3.1) [REP1-008]** Requirement 4 (Biodiversity Landscape Mitigation), Requirement 5 (Landscape and Ecology Management Plan) and Requirement 10 (Construction Environmental Management Plan). **Section 11.10** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** outlines habitat retention and creation and complementary biodiversity features that the Proposed Development would provide. **Section 11.10** also describes how these habitat features have been designed to align with strategic local habitat priorities, provide connectivity with surrounding habitats, and provide sustainable habitat features for species which occur in the locality. The proposed habitat creation is shown on **Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.3) [APP-049]** (secured by Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]**) while the methods for creating, managing and monitoring habitats and complementary biodiversity features are described in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** (to be secured by Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007]**). A biodiversity net gain (BNG) assessment for the Proposed Development and the Applicant's commitment to deliver BNG is set out in **Environmental Statement Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4) [AS-009]**, to be secured by Requirement 6 of the **Draft DCO (Volume 3.1) [REP1-007]**. A cumulative effects assessment for biodiversity has been undertaken and the results set out in **Section 18.8** of **ES Chapter 18 Cumulative Effects (Volume 6.2) [APP-045]** identify no significant effects.
7.2.6 – 7.2.9	**EFLP 2021-2040 – Draft Local Plan Consultation (August 2022)** The EFLP expands on protection and enhancement of biodiversity within policies LP24 and LP25, and is also linked	The Emerging Fenland Local Plan was published for consultation following the submission of the DCO Application. As such, it is not referenced in **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** nor is it addressed within the **Planning Statement (Volume 7.1) [APP-091]**.

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	to LP6 and LP7, whilst the emerging plan does not carry much weight in the planning balance at this point, it is noted because the new plan is likely to be adopted within the period that this proposal, if given consent, is operational. Policy LP24 sets out measures to protect international, national, and local sites of biodiversity interest, Goose and Swan Functional Land Impact Risk Zone and Habitats and Species of Principal Importance. All development is also required to: • conserve and enhance the network of habitats, species, and sites (statutory and non- statutory) • avoid negative impacts on biodiversity • deliver net gain in biodiversity • protect and enhance the aquatic environment within / adjoining the site. Policy LP25 require all development proposals to deliver a *"minimum 10% biodiversity net gain",* which should follow the mitigation hierarchy. LP7 policy requires all development to *"incorporate and retain as far as possible existing natural features including hedgerows, trees, and ponds particularly where these features offer a valuable habitat to support biodiversity".*	The Applicant's refers to their response at paragraphs 2 to 6 of 7.2.2 to 7.2.5, above.
7.2.10	**Cambridgeshire and Peterborough Minerals and Waste Local Plan (adopted July 2021)** Policy 20 of the MWLP requires all development proposals to: • conserve and enhance the network of geodiversity, habitats, species and sites (both statutory and non-statutory)	Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan is referenced in **Table 11.4** of **Volume 6.2 ES Chapter 11 Biodiversity [AS-008]**, and in **Table B.1** within the **Planning Statement (Volume 7.1) [APP-091]** and at section 4.6 (Biodiversity and Geological Conservation). The Planning Statement concludes that the Proposed Development is compliant both with local and relevant national policy relating to biodiversity including the Government's commitment to BNG.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	• "deliver a measurable net gain in biodiversity, proportionate to the scale of development proposed, by creating, restoring and enhancing habitats and enhancing them for the benefit of species" • where adverse impacts are unavoidable, they must be adequately and proportionately mitigated. "If full mitigation cannot be provided, compensation will be required as a last resort where there is no alternative".	
7.3 Construction Phase Impacts		
7.3.1	**Positive**: None identified.	Noted.
7.3.2	**Neutral**: None identified.	Noted.
7.3.3	**Negative**: Nene Washes SAC/SPA/SSSI and Ouse Washes Ramsar/SAC/SPA/SSSI The potential impact for vehicle emissions during the construction phase could lead to negative effects on supporting habitats within the Nene Washes SAC/SPA/SSSI and Ouse Washes Ramsar/SAC/SPA/SSSI. The Councils are satisfied this minor effect will not result in a detectable change in the integrity of these wildlife designations.	Noted. The Applicant's assessment of effects on designated sites which is summarised in **Table 11.15** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** concludes that there would be no significant effects on any designated sites within the Zone of Influence of the Proposed Development, which included air quality effects. **Section 4.3** of the **Habitats Regulations Assessment No Significant Effects Report (Volume 5.3) [AS-007]** assesses the effect of air quality changes, and **Table 4.6** and **Section 5** summarises that there would be no likely significant effects on European designated sites and their qualifying features as a result of the Proposed Development.
7.3.4	**Negative**: River Nene County Wildlife Site. The ES has identified that emissions during the construction phase will have an adverse effect on the habitats of the River Nene County Wildlife Site, but it would not result in a detectable change in the integrity of this wildlife designation. Although the Councils are satisfied this effect will be Not Significant, there will still be an impact.	The Applicant's assessment of effects on designated sites which is summarised in **Table 11.15 ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** concludes that there would be no significant effects on any designated sites within the Zone of Influence of the Proposed Development, which included air quality effects. **Section 11.9.75** of **ES Chapter 11 Biodiversity** describes that the section of the River Nene County Wildlife Site (CWS) within 2km of the Proposed Development is canalised with narrow banks contained within flood defence walls. Bankside vegetation is predominantly tall ruderal vegetation consisting of

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		common and widespread species. The river is tidal in this area with tidal scouring and high turbidity, and exposed mud margins at low tide, and is therefore unlikely to support the macrophyte interest features that the CWS is designated for which could be sensitive to air pollution changes.
7.3.5	**Negative**: Priority habitat – Open Mosaic Habitat on Previously Developed Land - Chapter 11: Biodiversity [AS-008] (pages 11-117 to 11-118) of the Environmental Statement identifies the loss of 0.59 hectares of scrub within the CHP Connector Corridor during construction (0.43ha permanent)	The habitat present does not meet the criteria to qualify as priority habitat 'open mosaic habitat on previously developed land' at either a national level (Habitat of Principal Importance listed pursuant to Section 41 of the Natural Environment and Rural Communities Act 2006 (as amended), described by the UK Biodiversity Action Plan Priority Habitat Descriptions[1]) or at a local level (Cambridgeshire and Peterborough County Wildlife Site habitat definitions[2]). The habitat present is therefore not considered to be open mosaic habitat on previously developed land. The Applicant set out this response to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by CCC and FDC; attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022.
7.3.6	The author describes the scrub along the CHP Connection Corridor as *"interspersed with areas of open ephemeral/short-perennial vegetation and patchy grassland associated with the track bed of the disused March to Wisbech Railway"* (paragraph 11.9.82, page 11-117). This appears to describe the Open Mosaic Habitat on Previously Developed Land, which is a mosaic of different habitats on brownfield sites, rather than scrub.	See response to 7.3.5 above.
7.3.7	Open Mosaic Habitat on Previously Developed Land is a habitat of principal importance for the conservation of biodiversity in England and therefore a priority habitat. The Councils are concerned there may be a permanent loss of this priority habitat and therefore seek further clarification	See response to 7.3.5 above.

[1] BRIG (ed. Ant Maddock) 2008. UK Biodiversity Action Plan; Priority Habitat Descriptions: Open Mosaic Habitats on Previously Developed Land (Updated July 2010). Online, available at: https://data.jncc.gov.uk/data/a81bf2a7-b637-4497-a8be-03bd50d4290d/UKBAP-BAPHabitats-40-OMH-2010.pdf [Accessed 17/03/2023].
[2] The Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire (2014). Cambridgeshire and Peterborough County Wildlife Sites -Selection Guidelines, version 6.2. Online, available at: cambridgeshire.gov.uk/asset-library/Cambridgeshire-and-Peterborough-Wildlife-Sites-Selection-Criteria-2014.pdf [Accessed 17/03/2023].

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	from the Applicant if the *"scrub"* habitat along the CHP corridor meets the criteria for this priority habitat.	
7.3.8	If Open Mosaic Habitat on Previously Developed Land is confirmed within the site, the Councils seek that any unmitigated losses on this habitat be addressed through an amendment to the Outline Landscape and Ecology Management Plan [APP-098]. If this is not possible, the Council seeks this be sought by a requirement for off-site compensation, in accordance with NPS EN-1, which states that *"IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations"* (paragraph 5.3.17).	See response to 7.3.5 above – habitat present does not qualify as priority habitat 'open mosaic habitat on previously developed land'.
7.3.9	**Negative**: Bats – Chapter 11: Biodiversity (pages 11-123 to 11-125) [AS-008] identifies potential adverse effects on bats due unavoidable temporary and permanent loss of suitable habitat (e.g. shrub and hedgerows). It is proposed that these effects have been minimised through scheme design and compensated through the re-instatement of temporarily lost habitat and proposed habitat creation, as set out in the Outline Landscape and Ecology Management Plan [APP-098]. In addition, the Outline CEMP [APP-103] includes measures to protect bats during construction, including pre-commencement surveys.	Noted. The Applicant's assessment of effects on bats which is summarised in **Table 11.15 ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** concludes that there would be no significant effects on bats within the Zone of Influence of the Proposed Development. The submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England confirms agreement that "*there are currently no protected species constraints (such as bat roosts, water vole burrows or badger setts) within the Order Limits*" and that the "*measures set out in **ES Chapter 19, Schedule of Mitigation and Monitoring (Volume 6.2) [APP-046]** are appropriate for mitigating the Proposed Development's effects on biodiversity.*"
7.3.10	Chapter 11: Biodiversity (pages 11-123 to 11-125) [APP-038] identifies potential adverse effects on bats due noise / vibration / lighting associated with construction and possibly the operational phases. The assessment proposes embedded mitigation in the form of protection of retained habitats, as set out in the Outline CEMP [APP-103] and sensitive lighting design, as set out in the Outline Lighting Strategy [APP-071].	See response to 7.3.9 above.

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7.3.11	The Councils are satisfied these effects will be Not Significant, subject to the production and implementation of detailed CEMP, detailed Landscape and Ecology Management Plan and detailed Lighting Scheme. These will be secured through DCO requirements 5, 10 and 18 [APP-013].	Noted. See response to 7.3.9 above.
7.3.12	**Negative**: Water Vole – The Councils are concerned that the survey work for Water Vole is incomplete. The ditches along the majority of the Grid Connection along the A47 have not been surveyed and therefore, it is not possible to determine the level of impact to Water Vole. It is noted that *"these ditches only became included in the 100m ditch area of search following confirmation of the Order limits that occurred after the end of the water vole survey period in 2021"* (paragraph 11.9.141, page 11-127 [AS-008]). The Councils consider this is not a reasonable explanation for lack of survey effort, given the Applicant has had an opportunity to complete the additional surveys in 2022. Therefore, the Council ask for these surveys to be completed during the 2023 survey season, prior to the conclusion of the examination period.	All ditches which would be directly affected by the Proposed Development were surveyed for water vole. Ditches along the A47 are likely to be suboptimal for water vole due factors such as road run-off and litter. HSSE risks associated with surveying along the verge of a busy A-road preclude safe access for surveys. Environmental measures have been embedded into the Proposed Development to avoid and minimise impacts on water voles as set out in **Section 11.7** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008].** These measures include stand-off zones around watercourses and pre-construction surveys and would be secured through the **Draft DCO (Volume 3.1) [REP1-007]** Requirement 10 (Construction environmental management plan). In view of these points, additional survey work would not alter Applicant's assessment or mitigation proposals set out in **ES Chapter 11 Biodiversity**. The Applicant set out this response to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by CCC and FDC, and the attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022. The submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England confirms agreement that "*The habitat and species surveys carried out and reported in **ES Appendices D-L (Volume 6.4) [APP-081 to APP-083]** are appropriate and sufficient for determining the baseline conditions, in accordance with relevant and current good practice*" and that "*there are currently no*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		protected species constraints (such as bat roosts, water vole burrows or badger setts) within the Order Limits".
7.3.13	Chapter 11: Biodiversity (pages 11-127 to 11-129) [AS-008] identifies loss of sub-optimal water vole habitat as a result of permanent and temporary works to ditches D24 / D26, including foraging grounds and a possible burrow (on D24). The Councils agree that the low population of Water Vole found on D24 will be sensitive to loss of habitat within the territories (paragraph 11.9.152, page 129). There is also the potential presence of water vole on ditch D8, which will also be affected (temporarily) by the works.	Noted. **Section 11.9.157** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** states that there was no evidence of active water vole burrows on ditch D24. The habitat measures set out in response to 7.3.15 below would provide additional suitable habitat for water voles adjoining ditch D24. **Section 3.2.5** and **Table 11I.4** of **ES Chapter 11 Biodiversity Appendix I Water Vole Survey (Volume 6.4) [APP-083]** states that the habitat along ditch D8 is unsuitable for water vole. Although a potential burrow was identified, rat droppings were recorded outside of the burrow and no evidence of water vole was recorded, so was considered likely that the burrow is used by rats. On this basis the survey data does not suggest that there is a potential presence of water vole on ditch D8.
7.3.14	The Councils consider the measures to protect Water Voles at section 4.7 of the CEMP [APP-103] are inadequate. The Councils would expect the CEMP to clearly set out a method statement for dealing with ditches supporting Water Vole (e.g. D24/D26/D8). This should include methodology for displacement / translocation works, and requirement for the creation of mitigation/ compensation habitat prior to any works to the ditches.	**Section 11.9.157** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** sets out that no evidence of active water vole burrows was recorded within the construction footprint within the Order limits. In the absence of active water vole burrows, and following the control measures set out in the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024** and associated **Appendix D Outline Ecological Mitigation Strategy** (that would be secured through the **Draft DCO (Volume 3.1)** Requirement 10 **[REP1-007]**), it is unlikely that there would be direct impacts on water voles or contravention of associated legislation. Therefore, there is no justification for licensable mitigation in the form of displacement/translocation works. Permanent habitat loss would affect a small area of suboptimal water vole habitat where habitat of similar or higher suitability for water voles is extensive and well-connected within the locality which would be unaffected by the Proposed Development. The Applicant is unable to enhance existing ditches within or around the EfW CHP Facility Site as the ditches are under the management of the Internal Drainage Board (IDB). The **Outline Construction Environmental Management Plan**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		and accompanying **Appendix D Outline Ecological Mitigation Strategy (Volume 7.12) [REP1-024]** includes measures to protect retained ditch habitat during construction. This is supported by the submitted **Natural England SOCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England confirms agreement that: • "***ES Appendices E-L (Volume 6.4) [APP-082** and **APP-083]** support that there are currently no protected species constraints (such as bat roosts, water vole burrows or badger setts) identified within the Order Limits. There is, therefore, currently no reason to agree draft licence application(s) with Natural England or obtain an associated Letter of No Impediment*"; and that: • "*The measures set out in the **Outline Construction Environmental Management Plan** and accompanying **Appendix D Outline Ecological Mitigation Strategy (Volume 7.12) [APP-103]** are appropriate for mitigating the Proposed Development's effects on biodiversity during construction of the Proposed Development.*"
7.3.15	The Outline LEMP (paragraph 3.2.25, page 17 [APP-098]) states that an objective of the Sustainable Urban Drainage will *be "to create a range of wetland features to encourage species such as amphibians, aquatic invertebrates, and water voles there is cursory mention of to water voles."* However, the Councils are concerned there is no specific provision to provide mitigation / compensation for loss of Water Vole habitat within the Outline LEMP. This scheme will result in displacement of individual Water Voles into the surrounding ditches, which are also sub-optimal for Water Vole and unlikely to provide sufficient resources to support additional Water Vole. Therefore, the Councils consider that the scheme is likely to result in a residual adverse effect on Water Vole.	The Proposed Development has been designed to minimise loss of ditch habitat, with open sections of ditch retained within the EfW CHP Facility Site where possible. Permanent habitat loss would affect a small area of suboptimal water vole habitat where habitat of similar or higher suitability for water voles is extensive and well-connected within the locality which would be unaffected by the Proposed Development. Culvert designs would allow continued mammal passage along ditches. Surface water runoff from the EfW CHP Facility Site would be via interceptors that would discharge to green-field run-off rates. In terms of providing habitat enhancements, the Applicant is unable to enhance existing ditches within or around the EfW CHP Facility Site as the ditches are under the management of the IDB. The proposed habitat creation for the EfW CHP Facility Site shown on **Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.3)**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		[APP-049] (to be secured by **Draft DCO (Volume 3.1)** Requirement 4 **[REP1-007]**) includes a range of new habitat creation that would be beneficial to water voles by providing enhanced opportunities for foraging and burrow creation, including: • Species-rich neutral grassland adjacent to existing ditches; • A Sustainable urban Drainage System with a permanent attenuation pond and temporarily wet swale and attenuation basin, with species-rich wet grassland margins; and • An area of wet woodland. The methods for creating, managing and monitoring these habitats for the lifetime of the Proposed Development are described in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** (to be secured by Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007]**). Permanent loss of ditch habitat would be compensated through off-site habitat measures as part of the BNG proposals for the Proposed Development, which would provide a net gain in ditch habitat, as outlined in **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4) [AS-009]** (to be secured by **Draft DCO (Volume 3.1)** Requirement 6 **[REP1-007]**). The Applicant set out the habitat and enhancement measures with respect to water voles to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by CCC and FDC, and the attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022. This is further supported by the submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England which confirms agreement that: • "*The measures set out in **ES Chapter 19, Schedule of Mitigation and Monitoring (Volume 6.2) [APP-046]** are appropriate for mitigating the Proposed Development's effects on biodiversity*"; and that

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		• "*The measures set out in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** are appropriate for mitigating the Proposed Development's effects on biodiversity with respect to creation and management of habitats.*"
7.3.16	Water Vole is a protected species and also a species of principal importance for the conservation of biodiversity in England (priority habitat). Therefore, the Councils seek that the unmitigated losses on this species be addressed through the revision of the proposed Outline Landscape and Ecology Management Plan [APP-098].	See response to 7.3.15 above.
7.3.17	If this is not possible, the Councils seek that this addressed through requirements, in accordance with NPS EN-1, which states that *"IPC should ensure that these species [priority species] and habitats are protected from the adverse effects of development by using requirements or planning obligations"* (paragraph 5.3.17).	See response to 7.3.15 above.
7.3.18	**Negative**: Biodiversity Net Gain (BNG) – The BNG assessment uses a calculation of habitat losses and gains as a proxy to demonstrate whether a scheme will deliver measurable net gain in biodiversity value.	The submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England records the agreement that "*The use of Natural England's Biodiversity Metric V3.0 for the assessment of the Proposed Development was appropriate*."
7.3.19	The Councils welcome the submission of a BNG Assessment [AS-009] by the Applicant, which confirms the scheme will result in the net loss in biodiversity value for all three categories of habitat – 10% loss of area-based units, 21.6% loss of linear-based habitats (e.g. hedgerows and lines of trees) and 11.8% loss of river units (e.g. wet ditches) (pages 11M1).	Noted. The percentage loss reported in **Section 3.2** of **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4 6.4) [AS-009]** is for on-site biodiversity change at the post-intervention stage. The Applicant has sought to maximise on-site biodiversity gains for the Proposed Development where this is achievable. **Section 3.3** therefore identifies that off-site biodiversity gains would be required to provide BNG for the Proposed Development and models examples of off-site habitat measures that would provide 10% across area-based, linear-based and river units while satisfying the BNG trading rules. **Section 4.2** sets out options for the Applicant to secure off-site biodiversity gains for the Proposed Development to provide BNG.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		The Applicant has consulted with Bedfordshire, Cambridgeshire and Northamptonshire Wildlife Trust, the Wildfowl and Wetlands Trust, RSPB and a commercial provider of BNG units, and is in the process of setting up meetings with the relevant local authorities and Natural England to identify potential off-site opportunities for delivering BNG. Further details can be found in the **Applicant's response to the ExA's Written Questions (ExQ1) – Appendix 10.2C Biodiversity Net Gain: Next Steps March 2023 update (Volume 10.2).**
7.3.20	The scheme will therefore result in measurable loss of overall biodiversity value. This does not accord with Policy LP16 of the FLP which states all new development will only be permitted if it *"protected and biodiversity on and surrounding the proposal site".* It also does not accord with policy 20 of the MWLP, which requires all development to deliver measurable biodiversity net gain proportionate to the scheme of the development. This should be a minimum of 10% BNG, in accordance with policy LP25 of EFLP.	See response to 7.3.19 above. The Applicant will provide a minimum of 10% biodiversity net gain (consisting of both on-site and off-site measures) and will update Requirement 6 in the draft DCO to make this clear. Therefore, the Proposed Development is compliant with policy 20 of the MWLP and policy LP25 of EFLP.
7.3.21	The Councils therefore welcome the Applicant's proposal to address this matter in the draft Development Consent Order [APP-013] through the provision of requirement 6 – Biodiversity Net Gain. It is important to note that given the land constraints within the site, only a proportion of BNG would be able to be delivered in-situ by the Applicant. Due to the limited extent of the Applicant's landholdings a proportion of ex situ contributions would be required to meet positive BNG. This would need to be achieved through off-setting via collaboration with independent organisations. The Councils seek that an Outline BNG Strategy be submitted to the examination to demonstrate how this will be achieved.	Noted. See response to 7.3.19 above. The Applicant will update the BNG assessment for the Proposed Development as part of the BNG Strategy post DCO consent and once a mechanism for delivering off-site biodiversity gains has been determined. **Draft DCO (Volume 3.1)** Requirement 6 **[REP1-007]** would require the Applicant to provide a BNG strategy, and the requirement makes provision for approval by the relevant planning authority in conjunction with the relevant statutory nature conservation body; providing opportunity for those parties to agree the content of the strategy with the Applicant.
7.3.22	The Outline BNG Strategy needs to demonstrate how on-site and off-site measures will enable deliver of Biodiversity Net Gain. This should seek to deliver a minimum of 10% BNG in accordance with emerging policy LP25 of EFLP. The	Noted. See response to 7.2.19 and 7.3.21 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Outline BNG Strategy should outline (but not limited to) the following: i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site; ii) Methodology for site selection, appraisal and how existing biodiversity features will be protected on receptor site(s); iii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric; iv) Identification of the existing habitats and their condition on-site and within receptor site(s); v) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric; vi) An implementation, management, and monitoring plan (including identified responsible bodies) for the operational and decommissioning phases for on and off-site proposals as appropriate (for a minimum of 30 years) vii) Monitoring data shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the agree monitoring period / intervals (criterion v).	

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	viii) How BNG measures will be secured beyond the lifetime of the development (in- perpetuity).	
7.3.23	The Councils are also concerned that the wording of requirement 6 is insufficient to ensure delivery of net gain in biodiversity value. The requirement should set a minimum level of BNG to be achieved (e.g. 10%). It should also include a minimum of 30 years maintenance period, in line with paragraph 5.4.22 of the Revised (draft) National Policy Statement for Energy 2021.	Noted. See response to 7.2.19 and 7.3.21 above which states that Requirement 6 will be updated to make the 10% biodiversity net gain commitment clear. The Applicant recognises the requirement for a 30 year management and maintenance period for habitat provided for BNG within **Section 4** of **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4) [AS-009]** (to be secured by **Draft DCO (Volume 3.1)** Requirement 6 **[REP1-007]**) and in **Section 5** of the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** (to be secured by Requirement 5 of the **Draft DCO**).
7.3.24	7.3.24 If the Applicant supplies an Outline BNG Strategy, as requested in the above paragraph, we suggest that wording of draft Requirement 6 [APP-013] is amended to: "*6. No part of the authorised development, including vegetation removal, may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body. The written details submitted for approval must be substantially in accordance with the outline BNG strategy and will secure a minimum of 10% Biodiversity Net Gain. Monitoring data shall be submitted to the local planning authority in accordance at the monitoring period / intervals set out in the approve BNG Strategy.*"	Noted. See response to 7.2.19 and 7.3.21 above and 7.3.25 below. The Applicant is not proposing to submit an Outline BNG Strategy given the level of detail available regarding off-site provision at this stage in the process.
7.3.25	7.3.25 If the Applicant does not supply an Outline BNG Strategy, as requested in the above paragraph, we suggest the wording of draft Requirement 6 [APP-013] is amended to incorporate a summarised version of the information the	Noted. See response to 7.2.19 and 7.3.21 above. The Applicant will amend Requirement 6 in the next version of the draft DCO submitted at Deadline

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Councils have identified as being needed to be detailed within the Outline BNG Strategy: "*6. No part of the authorised development, including vegetation removal, may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body. The BNG Strategy much include details of –* *a. How the strategy will secure a minimum of 10% biodiversity net gain (based on the latest Defra metric) during the operation and decommissioning phase of authorised development.* *b. On and off-site BNG requirements and proposals (including baseline conditions) and habitat enhancement and creation proposals.* *c. An implementation, management, and monitoring plan for during the operational and decommissioning phases.* *d. How BNG measures will be secured beyond the lifetime of the development.* *e. Monitoring data shall be submitted to the local planning authority in accordance with the latest DEFRA guidance and the agree monitoring period / intervals (criterion iii).*"	3 to set out the commitment to 10% biodiversity net gain and the details to be included in the biodiversity net gain strategy. In respect of the implementation, management and monitoring of on-site measures (such as planting), it is anticipated that these measures would be secured under the landscape and ecology strategy (Requirement 4) and landscape and ecology management plan (Requirement 5).
7.3.26	**Mitigations**: The scheme has embedded biodiversity mitigation within the Outline CEMP [APP-103], Outline LEMP [APP-098] and the Outline Lighting Strategy [APP-071]. It will be important that further details of these mitigation measures be secured through draft DCO requirements 4 (Biodiversity and landscape mitigation), 5 (Landscape and ecology management plan), 6 (Biodiversity	Noted. BNG: see responses 7.3.19-7.3.25 above. Water voles: see responses 7.3.12-7.3.18 above. Open mosaic habitat: see responses 7.3.5-7.3.8 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	net gain) and 10 (Construction environmental management plan), 18 (Lighting strategy) [APP-013]. The Councils consider the proposed development provides insufficient mitigation to address the loss of biodiversity value (BNG) and adverse impact on water vole, hedgerows, and possibly open mosaic habitat. As discussed above, the Councils consider the scheme should be updated, including the Outline LEMP, to address these matters. If they are not resolved, compensation measures should be sought.	Hedgerows: The hedgerow creation shown on **Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.3) [APP-049]** (to be secured by Requirement 4 of the **Draft DCO (Volume 3.1) [REP1-007]**) will provide an increase in the length of hedgerow habitat on-site. Additional on-site hedgerow planting on site boundaries is not possible due to restrictions surrounding proximity to IDB drainage ditches. The Proposed Development would achieve BNG of hedgerow habitat through off-site measures as outlined in **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4 6.4) [AS-009]** (to be secured by **Draft DCO** Requirement 6 **(Volume 3.1) [REP1-007**]). The Applicant set out the hedgerow measures to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by CCC and FDC, and the attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022. The submitted **Natural England SoCG (Volume 9.9) [REP1-007]** between the Applicant and Natural England confirms agreement that: • "*The measures set out in **ES Chapter 19, Schedule of Mitigation and Monitoring (Volume 6.2) [APP-046]** are appropriate for mitigating the Proposed Development's effects on biodiversity*"; and • "*The measures set out in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** are appropriate for mitigating the Proposed Development's effects on biodiversity with respect to creation and management of habitats.*"
7.4 Operational Phase Impacts		
7.4.1	**Positive**: None identified.	Noted.
7.4.2	**Neutral**: None identified.	Noted

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.4.3	**Negative**: Nene Washes SAC/SPA/Site of Special Scientific Interest (SSSI) and Ouse Washes Ramsar/SAC/SPA/SSSI. The potential impact for emissions (vehicle emissions/chimney emissions) during operational phase to lead to negative effects on supporting habitats within the Nene Washes SAC/SPA/SSSI and Ouse Washes Ramsar/SAC/SPA/SSSI are discussed within Chapter 8: Air Quality [APP-035] and Chapter 11: Biodiversity [AS-008] of the ES and the Habitats Regulations Assessment No Significant Effects Report [AS-007] but it would not result in a detectable change in the integrity of these wildlife designations. The Councils are satisfied this effect will be Not Significant.	Noted.
7.4.4	**Negative**: River Nene County Wildlife Site. The Chapter 8: Air Quality [APP-035] and Chapter 11: Biodiversity (pages 11-115 to 11-117) [AS-008] of the ES have identified that emissions during the operational phase (vehicle emissions/chimney emissions) will have an adverse effect on the habitats of the River Nene County Wildlife Site, but it would not result in a detectable change in the integrity of this wildlife designation. The Councils are satisfied this effect will be Not Significant.	Noted.
7.4.5	**Negative**: Priority habitat – Open Mosaic Habitat on Previously Developed Land. Chapter 11: Biodiversity [AS-008] (pages 11-117 to 11-118) of the Environmental Statement identifies the permanent loss of 0.43 hectares of scrub within the CHP Connector Corridor.	The habitat present does not meet the criteria to qualify as priority habitat 'open mosaic habitat on previously developed land' at either a national level (Habitat of Principal Importance listed pursuant to Section 41 of the Natural Environment and Rural Communities Act 2006 (as amended), described by the UK Biodiversity Action Plan Priority Habitat Descriptions) or at a local level (Cambridgeshire and Peterborough County Wildlife Site habitat definitions[2]). The habitat present is therefore not considered to be open mosaic habitat on previously developed land. The Applicant set out this response to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by Cambridgeshire County Council and Fenland District Council, and the attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.4.6	The author describes the scrub along the CHP Connection Corridor as *"interspersed with areas of open ephemeral/short-perennial vegetation and patchy grassland associated with the track bed of the disused March to Wisbech Railway"* (paragraph 11.9.82, page 11-117). The area is also identified as"*"scattered plants of bee orchid (one plant) and common broomrape (three plants) were recorded in more open areas of habitat at the north of the CHP Connection Corridor"* (paragraph 11.5.18 [AS-008]). The Councils therefore consider the attribution of this land as scrub habitat is inaccurate, instead, the habitat appears to better fit the category of Open Mosaic Habitat on Previously Developed Land.	See response to 7.4.5 above.
7.4.7	Open Mosaic Habitat on Previously Developed Land is a habitat of principal importance for the conservation of biodiversity in England (priority habitat). The Councils are concerned there may be a permanent loss of this priority habitat and therefore seek further clarification from the Applicant if the "scrub" habitat along the CHP corridor meets the criteria for this priority habitat.	See response to 7.4.5 above.
7.4.8	If Open Mosaic Habitat on Previously Developed Land is confirmed within the site, the Councils seek that any unmitigated losses on this habitat be addressed through an amendment to the Outline LEMP [APP-098]. If this is not possible the Council seeks this be sought by a requirement for off-site compensation, in accordance with NPS EN-1, which states that "*IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations*" (paragraph 5.3.17).	See response to 7.4.5 above – habitat present does not qualify as priority habitat 'open mosaic habitat on previously developed land'.
7.4.9	**Negative**: Bats–- Chapter 11: Biodiversity (pages 11-123 to 11-125) [AS-008] identifies potential adverse effects on bats due unavoidable permanent loss of suitable habitat (e.g. shrub and hedgerows) for bats. It is proposed that these effects have been minimised through scheme design and	Noted. The **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** would be secured by Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007]**).

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	compensated through the re-instatement of temporarily lost habitat and proposed habitat creation, as set out in the Outline LEMP [APP-098].	
7.4.10	Chapter 11: Biodiversity (pages 11-123 to 11-125) [APP-038] identifies potential adverse effects on bats due noise / vibration / lighting associated with possibly the operational phases. The assessment proposes embedded mitigation in the form of a sensitive lighting design, as set out in the Outline Lighting Strategy [APP-071].	Noted. The **Outline Lighting Strategy** (**Appendix 3B ES Chapter 3 Description of the Proposed Development (Volume 6.4)**) **[APP-071]** would be secured by Requirement 18 of the **Draft DCO (Volume 3.1) [REP1-007]**).
7.4.11	The Councils are satisfied these effects will be Not Significant, providing that the production and implementation of detailed Landscape and Ecology Management Plan and detailed Lighting Scheme are secured through a suitably worded DCO requirements/obligations.	Noted. See response to 7.4.9 and 7.4.10 above.
7.4.12	**Negative**: Water Vole–- Chapter 11: Biodiversity (pages 11-127 to 11-129) [AS-008] identifies loss of sub-optimal water vole habitat as a result of permanent works to ditches D24 / D26, including foraging grounds and a possible burrow (on D24). The Councils agree that the low population of water vole found on D24 will be sensitive to loss of habitat within the territories (paragraph 11.9.152, page 129). Culverting works to D8 also have the potential to impact Water Vole.	Noted. **Section 11.9.157** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** sets out that there was no evidence of active water vole burrows on ditch D24. The habitat measures set out in response to 7.4.13 below would provide additional suitable habitat for water voles adjoining ditch D24. **Section 3.2.5** and **Table 11I.4** of **ES Chapter 11 Biodiversity Appendix I Water Vole Survey (Volume 6.4) [APP-083]** sets out that the habitat along ditch D8 is unsuitable for water vole. Although a potential burrow was identified, rat droppings were recorded outside of the burrow and no evidence of water vole was recorded, so was considered likely that the burrow is used by rats. Embedded environmental measures such as pre-construction surveys (as set out in the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** and associated **Appendix D Outline Ecological Mitigation Strategy**, which would be secured through the **Draft DCO (Volume 3.1)** Requirement 10 **[REP1-007]**), would help avoid impacts to water voles during culverting works.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.4.13	The Outline LEMP (paragraph 3.2.25, page 17 [APP-098]) states that an objective of the Sustainable Urban Drainage will be "*to create a range of wetland features to encourage species such as amphibians, aquatic invertebrates, and water voles there is cursory mention of to water voles.*" However, the Councils are concerned there is no specific provision to provide mitigation / compensation for loss of Water Vole habitat within the Outline LEMP. This scheme will result in displacement of individual Water Voles into the surrounding ditches, which are also sub-optimal for Water Vole and unlikely to provide sufficient resources to support additional Water Vole. Therefore, the Councils consider that the scheme is likely to result in a residual adverse effect on Water Vole.	The Proposed Development has been designed to minimise loss of ditch habitat, with open sections of ditch retained within the EfW CHP Facility Site where possible. Permanent habitat loss would affect a small area of suboptimal water vole habitat where habitat of similar or higher suitability for water voles is extensive and well-connected within the locality which would be unaffected by the Proposed Development. Culvert designs would allow continued mammal passage along ditches. Surface water runoff from the EfW CHP Facility Site would be via interceptors that would discharge to green-field run-off rates. In terms of providing habitat enhancements, the Applicant is unable to enhance existing ditches within or around the EfW CHP Facility Site as the ditches are under the management of the IDB. The proposed habitat creation for the EfW CHP Facility Site shown on **Figure 3.14 Outline Landscape and Ecology Strategy (Volume 6.3) [APP-049]** (to be secured by **Draft DCO (Volume 3.1)** Requirement 4 **[REP1-007]**) includes a range of new habitat creation that would be beneficial to water voles by providing enhanced opportunities for foraging and burrow creation, including: • Species-rich neutral grassland adjacent to existing ditches; • A Sustainable urban Drainage System with a permanent attenuation pond and temporarily wet swale and attenuation basin, with species-rich wet grassland margins; and • An area of wet *woodland.* The methods for creating, managing and monitoring these habitats for the lifetime of the Proposed Development are described in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** (to be secured by Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007]**). Permanent loss of ditch habitat would be compensated through off-site habitat measures as part of the BNG proposals for the Proposed Development, which would provide a net gain in ditch habitat, as outlined in **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain -**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		Rev 2 (Additional Submission Volume 6.4) [AS-009] (to be secured by **Draft DCO (Volume 3.1)** Requirement 6 **[REP1-007]**). The Applicant set out the habitat and enhancement measures with respect to water voles to the Host Authorities during a project update meeting on 16/11/2022, which was held to discuss their relevant representation comments relating to Biodiversity. The meeting was attended by CCC and FDC, and the attendees were satisfied with the Applicant's response. Meeting minutes were circulated on 02/12/2022. This is further supported by the submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England which states the agreement that: • "*The measures set out in **ES Chapter 19, Schedule of Mitigation and Monitoring (Volume 6.2) [APP-046]** are appropriate for mitigating the Proposed Development's effects on biodiversity*"; and that • "*The measures set out in the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** are appropriate for mitigating the Proposed Development's effects on biodiversity with respect to creation and management of habitats.*"
7.4.14	Water Vole is a protected species and also a species of principal importance for the conservation of biodiversity in England (priority habitat). Therefore, the Council request that unmitigated losses on this species be addressed through the revision of the proposed Outline Landscape and Ecology Management Plan [APP-098]. If this is not possible, the Councils seek it is addressed through requirements, in accordance with NPS EN-1, which states that *"IPC should ensure that these species [priority species] and habitats are protected from the adverse effects of development by using requirements or planning obligations"* (paragraph 5.3.17).	See response to 7.4.13 above.
7.4.15	**Negative**: Biodiversity Net Gain -The BNG assessment uses a calculation of habitat losses and gains as a proxy to demonstrate whether a scheme will deliver measurable net gain in biodiversity value.	The submitted **Natural England SoCG (Volume 9.9) [REP1-043]** between the Applicant and Natural England confirms agreement that "*The use of Natural England's Biodiversity Metric V3.0 for the assessment of the Proposed Development was appropriate*."

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.4.16	The Councils welcome the submission of a BNG Assessment [AS-009] by the Applicant, which confirms the scheme will result in the net loss in biodiversity value for all three categories of habitat – 56% loss of area-based units, 41% loss of linear-based habitats (e.g. hedgerows and lines of trees) and 15% loss of river units (e.g. wet ditches) (pages 11M41, 11M43 and 11M45).	Note that the percentage losses shown in the comment account for the impact of the Proposed Development only and do not account for any habitat reinstatement, creation or enhancement provided as part of the Proposed Development at the post-intervention stage. The percentage loss reported in **Section 3.2** of **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4 6.4) [AS-009]** is for on-site biodiversity change at the post-intervention stage: -9.98% area-based units; -21.56% linear units; and -11.85% river units. The Applicant has sought to maximise on-site biodiversity gains for the Proposed Development where this is achievable. **Section 3.3** therefore identifies that off-site biodiversity gains would be required to provide BNG for the Proposed Development and models examples of off-site habitat measures that would provide 10% across area-based, linear-based and river units while satisfying the BNG trading rules. **Section 4.2** sets out options for the Applicant to secure off-site biodiversity gains for the Proposed Development to provide BNG. The Applicant has consulted with Bedfordshire, Cambridgeshire and Northamptonshire Wildlife Trust, the Wildfowl and Wetlands Trust, and a commercial provider of BNG units, and is in the process of setting up meetings with the relevant local authorities and Natural England to identify potential off-site opportunities for delivering BNG. Further details can be found in the **Applicant's response to the ExA's Written Questions (ExQ1) – Appendix 10.2C Biodiversity Net Gain: Next Steps March 2023 update (Volume 10.2).**
7.4.17	The scheme will therefore result in measurable loss of overall biodiversity value. This does not accord with Policy LP16 of the FLP which states all new development will only be permitted if it *"protected and biodiversity on and surrounding the proposal site".* It also does not accord with policy 20 of the MWLP, which requires all development to deliver measurable biodiversity net gain proportionate to the scheme of the development (e.g. 10% BNG).	See response to 7.3.20 above.
7.4.18	The Councils therefore welcome the Applicant's proposal to address this matter in the draft Development Consent Order [APP-013] through the provision of requirement 6 –	See response to 7.3.21 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Biodiversity Net Gain. However, the Councils also seek that an Outline BNG strategy be submitted to the examination to demonstrate how this will be achieved.	
7.4.19	The Councils are also concerned that the wording of requirement 6 is insufficient to ensure delivery of net gain in biodiversity value. The requirement should set a minimum level of BNG to be achieved (e.g. 10%). It should also include a minimum of 30 years maintenance period, in line with paragraph 5.4.22 of the Revised (draft) National Policy Statement for Energy 2021.	Noted. See response to 7.3.20 and 7.3.21 above. The Applicant recognises the requirement for a 30 year management and maintenance period for habitat provided for BNG within **Section 4** of **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 2 (Additional Submission Volume 6.4) [AS-009]** (to be secured by **Draft DCO (Volume 3.1)** Requirement 6 **[REP1-007]**) and in **Section 5** of the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** (to be secured by Requirement 5 of the **Draft DCO (Volume 3.1) [REP1-007]**).
7.4.20	**Mitigations**: The scheme has embedded biodiversity mitigation within the Outline LEMP [APP-097] and the Outline Lighting Strategy [APP-071]. It will be important that further details of these mitigation measures be secured through draft DCO requirements 4 (Biodiversity and landscape mitigation), 5 (Landscape and ecology management plan), 6 (Biodiversity net gain) and 10 (Construction environmental management plan), 18 (Lighting strategy) [APP-013]. However, the Council considered the proposed development provides insufficient mitigation to address the loss of biodiversity value (BNG) and adverse impact on water vole, hedgerows, and possibly open mosaic habitat. As discussed above, the Councils consider the scheme should be updated, including the Outline LEMP, to address these matters. If they are not resolved, compensation measures should be sought.	Noted. BNG: see responses 7.4.15-7.4.19 above. Water voles: see responses 7.4.12-7.4.14 above. Open mosaic habitat: see responses 7.4.5-7.4.8 above. Hedgerows: see response 7.3.26 above.
7.5 Decommissioning Phase Impacts		
7.5.1	**Positive**: None identified.	Noted.
7.5.2	**Neutral**: None identified.	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
7.5.3	**Negative**: Chapter 11: Biodiversity (pages 11-138 to 11-13) [AS-008] states that *"the environmental effects associated with the decommissioning phase are expected to be of a similar level to those reported for the construction phase works"*. However, no further details have been provided and therefore the anticipated level of impact on biodiversity cannot be determined.	**Section 11.9.204** of **ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]** continues to set out that "*the likely significance of effects relating to the construction phase assessment reported in this chapter are therefore applicable to the decommissioning phase*". Therefore, the assessment conclusions presented in **Table 11.15** of **ES Chapter 11** are applicable to the decommissioning phase of the Proposed Development, which concludes that there are no significant effects on ecological features.
7.5.4	If the level of impact is similar to the construction phase works, we would expect similar embedded biodiversity mitigation (as discussed in *"Construction Phase Impacts*" above) included the production of a CEMP, Lighting Strategy, Landscape and Ecology Management Plan and BNG. However, none of these documents cover the decommissioning phase. Therefore currently, there are no measures to provide biodiversity during decommissioning and as such, the Councils are concerned there will be adverse impacts on all the receptors identified in the "*Construction Phase Impacts*" identified above, including wildlife sites, priority habitats (e.g. hedgerows), priority species (e.g. water vole and bats) and loss of biodiversity value.	**Draft DCO (Volume 3.1)** Requirement 25 **[REP1-007]** would require the Applicant to provide a Decommissioning Plan accompanied by a Decommissioning Environmental Management Plan (DEMP). The DEMP would set out the good practice and feature-specific mitigation to avoid or minimise impacts to ecological features during the decommissioning phase. The requirement sets out that the DEMP would be provided within 24 months of permanent cessation of the commercial operation of the Proposed Development, which would ensure that the measures within the DEMP align with any future changes to biodiversity legislation, policy and good practice at the time of decommissioning. The requirement makes provision for approval by the relevant planning authority; providing opportunity for those parties to agree content of the plan with the Applicant.
7.5.5	The Councils note that details for decommissioning are to be left to requirement 25, with the production of a Decommissioning Environment Management Plan. However, the Councils seek that an Outline Decommissioning Environmental Management Plan be submitted to the examination to outline how biodiversity will be protected during decommissioning (and address the concerns above).	Biodiversity protection will be addressed in the Outline Decommissioning Environmental Management Plan which will be submitted into Examination, see response at 7.5.4.
7.5.6	The Councils are also concerned that all biodiversity mitigation, compensation, or enhancement proposed within for the construction / operational phase will be removed because Requirement 25 (decommissioning) states that the decommissioning plan will include Works 2B, which includes *"(g) hard and soft landscaping; and (h) biodiversity*	The loss of on-site habitat at the EfW CHP Facility Site that will be created as part of Outline Landscape and Ecology Strategy will be addressed in the Outline Decommissioning Environmental Management Plan which will be submitted into Examination, see response at 7.5.4.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	enhancement measures and environmental mitigation measures". Of particular concern is the loss of species-rich habitats (e.g. grassland and hedgerows) and species associated with these established habitats, including bats. The Councils seek the retention and management of Works 2B(h) as part of the Decommissioning Plan.	
7.5.7	The Councils also seek that requirement 25 be amended to include the production of a Landscape and Ecology Management Plan and management of the habitats in perpetuity, or at the very least until they have reached target condition.	Habitat management will be addressed in the Outline Decommissioning Environmental Management Plan which will be submitted into Examination, see response at 7.5.4.
7.5.8	**Mitigations**: As set out above, the absence of an Outline Decommissioning Environmental Management Plan means that the proposed mitigation measures are unclear. We would expect the DEMP to adopt similar mitigation measures for biodiversity as to the CEMP. However, more measures may be required (should any new biodiversity feature be identified prior to decommissioning). A LEMP may be required to address any habitat losses.	See response to 7.5.4 and 7.5.7 above.
7.6 Requirements and Obligations		
7.6.1	The Councils welcome the inclusion of draft DCO requirements 4 (Biodiversity and landscape mitigation), 5 (Landscape and ecology management plan), 6 (Biodiversity net gain) and 10 (Construction environmental management plan), 18 (Lighting strategy). The Councils wish to see Requirements 4, 6, 10 and 18 clarified to ensure their full effectiveness. The Councils will provide further comments on this matter at the appropriate Issue Specific Hearing.	The Applicant considers that the concerns raised can be addressed in the outline management plans rather than the drafting of the requirements but awaits the Councils' further comments on this point.

9. Hydrology (ES Chapter 12)

Table 9.1 Applicant's response to CCC and FDC's Hydrology comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
8.2 Policy Context		
8.2.1	**Cambridgeshire and Peterborough Minerals and Waste Local Plan–- Policy 22: Flood and Water Management** Mineral and waste management development will only be permitted where it can be demonstrated (potentially through a detailed hydrogeological assessment) that there would be no significant adverse impact on: a) the quantity and quality of surface or groundwater resources; b) the quantity and quality of water abstraction currently enjoyed by abstractors unless acceptable alternative provision is made; and c) the flow of groundwater at or in the vicinity of the site; Development located on sites in areas known to be at risk from any form of flooding will only be permitted following: d) the successful completion of a sequential test (if necessary) and an exception test if required, with both tests applying climate change allowances to define flood risk e) the submission, where appropriate (as defined by national policy), of a site- specific Flood Risk Assessment, setting out appropriate flood risk that:	The assessments undertaken in Section 12.9 of **ES Chapter 12: Hydrology (Volume 6.2)) [APP-039]** demonstrate that the Proposed Development, with the embedded measures set out in Table 12.10, does not cause a significant impact on surface, groundwater and flood risk Receptors. As set out in the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** SuDS principles will be utilised for attenuation storage and treatment of the surface water runoff discharge from the site. This aims to reduce the discharge to greenfield runoff rates and prevent pollution of the IDB drains. The proposed SuDS components have been determined in accordance with The CIRIA SuDS Manual C753 to provide the required pollution control prior to discharge into the DB drains. The indicative proposals for SuDS **components will be confirmed at the detailed design stage. This is secured in Draft DCO (Volume 3.1) [REP1-007]** Requirement 8 (Drainage Strategy). The Flood Risk Assessment (FRA) (**Appendix 12A, Volume 6.4 of the ES) [APP-084]** concluded that the Proposed Development, with the flood risk management measures set out in Section 6, would not be subject to an unacceptable level of flood risk, nor would it increase flood risk elsewhere. It would also not result in any loss of functional floodplain storage or impede water flows. The sequential approach has been taken into account in the site selection and to the design of the layout of the proposal as follows: The Applicant's consideration of alternative locations in the context of the sequential test Sequential Test is set out within the **FRA (ES Chapter 12**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	i. defines the flood zones in relation to the proposal; ii. demonstrates the impacts of climate change on the flood zones, over the lifetime of the development; iii. demonstrates that a sequential approach has been taken to the design of the layout of the proposal, placing those aspects of the development most sensitive to the impacts of flooding in the area of lowest flood risk; iv. demonstrates that appropriate mitigation measures have been incorporated into the development so that there will be no negative off- site impacts to people and property and that the users will be safe for the lifetime of the development; and v. demonstrates that all reasonable actions have been taken to contribute to the overall reduction of flood risk. f) the consideration of any necessary ongoing maintenance, management of mitigation measures and adoption and that any relevant agreements are in place; and g) where built development is proposed, the incorporation of Sustainable Drainage Systems (SuDS) wherever feasible into the proposals. All proposed development will be required to incorporate adequate water pollution control and monitoring measures. Proposals should also have due regard to the latest policies and guidance in the Cambridgeshire Flood and Water SPD and the Peterborough Flood and Water Management SPD (or their successors).	**Hydrology, Appendix 12A FRA (Volume 6.4) [APP-084]** and summarised within the **Planning Statement (Volume 7.1) [APP-091].** At the time the EfW CHP Facility Site was first identified and at the point the option agreement for the land comprising the majority of the EfW CHP Facility Site was signed in 2019, the EfW CHP Facility Site was allocated in the Cambridgeshire and Peterborough Waste and Minerals Development Plan Site Specific Allocations 2012 as a Waste Allocation and Consultation Area (W1C inset map 39) as site allocation W1C (an allocation for waste recycling and recovery facilities (non-landfill) under Policy SSP W1. In view of national policy as set out in EN-1, Draft EN1, the National Planning Policy Framework and the Planning Practice Guidance Flood Risk and Coastal Change there was no requirement upon the Applicant to undertake a sequential test at the time it selected the site, nor through the stages of scoping and period of non-statutory consultation (at which times it still comprised an allocation). In July 2021 (after the commencement of the statutory consultation period for the Proposed Development), the Development Plan was replaced by Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. This Plan does not allocate sites for waste management purposes instead identifying waste management areas (Policy 10 WMAs). WMAs are existing or committed waste management sites. The EfW CHP Facility Site is identified as a WMA 'existing or committed waste management facility' in the 2021 Minerals and Waste Local Plan and retained within the Fenland Local Plan 2014 as an allocated waste management site. Following the adoption of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and taking into account feedback received during statutory consultation, the Applicant re-evaluated its site selection process.

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		As part of this re-evaluation, the Applicant undertook a sequential test which considered other WMAs in the Wisbech area (as set out in the **Flood Risk Assessment (Appendix 12A FRA Volume 6.4 [APP-084]).** The **FRA (Appendix 12A FRA Volume 6.4 [APP-084])** records that the WMA which is located approximately 0.5km to the east of the EfW CHP Facility is too small to accommodate the EfW CHP Facility of the type and size proposed (3.5ha). The other WMA is located approximately 2.5km to the north and alongside the River Nene and is close to residential areas and does not benefit from proximity to larger users of heat. The Applicant did not identify any other available sites that met its essential site selection criteria, in particular the availability of potential CHP users, and that were located in either Flood Zone 1 or 2. Having applied the sequential test, the Applicant followed a sequential approach at the site level, consistent with NPS EN-1 paragraph 5.7.9, with the EA with the identification on compatible and non-compatible uses within the relevant flood zones. The definition of such uses was agreed with the EA at a meeting on 28/4/21 and with CCC on 26 October 2021. Essential infrastructure elements of the EfW CGHP Facility, CHP Connection and Grid Connection were required to pass Part 2 of the Exception Test. The Part 2 assessment is presented in **FRA (Appendix 12A FRA Volume 6.4 [APP-084])** and provides further detail at Section 7.2 which demonstrates that the Proposed Development would be safe, without increasing flood risk elsewhere and, where possible, would reduce flood risk overall. It also demonstrates how the Essential Infrastructure located in Flood Zone 3a has been designed and constructed to remain operational and safe in times of flood.
8.2.2	**Fenland Local Plan (2014) Policy - Policy LP14 part B** The granting or refusal of planning permission on sites will be informed by:	Adoption of sequential approach a) The sequential approach has been taken into account in the site selection and design of the layout of the proposal as follows as discussed in the response to comment reference 8.2.1.

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	• Fenland Detailed Stage 2a Water Cycle Study [2011] • Fenland Level 1 SFRA (District Wide) [2011] • Fenland Level 2 SFRA (Wisbech) [2012] • Cambridgeshire Surface Water Management Plan [2011] • Middle Level Strategic Study [2004] • Any subsequent additional or updated SFRAs, Surface Water Management Plans, Catchment Studies, and Water Cycle Studies • Any national advice in force at the time. All development proposals should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk from any form of flooding will only be permitted following: a) the successful completion of a sequential test (if necessary), having regard to actual and residual flood risk. b) an exception test (if necessary), c) the suitable demonstration of meeting an identified need, and d) through the submission of a site-specific flood risk assessment, demonstrating appropriate flood risk management and safety measures and a positive approach to reducing flood risk overall, and without reliance on emergency services. In addition to the requirements of the NPPF and associated technical guide, all applications for relevant developments must include a drainage strategy to demonstrate that: a) suitable consideration has been given to surface water drainage;	b) As assessed in Section 7.2 of the FRA (**Appendix 12A FRA Volume 6.4 [APP-084],** in accordance with the guidance in the NPPF, the development proposals are appropriate for the flood zone classifications, and where necessary the Exception Test has been passed. c) That the need for the Proposed Development has been established. The Proposed Development is a nationally significant energy project. The **WFAA (Volume 7.3) [APP-094**] (to be updated for Deadline 2) demonstrates that there is a sufficient volume of waste that is currently landfilled to supply the Proposed Development. d) The FRA (**Appendix 12A FRA Volume 6.4 [APP-084]** concludes that the Proposed Development, with the proposed flood risk management measures in place, would not be subject to an unacceptable level of flood risk, nor would it increase flood risk elsewhere. It would also not result in any loss of functional floodplain storage or impede water flows. <u>Drainage strategy</u> Extensive consultation regarding the drainage strategy has been undertaken with HWIDB and CCC during pre-application and remains ongoing following the submission of the DCO Application. A summary of the consultation undertaken to date is set out in **Appendix 12B of the ES (Stakeholder engagement, Volume 6.4) [APP-085]** and Section 3 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017].** a) The proposed management of surface water drainage for the EfW CHP Facility (construction and operational phases) is described in detail in the Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** and supporting Figures 4.1 and 4.2. b) As set out in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** SuDS principles will be utilised for attenuation storage and treatment of the water discharges from the site int the HWIDB drains (the Proposed Development is not hydrologically connected to WFD waterbodies). In addition to surface level SUDS features, underground storage tanks and oversized pipework have been incorporated into the drainage design.

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	b) appropriate arrangements for attenuating surface water run-off can be accommodated within the site; and c) issues of ownership and maintenance are addressed. For foul drainage private infrastructure managed by residents' groups or management companies should be avoided. The use of Sustainable Drainage Systems (SuDs) will be required to ensure that runoff from the site (post development) is to Greenfield runoff rates for all previously undeveloped sites and for developed sites (where feasible). This should include sufficient area within the site to accommodate SuDS for the short-term management of surface water drainage and where appropriate link to green / blue infrastructure to exploit opportunities for biodiversity, environmental, heritage, social and recreational enhancement and value. Schemes should complement the aims of the Cambridgeshire Green Infrastructure Strategy but should be retained and maintained primarily for the purpose for which they were designed, whilst being sensitive to the multi–functional benefits they can provide. The most appropriate SuDS techniques should be used depending on the particular circumstances of the site and area. Consideration should be given to the facility to be used, what is trying to be achieved, and the nature of water level management in the area. The discharge of surface water from developments should be designed to contribute to an improvement in water quality in the receiving water course or aquifer in accordance with the objectives of the Water Framework Directive. All proposals should have regard to the guidance and byelaws of the relevant Internal Drainage Board, including, where appropriate the Middle Level Strategic Study and should help achieve the flood management goals from the	The provision of attenuation tanks, larger pipes and SUDS storage will facilitate the restriction of surface water to greenfield runoff rates (QBAR equivalent rate) and prevent pollution of the HWIDB drains. The proposed SuDS components have been determined in accordance with Simple Index Approach as stipulated in The CIRIA SuDS Manual C753 to provide the required pollution control prior to discharge into the HWIDB drains. The conceptual drainage layout for the EfW CHP Facility Site during the construction and operational phases is illustrated in **Figure Nos 4.1** and **Figure 4.2** respectively The indicative proposals for SuDS components will be developed further and confirmed at the detailed design stage, and will be managed consistent with the **Outline Landscape and Ecology Management Plan (Volume 7.7) [APP-098]** to support biodiversity. The SUDs design is secured in **Draft DCO (Volume 3.1) [APP 013]** Requirement 8 (Drainage Strategy). SUDS proposals are likely to include a combination of SUDS basins, filter strips and swales. c) It is anticipated that the proposed surface water drainage infrastructure will be maintained by the Applicant with the exception of the highway drainage (New Bridge Lane Access Improvements) which will be the responsibility of the local highway authority. A proposed maintenance schedule is shown in Table 5.1 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017].** The proposed foul drainage infrastructure for the site will also be maintained by the Applicant, up to the point of connection into Anglian Water's public sewer adjacent to Algores Way.

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	River Nene and Great Ouse Catchment Flood Management Plans. A Supplementary Planning Document informed by up-to-date national and local evidence and to be adopted in 2014 will be used to further assess planning applications on flood risk and drainage matters.	
8.2.3	**Other Relevant Documents** Cambridgeshire Flood and Water SPD Chapter 6 (adopted by Fenland), or any subsequent version. Surface Water Planning Guidance Document for Developers.	As stated in Section 4 of the Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** the proposed drainage strategy has taken into consideration both the Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Cambridgeshire County Council's Surface Water Planning Guidance (2021).
8.3 Construction Phase Impacts		
8.3.1	**Positive**: None identified.	Noted.
8.3.2	**Neutral**: Water quality: It is acknowledged that details in a CEMP have been provided, but it must be ensured that the risks around the quality of water leaving the site are suitably mitigated. Construction activity can generate high levels of pollution in the forms of sedimentation and risks associated from the storage of potentially hazardous liquids and fuels stored on site, which can be of a great concern if these were to be discharged into the watercourses. It must be ensured that the details under any CEMP requirements are strictly adhered to for surface water to be suitably mitigated during construction.	The Outline Water Management Plan (**Appendix B of Outline CEMP (Volume 7.12 of the ES) [REP1-024]** sets out measures designed to prevent the release of pollutants from the Proposed Development construction areas. This includes the use of SuDS for attenuation storage and treatment of the water discharges from the site, including appropriate removal of suspended solids and measures to prevent pollution from storage and use of oils and chemicals (e.g. fuel storage in accordance with the Control of Pollution (Oil Storage) (England) Regulations 2001 and other Pollution Prevention Guidelines (PPGs) and implementation of an accident response protocol. The CEMP is secured in Requirement 10 of the **Draft DCO (Volume 3.1) [REP1-007].**
8.3.3	**Negative**: Groundwater pumps from deep excavations: The proposals are to pump water out from deep excavations and store this on the site to discharge gradually into the surrounding watercourse network. The volume of storage for these groundwater attenuation structures is assumed and	**Groundwater pumping** Preliminary groundwater pumping rates were calculated using the *Environment Agency's Assessing the impacts of dewatering on water resources Spreadsheet of Tier 1 analytical tool* and are provided in

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	not accurately calculated. This could lead to an exceedance of the proposed attenuation structures, which could lead to flooding on site. As this is during construction, this could lead to high levels of pollutants being washed off the surface of the site and into the surrounding watercourse networks, having an adverse impact on the water quality. It is also not clear how this water will be disposed from the site. If this is to be discharged into the surrounding watercourse network, it must be set at a suitable rate, agreed with the IDB, to ensure that the water will not put strain on the surrounding watercourse network.	Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** submitted at Deadline 1. Based on the preliminary dewatering calculations, groundwater daily pumping rates (most likely value 30m3/day) are small (less than 10%) in comparison with the capacity of the attenuation basins (453m3). This suggests that there is sufficient attenuation capacity available in the three attenuation basins to accommodate pumped groundwater from the bunker excavation. Furthermore, the attenuation basin storage calculations have been based on a storm return period of 1 in 100yr (plus a 20% climate change allowance) which is conservative for a 3-year construction period for the EfW CHP Facility, and it is anticipated that dewatering from the bunker excavation will be required over an even shorter period of 3-4 months. The volume of the three attenuation basins has also been increased by a total of 30m^3 to accommodate the indicative volume of pumped groundwater (as agreed with CCC), which equates to the estimated daily quantity of pumped groundwater. The indicative groundwater pumping rates will be confirmed at the detailed design stage. If the aquifer pumping tests at the detailed design stage indicate that the dewatering rates are higher than the preliminary calculations indicate, then sufficient space will still be available in the southern area of the EfW CHP Facility Site to increase the capacity of the attenuation basins if this is required. This will ensure that pumped groundwater from the deeper excavations (waste bunker over 3-4 months) is appropriately stored within the site, therefore preventing any risks of flooding on site. **Discharge of surface water from attenuation pond** As set out in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** pumped groundwater arising from the deeper excavations will also be discharged into the HWIDB network via the attenuation basins provided in the southern part of the EfW CHP Facility Site. Extensive consultation has been undertaken with the CCC and HWIDB during pre-application and discussions remain ongoing following the submission of the DCO Application. This has included an agreement that the water discharge

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		from the attenuation lagoons will be at greenfield runoff rates as set out in Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]**. The agreements reached to date are also set out in the relevant Statements of Common Ground (SoCGs) with the Host Authorities SoCG **(Volume 9.4) [REP1-038]** and HWIDB SoCG (**Volume 9.13) [REP1-047].**
8.3.4	**Negative**: Works to watercourses: Any works to watercourses, such as culverting, will reduce the capacity of the drain for the conveyance of water and can lead to water backing up in the ditch network upstream. The culverting of watercourses also impedes maintenance access and inspection ability of watercourses. This could prohibit ease of access for maintenance, or issues with a culvert may not be apparent until the structure has failed.	As set out in the FRA (**Appendix 12A FRA Volume 6.4 [APP-084], a**ll temporary watercourse crossings (three crossings proposed at the EfW CHP Facility) have the potential to adversely affect flow conveyance within the affected HWIDB drains and therefore to influence flood depths. As agreed with the HWIDB at a consultation meeting on 14 December 2021 (**Appendix 12B: Stakeholder engagement (Volume 6.4) of Chapter 12: Hydrology of the ES) [APP-085],** the specification of appropriately sized culverts will ensure that the conveyance capacity of the HWIDB ditch network is maintained, or indeed may be improved where culverts of insufficient capacity are upgraded (flood risk measure ID6). Where culverts are to be used to enable access at temporary watercourse crossings over IDB drains (three proposed temporary crossings at the EfW CHP Facility), these will be appropriately sized to maintain existing flow conveyance. Where existing culverts already exist nearby, similarly sized culverts may be suitable. Multiple pipes will not be used. Circular piped culverts will have concrete bedding in locations where ground conditions suggest that settlement could occur. These will be subject to Consents with HWIDB and/or KLIDB.
8.3.5	**Mitigations**: Groundwater pumps from deep excavations: Careful management of the system must be ensured at all times, to mitigate the risk of inundating the groundwater storage structures. If this is appropriately sized and managed then the risks around the structures failing and polluting adjacent watercourses would be mitigated appropriately.	As set out in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** the total volume of the attenuation basins has been increased to accommodate the indicative volume of pumped groundwater ($30m^3$/day). The indicative groundwater pumping rates will be confirmed at the detailed design stage. If the aquifer pumping tests at the detailed design stage indicate that the dewatering rates are higher than the preliminary calculations indicate, then sufficient space will still be available in the southern area of the EfW CHP Facility Site to increase the capacity of the attenuation basins if this is required. This will ensure that pumped groundwater from

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		the deep excavations is appropriately stored within the site therefore preventing any risks of flooding on site. For the lifetime of the development, the Drainage Strategy secured by Requirement 8 of the **Draft DCO (Volume 3.1) [REP1-007].**will be maintained. This includes maintenance of the proposed surface water drainage network infrastructure in accordance with the Maintenance Plan included in Section 5 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017].** The detailed Drainage Strategy is secured by Requirement 8 of the **Draft DCO (Volume 3.1) [REP1-007].**
8.3.6	**Mitigations**: Works to watercourses These should only be carried out where necessary and subject to consent from any approving body. The Applicant must ensure that any works to the watercourses are designed appropriately, and rigorous maintenance schedules are set up to ensure that they continue to function for the lifetime of the works.	Extensive consultation regarding works to watercourses has been undertaken with the HWIDB during pre-application and remains ongoing following the submission of the DCO application. A summary of the consultation undertaken to date is set out in **Appendix 12B of the ES (Stakeholder engagement, Volume 6.4) [APP-085]** and Section 3 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]**. Watercourse crossings have the potential to adversely affect flow conveyance within the affected HWIDB drains and therefore to influence flood depths. As agreed with the HWIDB at a consultation meeting on 14 December 2021 and set out in Tables 6.1 and 6.2 (flood risk mitigation measures) of the FRA (**Appendix 12A FRA Volume 6.4 [APP-084]**, all crossings will be appropriately sized to ensure that the conveyance capacity of the HWIDB ditch network is maintained, or indeed may be improved where culverts of insufficient capacity are upgraded. Consent for the works will be obtained from the HWIDB under Section 23 of the Land Drainage Act 1991, for works which may obstruct flows of an Ordinary Watercourse.
8.4 Operational Phase Impacts		
8.4.1	**Positive**: None identified.	Noted.
8.4.2	**Neutral**: Pollution Control It is not clear the exact range and location of all SuDS features proposed across the site and how these will be incorporated within the scheme. All water must be suitably	As set out in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** SuDS principles will be utilised for attenuation storage and treatment of the surface water discharges from the site. This aims to reduce the rates of discharge to

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	treated in line with the simple index approach, with as much water managed through SuDS features as possible. Where this isn't feasible, suitable justification must be provided, and a suitable alternative proposed. If water is not managed properly, this could lead to high levels of pollution entering the surrounding watercourse networks, having an adverse effect on any biodiversity or abstraction.	greenfield runoff rates and prevent pollution of the HWIDB drains. The proposed SuDS components have been determined in accordance with Simple Index Approach as stipulated in The CIRIA SuDS Manual C753 to provide the required pollution control prior to discharge into the HWIDB drains. The conceptual drainage layout for the EfW CHP Facility Site during the construction and operational phases is illustrated in **Figure 4.1** and **Figure 4.2 respectively.** The indicative proposals for SuDS components will be confirmed at the detailed design stage. This is secured in **Draft DCO (Volume 3.1) [REP1-007]** Requirement 8 (Drainage Strategy).
8.4.3	**Negative**: Climate change allowances It is not clear if climate change has been suitably applied to the hydraulic calculations and design of the network. If climate change allowances are not suitably applied to the modelling of the system, this may compromise the future proofing and integrity of the proposed surface water system over the lifetime of the development. The climate change allowances are incorporated to future proof and ensure that the system can manage runoff into the future with the expected increased rainfall due to climate change.	The climate change allowances used in the hydraulic calculations were discussed on a meeting with CCC on 24/10/22. At the request of CCC, clarification of the climate change allowances and the drainage design calculations are set out in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-007].** Climate change allowances of 20% for the construction phase and 40% for the operational phase have been used in the hydraulic modelling and are in line with the current National Guidance (Flood risk assessments: climate change allowances updated July 2020), for the lifetime of the development.
8.4.4	**Negative**: Small diameter flow controls Information has not been provided with relation to the diameter of flow controls. This must be carefully considered as part of the design as the proposals come through. If flow controls are too small in diameter, then they can lead to an increased risk of blockage, in turn increasing the risk of flooding to surrounding land or property.	The diameter of flow controls was discussed in a meeting with CCC on 24/10/22. It was agreed that the type/diameter of flow controls be provided at the detailed design stage of the drainage strategy. The commitment to specify the diameter of the flow controllers in accordance with the CIRIA SuDS Manual at the detailed design stage is included in Table 3.3 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017].** The Outline Drainage Strategy is secured in Requirement 8 of the **Draft DCO (Volume 3.1) [REP1-007].**
8.4.5	**Negative**: Pumping of surface water The LLFA is not supportive of the use of pumps due to the residual risk they pose in the event of system failure. The requirement of the use of pumps is not fully understood at	Pumping of surface water runoff was discussed in a meeting with CCC on 24/10/22. At the request of CCC, clarification of the pumping requirements are set out in Table 3.3 and Section 4.3 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]**. During the construction and operational phases of the EfW

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	this point, and every effort should be made to avoid the use where necessary.	CHP Facility, there is a requirement for pumping of surface water runoff from the northern area into the temporary and permanent drainage networks in the southern areas, and to discharge into the HWIDB drainage system. The pumping of surface water runoff is also required from the temporary underground attenuation tank located in the TCC(i). Pumping is required because topographic levels do not permit a gravity outfall from both the temporary and permanent drainage networks, through the attenuation systems into the IDB drainage network.
8.4.6	**Mitigations**: Climate change allowances Ensure that the correct climate change allowances are utilised within the hydraulic calculations for the lifetime of the development. This will ensure that the system is being designed to function with capacity for this expected increase in rainfall.	See response to 8.4.3.
8.4.7	**Mitigations**: Small diameter flow controls Ensuring flow controls are designed in line with standard best practice and suitable filtration of water is proposed to reduce the risks of litter and debris entering the network. Increased maintenance activity will only mitigate this risk to a certain extent and cannot be relied on as the sole mitigation for small diameter controls.	See response to 8.4.4
8.4.8	**Mitigations**: Pumping of surface water Keeping water on the surface where possible. Where this is not possible, amending ground levels to permit gravity outfall could be an option for reduction in requirements for pumps. However, if they are required, the residual risk of the pumps must be investigated, assuming the pumps and all back up pumps were to fail.	At the request of CCC in a meeting held on 24/10/22, the impact of a potential pump failure has been assessed for both the northern area of the EfW CHP Facility and the TCC(i). The calculations were submitted to CCC on 02/12/22 and the Applicant awaits a response. The calculations were also included in Section 4 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]**, together with a description of proposed mitigation measures.

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		As set out in Table 3.1 and Section 4.3 of Rev 2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017],** during the construction phase of the EfW CHP Facility, there is a requirement for pumping surface water runoff from the northern area into the temporary and permanent drainage networks in the southern area and into the HWIDB drainage system. The pumping of surface water runoff is also required from the underground attenuation tank located in the TCC(i). Pumping is required because topographic levels do not permit a gravity outfall from the temporary drainage network into the IDB drainage network.
8.5 Decommissioning Phase Impacts		
8.5.1	**Positive**: Reinstatement opportunities The decommissioning of a site like this could be an opportunity for reinstating this area as a place that water can drain naturally. This could provide some other wider betterments to general flood risk issues.	The Decommissioning Plan, which is secured by **DCO Requirement 28 (draft DCO (Volume 3.1) [REP1-007],** will address the termination of operational activity, and electrical and process isolation and demolition activities. The Decommissioning Plan would be agreed with the relevant planning authority prior to execution.
8.5.2	**Positive**: Removal of structures in watercourses The decommissioning of the site will cease the purpose of culverts for site accesses. This would permit the removal of the structures and ensure that the watercourses can flow freely.	The Decommissioning Plan, which is secured by **DCO Requirement 28 (draft DCO (Volume 3.1) [REP1-007],** will address the removal of the plant infrastructure.
8.5.3	**Neutral**: none identified.	Noted.
8.5.4	**Negative**: Risks of polluted ground It must be ensured that the ground is not highly polluted as this could leach into groundwaters or be washed from the surfaces.	Should future Phase 2 geo-environmental investigations indicate that historical land contamination is likely, testing of the relevant material would be undertaken to assess the risk, and further measures taken as appropriate. Where a risk of contamination has been identified, intrusive investigations would be undertaken, and suitable measures implemented prior to construction works and soil stockpile creation commencing. The installation of surface water runoff control measures and ensuring that stockpiles are located an appropriate distance away from watercourses (measures specified in the Water Management Plan (**Appendix B of Outline CEMP (Volume 7.12 of the ES) [REP1-024])** would further

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		minimise the risk of contaminants arising from the excavation of contaminated land from reaching watercourses. The CEMP is secured in Requirement 10 of the **Draft DCO (Volume 3.1) [REP1-007].**
8.5.5	**Mitigations**: Risks of polluted ground Ensuring that the ground is not fully of contaminants and removing these contaminants where required.	See response to 8.5.4.
8.6 Requirements and Obligations		
8.6.1	8 - (1) No part of Work No. 1, 1A, 1B, 2A, 2B, 4A, 4B, 6A, 6B and 9 may commence until written details of the drainage strategy for that Work No. has been submitted to and approved by the relevant planning authority in consultation with Anglian Water in respect of any discharge to a public sewer. The written details submitted for approval must be substantially in accordance with the outline drainage strategy. (2) The drainage strategy must be implemented as approved under subparagraph (1)	The pre-application engagement between Anglian Water and the Applicant has identified and agreed on an appropriate foul drainage effluent connection point for the Proposed Development. The point of connection is stated in Section 3.3.27 **ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]** and displayed on Figure 4.2 of the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017].** The foul drainage effluent connection is secured by Works No. 6B, **Draft DCO (Volume 3.1) [REP1-006]**. The Applicant continues to engage with Anglian Water, and the **Statement of Common Ground between Medworth CHP Limited and Anglian Water (Volume 9.10), [REP1-044]** summarises progress on this matter. The Applicant considers a pre-commencement requirement, together with an obligation for the final drainage strategy to be in accordance with the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** to be sufficient.
8.6.2	Noted that the details of all the drainage information is to be left for the requirement. Whilst the concepts are fine for some parts of the sites surface water management strategy,	The Applicant is of the opinion that the **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** provides sufficient

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	the surface water system must be designed appropriately and not all left until the detailed design under the requirement. The LLFA accepts some principles, but more work needs to be carried out at this point to ensure that the system is appropriately designed, and all surfaces are being suitably treated.	detail to enable consideration of the effects upon the existing drainage system. **NPS EN-1 paragraph 5.7.10 states that the IPC** will need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The **Outline Drainage Strategy (Volume 6.4, Appendix 12F of the ES) [REP1-017]** has been prepared consistent with the Act and the management of SUDs which will be located within the EfW CHP Facility Site will rest with the Applicant.

10. Climate Change (ES Chapter 14)

Table 10.1 Applicant's response to CCC and FDC's Climate Change comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
9.2 Policy Context		
9.2.1	The UN Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (AR6) confirms that there is *"unequivocal"* scientific consensus that human-induced climate change is already happening and will continue to increase. Limiting this requires deep reductions in GHG emissions. The Paris Agreement reached by the United Nations (UN) Climate Change Conference in 2015 (COP21), is an international treaty signed by 194 parties, which sets the goal to *"substantially reduce global greenhouse gas emissions to limit the global temperature increase in this century to 2 degrees Celsius while pursuing efforts to limit the increase even further to 1.5 degrees".* To keep global warming to no more than 1.5°C, GHG emissions need to be reduced by 45% from 2010 levels by 2030 and reach net zero by 2050.	The assessment described in **ES Chapter 14 Climate Change (Volume 6.2) [APP-041] Section 14.9** is based on assessing whether the Proposed Development would impede the UK in being carbon net zero by 2050, this being the UK position in terms of meeting international obligations to reduce carbon emissions. Relative to the 'without Proposed Development' scenario (where waste is landfilled), the Proposed Development has lower GHG emissions which will support the UK Government in meeting its carbon budgets/targets.
9.2.2	The Climate Change Act 2008 commits the UK to reducing its GHG emissions to net zero by 2050. Following this, legally binding five-yearly carbon budgets have been established, each of which requires lower total emissions than the previous period.	The change in GHG emissions associated with the Proposed Development are contextualised against the UK carbon budgets and GHG emissions policy objectives at national, regional and local scales. The assessment in **Section 14.9 of ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** has established that the Proposed Development net GHG emissions reduction will equate to 0.004% of the UK's carbon budget for the fourth carbon budget, 0.02% of the UK's fifth carbon budget and 0.03% of the sixth carbon budget.
9.2.3	Cambridgeshire County Council have declared in their updated Climate Change and Environment Strategy (published February 2022) an ambition for the county of Cambridgeshire to reach net zero carbon emissions by 2045.	As stated in **ES Chapter 14 Climate Change (Volume 6.2) [APP-041] Section 14.9**, with respect to GHG emissions at a local level, the Proposed Development will receive residual waste from local authorities and businesses in the region that would otherwise be deposited in landfill. Given the net benefits of GHG emissions of the EfW CHP Facility over

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		the alternative landfill disposal, it is considered that the Proposed Development will have a positive contribution in supporting carbon reduction targets and ambitions for carbon neutrality and net zero in areas where landfill would otherwise be used for residual waste. CCC are currently landfilling its residual waste, and this waste could be redirected to the Medworth EfW CHP Facility (see **Table 4.3, WFAA (Volume 7.3)** submitted at Deadline 2).
9.2.4	Waste management was responsible for approximately 378,700 tonnes carbon dioxide equivalent (CO2e) of GHG emissions across the Cambridgeshire area in 202039, which was 6% of all GHG emissions from the county.	Comment noted. See response to 9.2.3.
9.2.5	Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 - Policy 1 Sustainable Development and Climate Change - states that development proposals will be assessed as to whether they move toward sustainable solutions; that they should take a proactive approach to mitigating climate change and sets out criteria against how this could be achieved.	The **Planning Statement (Volume 7.1) [APP-091]** contains the Applicant's planning assessment of the Proposed Development against relevant national and local policy. It records at section 4.2.20 that Policy 1 promotes sustainable waste management and the use of resources and driving waste up the waste management hierarchy. Further consideration is given at section 4.5.4 and within the Applicant's planning assessment at sections 4.5.7 to 4.5.13. The assessment notes that it is the Government's approach that operational emissions are not a reason to refuse consent for the Proposed Development; these emissions will be managed at a higher level through mechanisms such as the UK Emission Trading Scheme (ETS). Notwithstanding this, the Proposed Development would not have an adverse, material effect on the ability of the UK Government to meet its carbon target and budgets and it would instead make a positive contribution to the achievement of UK, and local, climate change commitments. In consequence, the Proposed Development is in accordance with national and local policy on GHG emissions, including Policy 1.
9.3 Construction Phase Impacts		
9.3.1	**Positive**: None Identified.	Noted.
9.3.2	**Neutral**: None identified	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
9.3.3	**Negative**: Embodied carbon from construction of the proposed plant is a large source of GHG emissions, estimated by the Applicant at over 48,000 tonnes CO2e40. This is likely to occur in the years 2023-2026, which falls within the fourth carbon budget period (2023- 2027). None of these emissions would occur without the development.	See response to 9.3.4 regarding the Applicant's commitments to minimising GHG emissions in construction.
9.3.4	**Mitigations**: Consideration should be given to minimising use of high-carbon materials such as concrete, steel etc, and use of low carbon construction methods and materials, such as more use of recycled/reclaimed materials, electrical plant/tools, and locally sourced items. Checks will also need to be made, prior to construction, that the final design either matches or improves on the bill of materials used for estimating emissions from construction. The emissions from construction transport can also be updated when the supplier locations and transport distances of materials are known.	This has been considered. **Table 14.15, ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**] includes: "*The following high-level options have been applied and developed when seeking to reduce GHG emissions on the Proposed Development:* 1. *Avoid and prevent: maximise potential for reusing or refurbishing materials, where available, to encourage circular economy processes and explore alternative lower carbon options to deliver the Proposed Development's objectives.* 2. *Reduce: apply low carbon solutions (including technologies, materials and products) to minimise resource consumption during the construction, operation and during decommissioning; and construct efficiently: use techniques (i.e., during construction, operation and decommissioning) that reduce resource consumption over the life cycle of the Proposed Development*." Additional detail on measures from the Applicant to reduce GHG emissions during construction include 'Design with a Low Carbon Approach in Mind', where designers must take a fully integrated Life Cycle Assessment (LCA) approach to all design decisions. The EfW CHP Facility is to be BREEAM accredited which weighs highly on sustainability: aim for 'excellent' for the administrative building and the rest of the facility will achieve a 'good' score (see **Section 3.4.78**, **ES Chapter 3 Description of the Proposed Development** (**Volume 6.2**) [**APP-030**]).
9.4 Operational Phase Impacts		
9.4.1	**Positive**: None identified.	Noted. The Applicant considers that the Proposed Development will have a positive contribution in supporting carbon reduction targets and

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		ambitions for carbon neutrality and net zero in areas where landfill would otherwise be used for residual waste
9.4.2	**Neutral**: None identified.	Noted.
9.4.3	**Negative**: Summary of negative impacts from the operational phase GHG emissions from operation of the proposed plant are very high, estimated by the Applicant at over 280,000 tonnes CO2e per year, or over 11 million tonnes CO2e over the 40-year lifetime. The vast majority of these emissions are CO2 released from burning the fossil carbon content of the waste (such as plastics). This annual figure is higher than the total emissions from landfill in Cambridgeshire in 2020.	It is acknowledged that as a standalone entity the Proposed Development results in net carbon emissions when considering emissions from the EfW combustion processes compared to avoided emissions for energy generated by the EfW CHP Facility. However, the GHG assessment in **Section 14.9** of **ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**] indicates a net reduction in emissions in the 'with Proposed Development' scenario compared to a 'without Proposed Development' scenario.
9.4.4	In the Environmental Statement (ES), the Applicant claims that the 'without development' scenario is that all the waste will go to landfill and seeks to compare the anticipated emissions from the development with the scenario where all the waste goes to landfill, and claims that this will save 2,570.8 kilotonnes (kt)42 CO2e of GHG emissions. The Councils have four basic objections to that calculation. 1. The calculation is fundamentally dependent on the composition of the waste burned in the incinerator. However, the composition of waste is unknown and variable. In general, fossil carbon waste (such as plastics) doesn't generate any GHG emissions in landfill, but does lead to high emissions if burned. By contrast, biogenic carbon waste (such as paper, food, and garden waste) generates high emissions if landfilled, (as it breaks down into methane), but fewer emissions if burned (as the combustion process converts methane to carbon dioxide). Accordingly, the extent of GHG emissions from the proposed development,	***Objection 1 Response:*** It is recognised that the composition of waste is unknown and variable, so the GHG assessment (**Chapter 14 Climate Change (Volume 6.2) [APP-041]**) uses the most appropriate information currently available regarding waste composition and determination of associated emissions for landfill and the EfW CHP Facility. This is based on WRAP 2017 residual waste composition[3], Defra guidance on landfill emissions modelling[4] and the operating parameters for the EfW CHP Facility. It is acknowledged that variation in residual waste composition affects the estimation of GHG emissions associated with EfW and LFG processes, so the GHG assessment also includes a sensitivity analysis of waste composition and GHG emissions (**Appendix 14C (Volume 6.4) [APP-088]**), which considered relevant scenarios for increased recycling and a consequent reduction in recyclable materials entering residual waste. The analysis indicates that with increased recycling the EfW CHP Facility would provide a net saving on GHG emissions compared to landfill. The three cases considered for residual waste composition in the sensitivity analysis are:

[3] WRAP (2020). National Municipal Waste Composition, England 2017, Table 3.
[4] Defra (2014). Review of Landfill Methane Emissions Modelling (WR1908).

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	when compared to landfilling, is entirely dependent on what the mix of those two different components would be, over the lifetime of the scheme. The Applicant's calculations on this matter bring with them such a degree of uncertainty that the claimed benefits cannot properly be relied on. 2. The benefits claimed are dependent on an assumption that the electricity generated by the development will displace electricity generated for the grid by the mix of generation sources in the UK from 2020-21 (which includes a proportion of fossil-fuel burning sources, primarily gas). Leaving aside the fact that this assumption is somewhat at odds with the notion of producing an overall increase in energy generation, the calculations as to the overall composition of the electricity generation sources do not properly reflect the likely decreasing carbon intensity of those sources over the lifetime of the scheme. When better assumptions are made as these matters, the Applicant themselves accept that the net benefit reduces from 2,570.80 kt CO2e to 413.71 ktCO2e. That represents only a 3.6% net reduction from the Applicant's stated baseline scenario. 3. All the Applicant's calculations are performed against a baseline of all the waste going to landfill in the 'without development' scenario, for the entire 40 years of operation. This is a highly questionable assumption, not only because of the UK Government policy to achieve a 65% recycling for municipal solid waste by 2035, but also because there are several other possible scenarios of what could happen without the proposed development. 4. In the absence of a definitive commitment to install and operate Carbon Capture and Storage (CCS) at the site, the scheme will continue to contribute GHGs to the atmosphere	• Current residual waste (Core Case): based on WRAP 2017 residual waste composition, assuming this accounts for a recycling rate of 45%.[3] • Reduced Recyclables: assuming a further 20% reduction in recyclable materials (paper, card, plastics, glass, metals, food, garden, wood and textiles) in the WRAP 2017 residual waste composition (in line with UK Government policy to achieve a 65% recycling for municipal solid waste by 2035[5]). • Reduced Food and Plastics: assuming a 90% reduction in food and plastic in the WRAP 2017 residual waste composition, along with a 20% reduction in other recyclable materials (as for the Reduced Recyclables scenario). There is uncertainty on how waste composition could change in the future, so the sensitivity analysis provides an indication of the broad direction and scale of the impact of emissions attributable to the EfW CHP Facility compared to landfill. The uncertainty regarding waste composition is also highlighted in the findings of the revised **WFAA (Volume 7.3)** submitted at Deadline 2. The highlighted that Waste Collection Authorities (WCAs) within the local Study Area already engage in the separate collection of food waste and considered that whilst the provisions of the Environment Act 2021 and the Government's Net Zero Strategy, will undoubtedly have a positive effect on increasing municipal recycling rates, it was questionable that this measure would facilitate the national achievement of a further 21% points in municipal waste recycling, to achieve an overall target of 65%. Therefore, the scenarios considered in the sensitivity analysis (**Appendix 14C (Volume 6.4) [APP-088]**) may be optimistic in terms of increased recycling rates, particularly with respect to opportunities to decrease the proportion of food (a biogenic carbon source) in residual waste. ***Objection 2 Response:***

[5] HM Government (2018). *England's National Waste Strategy. OUR WASTE, OUR RESOURCES: A STRATEGY FOR ENGLAND.*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	in a way which is not consistent with a trajectory towards net zero by 2050.	The UK Grid Average emissions factor for electricity generation, from DUKES (2021)[6], was used in the ES (rather than gas-fired power stations (CCGT)) in response to comments at PEIR stage: *"Concern that the assumption that energy generated by the development is only substituting fossil fuels is not consistent with the current energy mix where gas is used to generate only 41% of the electricity used in 2019*." For the purposes of the assessment in the ES, to provide a conservative estimate of avoided emissions it was assumed that rather than displacing electricity generated by fossil fuels, the electricity generated by the EfW CHP Facility (Proposed Development case) and LFG (without Proposed Development case) would displace UK Grid Average electricity generation. Displacement of conventional fossil fuels is the most likely scenario for the EfW CHP Facility. In response to comments received from CCC and a meeting on 20 October 2022 with representatives from CCC, and King's Lynn and West Norfolk Council, a Technical Meeting Note (TNCC01) (provided at **Appendix 9.2c (Part 9) [REP1-036]** was provided that additionally considered a gradual decarbonisation of the UK electricity grid over time. The Technical Meeting Note (TNCC01) indicates that as reported in the comment from CCC, compared to the results presented in the ES, considering current forecasts for decarbonisation of UK grid electricity generation, the net savings in GHG emissions compared to LFG would be reduced from 2,571 ktCO_2e to 414 ktCO_2e over its lifetime. However, as identified in the ES Core Case and the previous sensitivity analysis for the ES, this additional sensitivity analysis for lifetime grid mix decarbonisation shows that GHG emissions will still be lower in the 'with Proposed Development' case compared to the 'without Proposed Development' case, albeit at a reduced scale. As stated above, the assumption that electricity generated by the EfW CHP Facility would displace UK grid average electricity generation is considered to be a conservative approach. If the sensitivity analysis takes account of lifetime avoided emissions for replacing electricity generated by CCGT (as per current Defra guidance and assuming an emissions

[6] BEIS (2021). Digest of UK Energy Statistics (DUKES) 2021.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		factor for electricity generation from natural gas of 380 tCO_2/GWh[7]), then the net savings in GHG emissions compared to LFG are estimated to be approximately twice that indicated in the ES Core Case, at 5,167 $ktCO_2e$ over the lifetime of the EfW CHP Facility. ***Objection 3 Response:*** The EfW CHP Facility provides an option for the management of residual waste, remaining after the removal of recyclables, which moves the management higher up the waste hierarchy than the alternative 'without Proposed Development' scenario where waste is sent to landfill. The **WFAA (Volume 7.3)** submitted at Deadline 2 identifies that landfill disposal is the reasonable alternative for the management of residual waste proposed to be used at the EfW CHP Facility. Additionally, UK Government policy[8] is on applying the proximity principle (i.e. managing waste at a location as close as reasonably possible to where waste is generated). Therefore, the climate chapter (**ES Chapter 14 Climate (Volume 6.2) [APP-041]**) considers a 'without Proposed Development' case where waste is collected and transported to available landfill sites. The **WFAA (Volume 7.3)** submitted at Deadline 2 highlights that WCAs within the local Study Area already engage in the separate collection of food waste and considered that whilst the provisions of the Environment Act 2021 and the Government's Net Zero Strategy, will undoubtedly have a positive effect on increasing municipal recycling rates, it was questionable that this measure would facilitate the national achievement of a further 21% points in municipal waste recycling, to achieve an overall target of 65%. ***Objection 4 Response:*** As stated in **Table 14.15, ES Chapter 14 Climate Change (Volume 6.2) [APP-041]**: "*The Proposed Development will be carbon capture retrofit ready with land set aside for a CCS facility. However, the Application does not include the construction and operation of the carbon capture technology within the Proposed Development*."

[7] BEIS (2021). Digest of UK Energy Statistics (DUKES) 2021.
[8] Ministry of Housing, Communities and Local Government (2014). National Planning Policy for Waste.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		Requirement 22 has been introduced into the **Draft DCO (Volume 3.1) [REP1-007]** at Deadline 1 to secure the carbon capture and export readiness reserve space required to deliver future environmental requirements relating to carbon capture and storage. A **Carbon Capture and Export Readiness Reserve Space Plan (Volume 10.7)** demonstrating how this space would be utilised has been produced and submitted at Deadline 2. In addition, Requirement 23 has been introduced into the **Draft DCO (Volume 3.1) [REP1-007]** at Deadline 1 to secure the production of a carbon capture readiness monitoring report which will set out how the undertaker is monitoring the ongoing feasibility of carbon capture and explore technology.
9.4.5	**Negative**: Composition of waste. Appendix 14B of the ES states that the *"GHG assessment methodology for stack emissions is based on the Carbon Assessment carried out by the Carbon Trust for the Cory Riverside Energy from Waste (EfW) Facility".* However, the actual emissions of the proposed plant could vary a lot, depending mainly on the particular composition of the waste material.	See response to 9.4.4 Objection 1.
9.4.6	The waste composition data used by the Applicant for estimating emissions was based on residual waste composition from Waste Resources and Action Programme's (WRAP) national survey of municipal waste for England in 2017. This is an average of waste data analysed from a number of waste samples from local authorities across England. However, this average data masks the large variation in waste composition that occurs in different places (and at different times) due to a number of factors including differing waste collection arrangements, housing types and socio-economic status.	The waste composition used in the ES (**Chapter 14 Climate Change (Volume 6.2) [APP-041]**) has been based on the availability of residual waste going to landfill, as identified in the **WFAA (Volume 7.3)** submitted at Deadline 2. Information on the detailed breakdown of residual waste composition for relevant Waste Planning Authorities is limited in terms of consistency and quality so, for the reasonable worst-case scenario at this stage, the assessment has used information on residual waste composition available from WRAP's national survey of municipal waste for England in 2017 (published in 2020)[9], which is considered to be representative of waste that would be available for the EfW CHP Facility. It is acknowledged that variation in residual waste composition affects the estimation of GHG emissions associated with EfW and LFG processes, so the ES also includes a sensitivity analysis of waste

[9] WRAP (2020). National Municipal Waste Composition, England 2017, Table 3.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		composition and GHG emissions (**Appendix 14C (Volume 6.4) [APP-088]**).
9.4.7	The composition of the waste is the deciding factor as to which disposal method is lower carbon. In general, fossil carbon waste (such as plastics) generates fewer GHG emissions (actually none) if landfilled, but high emissions if burned. In contrast, biogenic carbon waste (such as paper, food, and garden waste) generates high emissions if landfilled (as it emits methane) but fewer emissions if burned (by converting methane to CO2).	See response to 9.4.4 Objection 1.
9.4.8	The Applicant's own sensitivity analysis (appendix 14C) has considered two alternative cases for waste composition; one in which all recyclable materials (paper, card, plastics, glass, metals, food, garden, wood, and textiles) are reduced by 20%, and another in which food and plastics are reduced by 90%. However, by simultaneously reducing both food waste (which contains biogenic carbon) and plastics waste (which contains fossil carbon) by the same percentage, the sensitivity analysis has failed to consider the separate impacts of reducing either the biogenic carbon content or the fossil carbon content.	See response to 9.4.4 Objection 1.
9.4.9	To test the impact of alternative waste composition scenarios, Cambridgeshire County Council's Carbon and Energy Manager used the waste carbon calculator tool developed through the recent Local Government Association's Net Zero Innovation Project (a collaboration between Cambridgeshire County Council and University College London)44. Six different waste composition scenarios were examined: the three scenarios presented by the Applicant (baseline plus two alternatives) as well as Cambridgeshire's current residual waste composition, and two further alternatives; one for reduced plastics and one for reduced food and garden waste. The tool uses the IPCC	The waste composition used in the GHG assessment (**Chapter 14 Climate Change (Volume 6.2) [APP-041]**) has been based on the availability of residual waste going to landfill, as identified in the **WFAA (Volume 7.3)** submitted at Deadline 2. Information on the detailed breakdown of residual waste composition for relevant Waste Planning Authorities is limited in terms of consistency and quality so, for the reasonable worst-case scenario at this stage, the assessment has used information on residual waste composition available from WRAP's national survey of municipal waste for England in 2017 (published in 2020)[10], which is considered to be representative of waste that would be available for the EfW CHP Facility.

[10] WRAP (2020). *National Municipal Waste Composition, England 2017, Table 3.*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	guidelines (Methane Commitment methodology for landfill), and the 'continuous incineration, stoker' option was selected for EfW. Other fuel use was ignored for this purpose. The results gave higher emissions figures for EfW than those calculated by the Applicant for the baseline scenario. They also showed that landfilling would produce lower GHG emissions in four out of the six scenarios, with EfW producing lower emissions in two scenarios. The results of these calculations can be seen in the graph below	Given the UK context for the EfW CHP Facility, determination of the GHG emissions in **Chapter 14 Climate Change (Volume 6.2) [APP-041]**) has used Defra guidance on landfill methane emissions modelling based on a UK scenario[11], and MVV's operating parameters for the EfW CHP Facility. ES **Chapter 14 Climate Change (Volume 6.2) [APP-041]**) also considers the equivalent emissions offset for electricity generation in the UK for both the EfW CHP Facility and the use of LFG in landfill gas engines. It is assumed that the CCC carbon calculations have included an offset for electricity generation for both landfill and incineration; however, this is not clear, as it is noted that the IPCC guidelines referenced by CCC for the 'continuous incineration, stoker' option[12] do not include emissions of GHG from energy recovery. It is acknowledged that variation in residual waste composition affects the estimation of GHG emissions associated with EfW and LFG processes, so the ES also includes a sensitivity analysis of waste composition and GHG emissions (ES Chapter 14 Climate **Appendix 14C (Volume 6.4) [APP-088]**). The three cases considered for residual waste composition in the sensitivity analysis are: • Current residual waste (Core Case): based on WRAP 2017 residual waste composition, assuming this accounts for a recycling rate of 45%.[3] • Reduced Recyclables: assuming a further 20% reduction in recyclable materials (paper, card, plastics, glass, metals, food, garden, wood and textiles) in the WRAP 2017 residual waste composition (in line with UK Government policy to achieve a 65% recycling for municipal solid waste by 2035[13]). • Reduced Food and Plastics: assuming a 90% reduction in food and plastic in the WRAP 2017 residual waste composition, along with a 20% reduction in other recyclable materials (as for the Reduced Recyclables scenario). There is uncertainty on how waste composition could change in the future; however, the scenarios take account of policies in the National

[11] Defra (2014). *Review of Landfill Methane Emissions Modelling (WR1908).*
[12] IPCC (2019). *IPCC Guidelines for National Greenhouse Gas Inventories. Chapter 5: Incineration and Open Burning of Waste.*
[13] HM Government (2018). *England's National Waste Strategy. OUR WASTE, OUR RESOURCES: A STRATEGY FOR ENGLAND.*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		Waste Strategy for England[14] that highlight measures proposed to achieve reductions of both food and plastics in residual waste (such as ensuring that every householder and appropriate businesses have a weekly separate food waste collection, and eliminating avoidable plastic waste over the lifetime of the 25 Year Environment Plan[15]).
9.4.10	This shows that EfW is not always lower carbon than landfill, and also that the scale of GHG emissions varies hugely depending on the composition of the waste. The estimated emissions of ~11 million tCO2e over 40 years could range from as little as 5 million tCO2e to as much as 16 million tCO2e, depending on the composition of waste.	See response to 9.4.9.
9.4.11	It is also worth noting that should the composition of the waste differ, the quantity (tonnage) of waste required to keep the proposed plant operational could also change. This is because a lower calorific value of the waste would mean that a larger quantity of waste would be required in order to retain the same output of energy.	The sensitivity analysis of waste composition and GHG emissions in the ES Chapter 14 Climate **Appendix 14C (Volume 6.4) [APP-088]**) considers scenarios where recyclable materials in waste are reduced in-line with UK Government targets and policies. These identify that there would be a reduction in the calorific value of waste for each scenario, although these would remain within the design parameters for the EfW CHP Facility, so are not expected to change the design quantity of up to 625,600 tonnes/yr for residual waste managed by the EfW CHP Facility.
9.4.12	CO2 from biogenic carbon has been excluded from the total emissions figures, in line with common GHG emissions accounting practice, on the basis that these emissions are regarded as 'carbon neutral', because the CO2 released would be equivalent to the amount absorbed during the material's growth phase. Nonetheless, it is important to note that CO2 emissions from combustion of biogenic carbon would still occur, and that CO2 released by combustion would be emitted to the atmosphere at a faster rate than that which would occur through natural decomposition. If this biogenic CO2 was taken into account, the emissions from EfW would be even higher.	As noted, ES **Chapter 14 Climate Change (Volume 6.2) [APP-041]**) is in line with common GHG emissions accounting practice, which considers that the combustion of material from biogenic sources of carbon are excluded as this has a neutral carbon burden, which considers the lifecycle emissions associated with removal of carbon dioxide from the growth of biogenic sources of carbon.

[14] HM Government (2018). *England's National Waste* ***Strategy. OUR WASTE, OUR RESOURCES: A STRATEGY FOR ENGLAND.***
[15] HM Government (2018). *A Green Future: Our 25 Year Plan to Improve the Environment.*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
9.4.13	**Negative**: Avoided emissions from electricity generation. Whilst there may be a small benefit of avoided GHG emissions from electricity generation, as electricity will be generated from burning the waste, instead of the typical mix of generation sources from the UK grid (which includes a proportion of fossil-fuel burning sources, primarily gas), the size of this benefit will gradually reduce each year, as the UK electricity grid is forecast to decarbonise over time.	In response to comments received from CCC and a meeting on 20 October 2022 with representatives from CCC, and King's Lynn and West Norfolk Council, a Technical Meeting Note (TNCC01) (provided at **Appendix 9.2c (Part 9) [REP1-036]** was provided that additionally considered a gradual decarbonisation of the UK electricity grid over time. The Technical Meeting Note (TNCC01) indicates that compared to the results presented in the ES, considering current forecasts for decarbonisation of UK grid electricity generation, the net savings in GHG emissions compared to LFG would be reduced from 2,571 $ktCO_2e$ to 414 $ktCO_2e$ over its lifetime. However, as identified in the ES Core Case (**Chapter 14 Climate Change (Volume 6.2) [APP-041]**) and the previous sensitivity analysis for the ES (**Appendix 14C (Volume 6.4) [APP-088]**), this additional sensitivity analysis for lifetime grid mix decarbonisation shows that GHG emissions will still be lower in the 'with Proposed Development' case compared to the 'without Proposed Development' case, albeit at a reduced scale. The UK Grid Average emissions factor for electricity generation, from DUKES (2021)[16], was used at ES (rather than gas-fired power stations (CCGT)) in response to comments at PEIR stage: *"Concern that the assumption that energy generated by the development is only substituting fossil fuels is not consistent with the current energy mix where gas is used to generate only 41% of the electricity used in 2019*." For the purposes of the assessment in the ES, to provide a conservative estimate of avoided emissions it was assumed that rather than displacing electricity generated by fossil fuels, the electricity generated by the EfW CHP Facility (Proposed Development case) and LFG (without Proposed Development case) would displace UK Grid Average electricity generation. Displacement of conventional fossil fuels is the most likely scenario for the EfW CHP Facility.
9.4.14	The figure used by the Applicant in their Environmental Statement for avoided GHG emissions from energy generation is incorrect, as these calculations have used a single constant carbon intensity of UK electricity for the	See response to 9.4.13.

[16] BEIS (2021). Digest of UK Energy Statistics (DUKES) 2021.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	entire 40-year period, which will never be the case, as it ignores the forecast decarbonisation of the UK electricity grid over time. These forecasts are published by the Department for Business, Energy and Industrial Strategy (BEIS).	
9.4.15	When the forecast decarbonisation of the UK electricity grid over the proposed lifetime of the plant operation (2026 to 2066) is taken into account, the carbon impact of the proposed development is much worse – by more than 2.8 million tonnes CO2e, compared to the figure originally claimed in the ES. The implications of this error have been discussed by the Applicant in their "Technical Note. Climate Change – Response to CCC Comments. Appendix A – Grid mix decarbonisation," issued to Cambridgeshire County Council in November 2022. This shows that the amount of GHG emissions offset by electricity generation from the proposed plant (based on the Treasury Green Book data table 1, forecast of electricity grid carbon intensity from 2026 to 2065, on a grid-average, generation- based basis), would be only 326 kt CO2e in total over 40 years. This compares to 3,203 ktCO2e claimed in the Applicant's original Environmental Statement, meaning this benefit is likely to be nearly ten times smaller than originally claimed.	The UK Grid Average emissions factor for electricity generation, from DUKES (2021)[17], was used at ES (rather than gas-fired power stations (CCGT)) in response to comments at PEIR stage: *"Concern that the assumption that energy generated by the development is only substituting fossil fuels is not consistent with the current energy mix where gas is used to generate only 41% of the electricity used in 2019*." For the purposes of the assessment in the ES, to provide a conservative estimate of avoided emissions it was assumed that rather than displacing electricity generated by fossil fuels, the electricity generated by the EfW CHP Facility (Proposed Development case) and LFG (without Proposed Development case) would displace UK Grid Average electricity generation. Displacement of conventional fossil fuels is the most likely scenario for the EfW CHP Facility. In response to comments received from CCC and a meeting on 20 October 2022 with representatives from CCC, and King's Lynn and West Norfolk Council, a Technical Meeting Note (TNCC01) (provided at **Appendix 9.2c (Part 9) [REP1-036]** was provided that additionally considered a gradual decarbonisation of the UK electricity grid over time. The Technical Meeting Note (TNCC01) indicates that compared to the results presented in the ES, considering current forecasts for decarbonisation of UK grid electricity generation, the net savings in GHG emissions compared to LFG would be reduced from 2,571 $ktCO_2e$ to 414 $ktCO_2e$ over its lifetime. However, as identified in the ES Core Case and the previous sensitivity analysis for the ES, this additional sensitivity analysis for lifetime grid mix decarbonisation shows that GHG emissions will still be lower in the 'with Proposed Development' case compared to the 'without Proposed Development' case, albeit at a reduced scale.

[17] BEIS (2021). Digest of UK Energy Statistics (DUKES) 2021.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		As stated above, the assumption that electricity generated by the EfW CHP Facility would displace UK grid average electricity generation is considered to be a conservative approach. If the sensitivity analysis takes account of lifetime avoided emissions for replacing electricity generated by CCGT (as per current Defra guidance and assuming an emissions factor for electricity generation from natural gas of 380 tCO_2/GWh[18]), then the net savings in GHG emissions compared to LFG are estimated to be approximately twice that indicated in the ES Core Case, at 5,167 $ktCO_2e$ over the lifetime of the EfW CHP Facility.
9.4.16	The impact of this error on the overall difference in GHG emissions over the 40-year lifetime between the 'with development and 'without development' scenarios is thereby reduced to only 413 ktCO2e (according to the Applicant), which is only a 3.6% difference, or an average of 10 ktCO2e per year. This very small difference is far less than the value of the uncertainty in emissions due to variable waste composition.	See response to 9.4.15.
9.4.17	**Negative**: Baseline 'without development' scenario. The baseline scenario set out by the Applicant assumes that, without the development, all of the annual 625,000 tonnes of waste would go to landfill every year for the 40 years of operation. However, this is at best, unknown, and at worst, very unlikely, due to the UK and local waste strategies. Alternatives include reducing the overall volume of waste produced, through circular economy principles and behavioural change, increasing the proportion of residual waste that is recycled or composted, use of Mechanical-Biological Treatment (MBT), and increased capture rates of landfill gas.	The EfW CHP Facility provides an option for the management of residual waste, remaining after the removal of recyclables, which moves the management higher up the waste hierarchy than the alternative 'without Proposed Development' scenario where waste is sent to landfill. The **WFAA (Volume 7.3)** submitted at Deadline 2 identifies that landfill disposal is the reasonable alternative for the management of residual waste proposed to be used at the EfW CHP Facility. The **WFAA (Volume 7.3)** submitted at Deadline 2 also identifies that some residual waste is incorporated in exports of Refuse Derived Fuel (RDF) to northern continental Europe (Netherlands and Germany) and Scandinavia (Sweden, Norway and Denmark), but highlights that RDF exports have been reducing due to recent tax changes[19] and the increase in the price of haulage making this disposal route a less financially viable option. Additionally, UK Government policy[20] is on applying the proximity

[18] BEIS (2021). Digest of UK Energy Statistics (DUKES) 2021.
[19] The Netherlands implemented the RDF tax which is a €32-per-tonne (£28.75) tax on the import of all foreign waste for incineration. This came into effect on 1 January 2020. Norway introduced a mandatory waste incineration tax of NOK192 (£16) per tonne of fossil-based CO_2, which has been levied on waste delivered to plants in Norway. This came into effect on 1 January 2022.
[20] Ministry of Housing, Communities and Local Government (2014). National Planning Policy for Waste.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		principle (i.e. managing waste at a location as close as reasonably possible to where waste is generated). Therefore, the climate chapter (**ES Chapter 14 Climate Change (Volume 6.2) [APP-041]**) considers a 'without Proposed Development' case where waste is collected and transported to available landfill sites. The **WFAA (Volume 7.3)** submitted at Deadline 2 has also taken into account the availability of mechanical biological treatment (MBT) capacity. It makes reference to the Cambridgeshire assessment of MBT capacity that includes an assumption that MBT represents 100% final disposal capacity. However, this is not the case as a significant proportion of MBT throughput emerges as RDF, which must then either be sent for recovery or disposed of in landfill.
9.4.18	The vast majority of emissions in the Applicant's 'without development' scenario are stated to be from methane from landfill, although it is unknown whether this would continue for the all of the waste for all of the 40 years. Furthermore, even if the waste did all go to landfill, the calculation of these emissions is imprecise and actual emissions from landfill could also vary enormously depending on the biogenic carbon content of the waste composition, as well as how the particular landfill sites are managed (for example, the lining and cap construction and the proportion of landfill gas that is captured and flared). This total should therefore be treated with caution and must be regarded as uncertain.	Determination of the GHG emissions for the 'without development' scenario in the ES (**Chapter 14 Climate Change (Volume 6.2) [APP-041]**) has used Defra guidance on landfill methane emissions modelling[21], which is considered to be the most appropriate approach for a UK scenario. It is acknowledged that variation in residual waste composition affects the estimation of GHG emissions associated with EfW and LFG processes, so the ES also includes a sensitivity analysis of waste composition and GHG emissions (**Appendix 14C (Volume 6.4) [APP-088]**). The three cases considered for residual waste composition in the sensitivity analysis are: • Current residual waste (Core Case): based on WRAP 2017 residual waste composition, assuming this accounts for a recycling rate of 45%.[3] • Reduced Recyclables: assuming a further 20% reduction in recyclable materials (paper, card, plastics, glass, metals, food, garden, wood and textiles) in the WRAP 2017 residual waste composition (in line with UK Government policy to achieve a 65% recycling for municipal solid waste by 2035[22]).

[21] Defra (2014). *Review of Landfill Methane Emissions Modelling (WR1908).*
[22] HM Government (2018). *England's National Waste Strategy. OUR WASTE, OUR RESOURCES: A STRATEGY FOR ENGLAND.*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		• Reduced Food and Plastics: assuming a 90% reduction in food and plastic in the WRAP 2017 residual waste composition, along with a 20% reduction in other recyclable materials (as for the Reduced Recyclables scenario). Uncertainty regarding waste composition is highlighted in the findings of the **WFAA (Volume 7.3)** submitted at Deadline 2. The Waste Fuel Availability Assessment highlighted that WCAs within the local study area already engage in the separate collection of food waste and considered that whilst the provisions of the Environment Act 2021 and the Government's Net Zero Strategy, will undoubtedly have a positive effect on increasing municipal recycling rates, it was questionable that this measure would facilitate the national achievement of a further 21% points in municipal waste recycling, to achieve an overall target of 65%. Therefore, the scenarios considered in the sensitivity analysis (**Appendix 14C (Volume 6.4) [APP-088]**) may be optimistic in terms of increased recycling rates, particularly with respect to opportunities to decrease the proportion of food (a biogenic carbon source) in residual waste.
9.4.19	**Negative**: Carbon Capture and Storage. The scale of emissions is huge, in both scenarios presented by the Applicant, with and without the proposal being built. The main source of emissions from either waste disposal method (landfill or incineration) are estimated by the Applicant to be in the same ballpark of around 11 million tonnes CO2e over 40 years. The operational phase is predicted by the Applicant to occur over 40 years from 2026 to 2066. The impacts of these emissions would therefore be spread over the fourth, fifth, sixth and subsequent future carbon budgets once set.	It is acknowledged that as a standalone entity the Proposed Development results in net carbon emissions when considering emissions from the EfW combustion processes compared to avoided emissions for energy generated by the EfW CHP Facility. However, the GHG assessment in **Section 14.9** of **ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**] indicates a net reduction in emissions in the 'with Proposed Development' scenario compared to a 'without Proposed Development' scenario. The change in GHG emissions associated with the Proposed Development are contextualised against the UK carbon budgets and GHG emissions policy objectives at national, regional and local scales. The assessment in **Section 14.9 of ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** has established that the Proposed Development net GHG emissions reduction will equate to 0.004% of the UK's carbon budget for the fourth carbon budget, 0.02% of the UK's fifth carbon budget and 0.03% of the sixth carbon budget.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
9.4.20	These emissions, which extend way beyond the legally binding net zero deadline of 2050, will inevitably be released to the atmosphere, and contribute to further climate change, unless they are captured at source. The only way that a EfW plant could be compatible with net zero emissions is to install and operate CCS from day one of operation. Setting aside an area for future development of CCS is insufficient as it does not guarantee when or if CCS will become operational.	As stated in **Table 14.15, ES Chapter 14 Climate Change (Volume 6.2) [APP-041]**: "*The Proposed Development will be carbon capture retrofit ready with land set aside for a CCS facility. However, the Application does not include the construction and operation of the carbon capture technology within the Proposed Development.*" Requirement 22 has been introduced into the **Draft DCO (Volume 3.1) [REP1-007]** at Deadline 1 to secure the carbon capture and export readiness reserve space required to deliver future environmental requirements relating to carbon capture and storage. A **Carbon Capture and Export Readiness Reserve Space Plan (Volume 10.7)** demonstrating how this space would be utilised has been produced and submitted at Deadline 2. In addition, Requirement 23 has been introduced into the **Draft DCO (Volume 3.1) [REP1-007]** at Deadline 1 to secure the production of a carbon capture readiness monitoring report which will set out how the undertaker is monitoring the ongoing feasibility of carbon capture and explore technology.
9.4.21	**Negative**: Conclusion regarding negative impacts from the operational phase The assumptions made regarding the composition of the waste can very easily tip the balance as to which disposal method is the lowest carbon. For that reason, alongside the uncertainty of emissions from the baseline 'without development' scenario, and the correction to the figures for avoided emissions from electricity generation, there is now very little difference in the scale of likely emissions between the two scenarios set out by the Applicant, of with and without the proposal being built. This means that it must be regarded as uncertain whether or not the proposed development will lead to lower carbon emissions than alternative waste treatment scenarios without the development.	See response to 9.4.4, Objection 2 and 9.4.15.
9.4.22	Comment on ES Significance: The Applicant's Environmental Statement refers to the latest Institute of	Relative to the 'without Proposed Development' case, the Proposed Development is estimated to result in a net decrease in GHG emissions

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	Environmental Management and Assessment (IEMA) guidance, which states that: *"GHG emissions have a combined environmental effect that is approaching a scientifically defined environmental limit, as such any GHG emissions or reductions from a project might be considered to be significant… The crux of significance therefore is not whether a project emits GHG emissions, nor even the magnitude of GHG emissions alone, but whether it contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050".* However, it is not clear how the proposed development, as it stands, could be consistent with a trajectory towards net zero by 2050 or a 1.5 degrees warming scenario.	equivalent to approximately 2,571ktCO$_2$e over its lifetime (see **Section 14.9** of **ES Chapter 14 Climate Change (Volume 6.2) [APP-041]**). The change in GHG emissions associated with the Proposed Development are contextualised against the UK carbon budgets and GHG emissions policy objectives at national, regional and local scales. The assessment in **Section 14.9** of **ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** has established that the Proposed Development net GHG emissions reduction will equate to 0.004% of the UK's carbon budget for the fourth carbon budget, 0.02% of the UK's fifth carbon budget and 0.03% of the sixth carbon budget. In 2050 when the UK net carbon budget is zero, the Proposed Development will have a beneficial impact equivalent to -67ktCO$_2$e.
9.4.23	In any case, the significance of carbon emissions should not be decided by whether these are lower than an alternative landfill scenario, but by whether emissions align with a net zero trajectory. Council Officers do not agree with the conclusion that the Proposed Development will have a 'beneficial Significant effect'. The IEMA guidance states that "*Only projects that actively reverse (rather than only reduce) the risk of severe climate change can be judged as having a beneficial effect."*	The assessment within **ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**] concludes that: **Section 14.9.42** "*Relative to the 'without Proposed Development' case, the Proposed Development is estimated to result in a net decrease in GHG emissions equivalent to approximately 2,571ktCO$_2$e over its lifetime*." **Section 14.9.49** "*In accordance with IEMA guidance (2022)[23] for defining significance (see Table 14.19 Significance criteria for the GHG assessment) it is concluded that the GHG impact of the Proposed Development will have a beneficial Significant effect. The Proposed Development has net GHG emissions below zero, causing an indirect reduction in atmospheric GHG emissions which has a positive impact on the UK Government meeting its carbon budgets/targets."* The core definition within the IEMA (2022) guidance in Box 3 is: "*Beneficial: the project's net GHG impacts are below zero and it causes a reduction in atmospheric GHG concentration, whether directly or indirectly, compared to the without-project baseline. A project with*

23 IEMA (2022). Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance – 2nd Edition.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		beneficial effects substantially exceeds net zero requirements with a positive climate impact." The above core definition of beneficial significance in the IEMA guidance has been applied in the assessment for **ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**]. IEMA does make further references to beneficial significance: • Page 25 – "*Only projects that actively reverse (rather than only reduce) the risk of severe climate change can be judged as having a beneficial effect*." IEMA do not provide a definition of "*actively reverse (rather than only reduce)*". • Page 26 – "*significant beneficial – this category is reserved for projects with effects that directly or indirectly remove or avoid GHG emissions in the without-project baseline*." Based on IEMA's core definition of beneficial significance and the assessment outcomes in **ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**], it is considered that compared to the without-project baseline, the EfW CHP Facility would have a beneficial significant effect.
9.4.24	**Mitigations**: Carbon Capture and Storage (CCS) has not been included in the proposal. CCS is probably necessary in order for the proposal to be compatible with a Net Zero pathway. In addition, the export of heat (as well as electricity) would increase the benefit from avoided emissions.	As stated in **Table 14.15, ES Chapter 14 Climate Change (Volume 6.2) [APP-041]**: "*The Proposed Development will be carbon capture retrofit ready with land set aside for a CCS facility. However, the Application does not include the construction and operation of the carbon capture technology within the Proposed Development*." Requirement 22 has been introduced into the **Draft DCO (Volume 3.1) REP1-007]** at Deadline 1 to secure the carbon capture and export readiness reserve space required to deliver future environmental requirements relating to carbon capture and storage. A **Carbon Capture and Export Readiness Reserve Space Plan (Volume 10.7)** demonstrating how this space would be utilised has been produced and submitted at Deadline 2. In addition, Requirement 23 has been introduced into the **Draft DCO (Volume 3.1) [REP1-007]** at Deadline 1 to secure the production of a carbon capture readiness monitoring report which will set out how the

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		undertaker is monitoring the ongoing feasibility of carbon capture and explore technology.
9.5 Decommissioning Phase Impacts		
9.5.1	**Positive**: None identified.	Noted.
9.5.2	**Neutral**: None identified.	Noted.
9.5.3	**Negative**: GHG emissions from the decommissioning phase are estimated by the Applicant to be the same as those from the construction phase. It is therefore unknown what the scale of emissions from this phase will be, although there is bound to be some impact.	As described in **Chapter 3 Description of the Proposed Development (Volume 6.2) [APP-030]**, it is assumed that the environmental effects associated with the decommissioning phase would be of a similar level to those reported for the construction phase, albeit with a lesser duration of two years. Therefore, the assessment of GHG emissions in **ES Chapter 14: Climate Change (Volume 6.2) [APP-041]** assumed GHG emission as a result of decommissioning of the Proposed Development to be approximately 48.38ktCO_2e.
9.5.4	**Mitigations**: Consideration should be given to use of electric vehicles, plant and machinery, and selection of the lowest carbon option for disposal of waste materials from the deconstruction of the site, following the waste hierarchy.	**Table 14.15, ES Chapter 14 Climate Change** (**Volume 6.2**) [**APP-041**] includes: "*The following high-level options have been applied and developed when seeking to reduce GHG emissions on the Proposed Development:* 1. *Avoid and prevent: maximise potential for reusing or refurbishing materials, where available, to encourage circular economy processes and explore alternative lower carbon options to deliver the Proposed Development's objectives.* 2. *Reduce: apply low carbon solutions (including technologies, materials and products) to minimise resource consumption during the construction, operation and during decommissioning; and construct efficiently: use techniques (i.e., during construction, operation and decommissioning) that reduce resource consumption over the life cycle of the Proposed Development*."

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		An Outline Decommissioning Environmental Management Plan (DEMP) will be produced for a future DCO deadline to set out the principles of the final DEMP.

11. Socio-economics (ES Chapter 15)

Table 11.1 Applicant's response to CCC and FDC's Socio-economics comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
10.1 Policy Context		
10.1.1	**Cambridgeshire and Peterborough Minerals and Waste Local Plan:** Whilst there are no specific policies in the MWLP directly addressing socioeconomics, Objective 6 of the MWLP is to *"Support sustainable economic growth and the delivery of opportunities,"* and it seeks to achieve this through the enabling of adequate waste management and minerals development.	Comment noted. The Proposed Development would support economic growth. **ES Chapter 15 Socio-economics, Tourism, Recreation and Tourism (Volume 6.2) [APP-042]** identifies the direct and indirect economic benefits that the Proposed development would bring. These benefits include construction and operational employment, support to local supply chains and the implementation of an **Outline Employment and Skills Strategy (Volume 7.8) [APP-099]** that would encourage apprenticeships and skills development. The Proposed development would also be able to provide a source of heat and power to local businesses. The Applicant has prepared a **Combined Heat and Power Assessment (Volume 7.6) [APP-097]** and its commitment to delivering CHP is confirmed by **Draft DCO (Volume 3.1) [REP1-007]** Requirement 23.
10.2 Construction Phase Impacts		
10.2.1	**Positive**: It is accepted that this phase will potentially bring some employment opportunities for local people and that local businesses will benefit from additional trade. The commitment to use as local labour as possible and as local suppliers as possible is welcomed.	Comment noted. The economic benefits are summarised in the response to 10.1.1 above. Further information can also be found within the P**roject Benefits Report (Volume 7.4) [APP-094].**
10.2.2	**Neutral**: The scale of the potential benefits to the local economy are uncertain.	**ES Chapter 15 Socio-economics, Tourism, Recreation and Tourism (Volume 6.2) [APP-042**] identifies the potential economic benefits that should arise as a result of the construction of the Proposed Development. In order to deliver these benefits the Applicant has engaged with Norfolk County Council to prepare an **Outline Employment and Skills Strategy (Volume 7.8) [APP-099]** which commits the Applicant to work with the County, and other host authorities should they choose, in order to deliver a range of initiatives to encourage and upskill local residents and local

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		supply chains to take advantage of the opportunities which will be created. The strategy is secured **through Draft DCO (Volume 3.1) [REP1-007]** Requirement 21.
10.2.3	**Negative**: The proposed scheme has resulted in a degree of stymying of new development in the area due to the risk of Compulsory Purchase Order (CPO) (this includes land owned by Fenland District Council) and the disruption and inconvenience that the construction phase will bring to the local area. The construction phase will impact on local businesses (particularly those on Algores Way) as a result of increased traffic, noise, vibration, and dust. This may impact on their ability to operate as normal and may impact negatively on their business expansion plans.	**ES Chapter 15 Socio-economics, Tourism, Recreation and Tourism (Volume 6.2) [APP-042]** considers the potential for the Proposed Development to affect surrounding land uses including local businesses negatively during the construction phase. It recognises the management plans which have been prepared by the Applicant in outline, such as the **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** and the **Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]** which seek to manage and mitigate construction impacts. With these and other management plans secured via requirement contained within the **Draft DCO (Volume 3.1) [REP1-007]** it concludes that effects would not be significant.
10.2.4	**Mitigations**: None identified.	See response at 10.2.3 above.
10.3 Operational Phase Impacts		
10.3.1	**Positive**: It is recognised that the proposed development will result in some long-term employment opportunities locally. The stated commitment to source local labour and train and develop the workforce is welcomed.	Comment noted. The economic benefits are summarised in the response to 10.1.1 above. Further information can also be found within the **Project Benefits Report (Volume 7.4) [APP-094]**. The stated commitment to source local labour and train and develop the workforce is contained within the **Outline Employment and Skills Strategy (Volume 7.8) [APP-099].**
10.3.2	**Neutral**: The scale of the potential benefits to the local economy / employment market are uncertain and modest in scale.	The Applicant accepts that the scale of potential benefits at operation are less than those identified at construction. Nevertheless, the benefits would accrue over the lifetime of the operational period of 40 years and would consists of 40 full time equivalent jobs, 32 indirect jobs within the wider Study Area and the frequent sourcing of local trades and skills from the local economy. **ES Chapter 15 Socio-economics, Tourism, Recreation and Tourism (Volume 6.2) [APP-042]** section 15.9.67 to 15.9.82 provide more detail.
10.3.4	**Negative**: It is understood that a number of local businesses operating within close proximity to the proposed site have raised concerns that the noise emissions from the site and	The Applicant has undertaken assessments which consider the effects of noise and vibration and air quality upon local Receptors including local businesses and these are reported **within ES Chapter 7 Noise and**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	the impact of the development on air quality will affect the ability of companies involved in food production to meet the required health and safety standards for their industry and therefore the businesses will have to close.	**Vibration (Volume 6.2) [APP-034**] and **ES Chapter 8 Air Quality (Volume 6.2) [APP-035].** **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034]** Table 7.14 lists potential noise Receptors which include thirteen non-residential Receptors (businesses) and concludes that with the additional mitigation measures described within sections 7.10.14 to 7.10.26 that effects would not be significant. The additional mitigation measures are secured via the **Outline Operational Noise Management Plan (Volume 6.4) [REP1-013**] which is itself secured via **Draft DCO (Volume 3.1) [REP1-007]** Requirement 19. **ES Chapter 8 Air Quality (Volume 6.2) [APP-035]** considers the potential for effects upon Receptors which include those on the 'adjacent business park and industrial estate' (section 8.6.8). It identifies mitigation measures within Table 8.25 and concludes that effects would not be significant. With respect to odour, the Applicant has prepared an **Outline Odour Management Plan (Volume 7.11) [REP1-021]** which is itself secured via **Draft DCO (Volume 3.1) [REP1-007]** Requirement 16.
10.3.5	**Mitigations**: None identified.	Comment noted. The Applicant has prepared an **Outline Operational Noise Management Plan (Volume 6.4) [REP1-013]** and an **Outline Odour Management Plan (Volume 7.11) [REP1-021]** which are secured via **Draft DCO (Volume 3.1) [REP1-007]** Requirements 19 and 16.
10.4 Decommissioning Phase Impacts		
10.4.1	**Positive**: It is accepted that this phase will bring some employment opportunities for local people and that local businesses will benefit from additional trade. The removal of the development would alleviate local concerns about the detrimental impact of the facility on food businesses operating in the vicinity.	Comment noted.
10.4.2	**Neutral**: The scale of the benefits to the local economy are uncertain.	Comment noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
10.4.3	**Negative**: The decommissioning phase will impact on local businesses as a result of noise, vibration, and dust. This may impact on their ability to operate as normal and may impact negatively on their business expansion plans.	**Draft DCO (Volume 3.1) [REP1-007]** Requirement 28 requires the Applicant to submit a Decommissioning Plan including a timetable for its implementation and a Decommissioning Environmental Management Plan to the relevant planning authority for its approval.
10.4.4	**Mitigations**: None identified.	Comment noted.

12. Health (ES Chapter 16)

Table 12.1 Applicant's response to CCC and FDC's Health comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
11.1 Policy Context		
11.1.1	The current advice on possible health effects from Energy from Waste Facilities as stated by the Health Protection Agency (now UK Health Security Agency) conclude that "Modern, well manages incinerators make only a small contribution to local concentrations of air pollutants. It is possible that such small additions could have an impact on health but such effects, if they exist are likely to be very small and not detectable."	Noted. Public Health England was consulted on the application and its responses in relation to the EIA Scoping Report, Preliminary Environmental Information Report (PEIR) at statutory consultation and Technical Notes on the approach to the health chapter which supported ongoing technical engagement are provided at **Appendix 16A of the ES (Volume 6.4) [APP-089]**. In their response to the PEIR, PHE provided a link to a web page that includes the document referenced by CCC and a study on modern municipal waste incinerators. PHE said: *Regarding emissions to air from municipal energy from waste developments, PHE has reviewed published research to examine the suggested links between emissions from municipal waste incinerators and effects on health emissions-impact-on-health). PHE's risk assessment. remains 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.* The Applicant has subsequently discussed the project with the UK Health Security Agency at a meeting dated 21/11/2022 attended by CCC and FDC. This followed the Agency's submission of its relevant representation to the Planning Inspectorate on 15/11/22 which stated the following: We can confirm that: *With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 17 August 2021 have been addressed. In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health. UKHSA/OHID is satisfied with the methodology used to undertake the environmental assessment. Following our review of the submitted documentation we are satisfied that*

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		the proposed development should not result in any significant adverse impact on public health. On that basis, we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion.
11.1.2	Cambridgeshire and Peterborough Minerals and Waste Local Plan - Policy 18: Amenity Considerations *… New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including: (a) risk of harm to human health or safety; …*	Taking into account the conclusions of the ES, including in respect of air quality, noise and vibration and visual amenity, the **Planning Statement (Volume 7.1) [APP-091]** has assessed the Proposed Development against Policy 18 of the MWLP. It concludes that the Proposed Development is in accordance with the policy and would not result in unacceptable adverse effects on amenity, including risk of harm to human health or safety.
11.2 Construction Phase Impacts		
11.2.1	**Positive:** None identified.	Noted.
11.2.2	**Neutral**: None identified.	Noted.
11.2.3	**Negative**: Outline Construction Transport Management Plan - The compliance measures that need to be in place to ensure that pre-EURO V vehicles do not enter the site during construction are not clearly set out and further details of any penalty system that will be in place to ensure compliance by contractors and sub-contractors should be provided.	The **Outline Construction Traffic Management Plan (CTMP) Appendix 6A (Volume 6.4) [REP1-011]** includes further details on the construction traffic route restrictions and the Applicant's commitment to impose contractual restrictions on its contractors should the restricted route be used. The detailed CTMP is secured by Draft DCO Requirement 11. Failure to comply with a DCO requirement, or a plan approved pursuant to a DCO requirement, is an offence pursuant to section 161 of the Planning Act 2008. The Applicant therefore considers that appropriate penalties for non-compliance already form part of the DCO process.
11.3 Operational Phase Impacts		
11.3.1	**Positive**: Public Health welcome the inclusion of an HGV Access Strategy and the statement in (paragraph 7.4.13) in regard to HGV emissions that *"All road-based vehicles used in for construction will be to a EURO standard V class or better"*.	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
11.3.2	We welcome the inclusion of an Information pack and communication pack for all contractors involved in the construction, operation, and decommissioning phases.	Noted.
11.3.3	Public Health welcome the proposal to set up a liaison committee and employ a community liaison officer, although there is uncertainty about how long this community liaison officer post will be in place. However, it is essential that the appointment of such an officer takes place prior to the final commissioning to ensure that local residents and businesses have a point of contact from date of issue of the DCO.	The Community Liaison Officer will be a full time, permanent post. **Draft DCO Requirement 22 (Community liaison manager) (Volume 3.1) [APP-013]** confirms that the relevant planning authority will be provided with the contact details of the appointed person in advance of final commissioning.
11.3.4	Public Health welcome inclusion of an employment and skills strategy, particularly if it can address some of the health impacts due to unemployment in the local area as employment status and well-paid employment are key determinant of health outcomes and health inequality.	Noted.
11.3.5	Public Health welcome the Outline Community Benefits Strategy and the proposed approach.	Noted.
11.3.6	**Neutral**: None Identified.	
11.3.7	**Negative**: The proposed operating hours of the plant of 07.00 to 20.00 are long and may generate Mental Health impacts on local residents. The hours of operation have not been assessed as a health impact and consideration of this should have been included in the application.	**Section 3.5.51 to 3.5.52, ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030]** states: Once operational, the EfW CHP Facility would be capable of processing up to 625,600 tonnes of residual commercial, industrial and household waste 24-hours a day, up to 365-days a year. Operational hours for the acceptance of waste would be limited to 07:00 to 20:00 during the 365-days. Outside of these hours, to ensure the EfW CHP Facility's continued operation, and for security purposes, a shift team would be present. There may be some occasions when waste deliveries are accepted outside the normal opening hours; for example, in the case of an emergency or to accommodate the delivery of waste where vehicles have been unavoidably delayed, or in other similar circumstances. It is

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		therefore proposed that the EfW CHP Facility be able to accept waste outside the operating hours stated above in these circumstances. The **ES Chapter 16: Health (Volume 6.2) [APP-043]** has adopted a 'source-pathway-receptor' approach and has been informed by other ES Chapters, principally: • **Chapter 6: Traffic and Transport (Volume 6.2) [APP-033];** • **Chapter 7: Noise and Vibration (Volume 6.2) [APP-034];** • **Chapter 8: Air Quality (Volume 6.2) [APP-035];** • **Chapter 9: Landscape and Visual (Volume 6.2) [APP-036]; and** • **Chapter 15: Socio-economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042].** The assessments within the above chapters do not conclude that the period over which waste would be received would give rise to significant effects and any associated health impacts on the wider population.
11.3.8	Outline Construction Transport Management Plan: The compliance measures that needed to be in place to ensure pre-EURO V vehicles do not enter the site during operation are not clear. For example, expansion on (Para 8.2.5) with further details of any penalty system that will be in place to ensure compliance by contractors and sub- contractors.	See response to 11.2.3 above.
11.3.9	**Mitigations**: Should consent be granted Public Health would seek discussion with the Applicant and consideration by the ExA on how health benefits can be included and secured in the criteria for assessing applications for sponsorship proposals. The ExA is asked to consider securing this commitment as part of the DCO, should consent be granted.	It is assumed this comment is referring to the Outline **Community Benefits Strategy (Volume 7.14) [APP-104].** The final Community Benefits Strategy will be published by the Applicant prior to commencement of the construction of the Proposed Development. The Applicant is keen to continue working in partnership with Local Authorities, local educational establishments, and local community groups to refine the draft document and ensure that the community benefits provided are relevant to the local area in and around Wisbech. This commitment is reflected in the outline strategy **(Volume 7.14) [APP-104].**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		As currently drafted, the Applicant does not consider that the commitments made in the Community Benefits Strategy meet the necessary tests for a DCO requirement or s106 obligation. However, the Applicant will keep its position under review noting that Public Health wishes to discuss this point further.
11.3.10	Public Health would welcome a discussion with the applicant on how health benefits from the Outline Community Benefits Strategy can be included in the criteria for assessing application as part of the sponsorship proposals.	See response to 11.3.9 above.
11.4 Decommissioning Phase Impacts		
11.4.1	**Positive**: None identified.	Noted.
11.4.2	**Neutral**: None identified.	Noted.
11.4.3	**Negative**: The Applicant has not adequately assessed the health impacts during decommissioning which will not be the same as construction impacts. There will be additional impacts due to decommissioning the combustion equipment which may or may not pose a risk to human health.	The environmental effects associated with the decommissioning phase are expected to be of a similar level to those reported for the construction phase works, albeit with a lesser duration of one year. This is due to the nature of the decommissioning works (dismantling of infrastructure and removal from the site), the machinery used, the staff required, and transport routes adopted. Similar embedded mitigation measures would be used to avoid and reduce effects on Receptors. The likely significance of effects relating to the construction phase assessment reported are therefore applicable to the decommissioning phase. The timing of decommissioning is uncertain but would need to comply with legislation and regulations in force at that time. Requirement 28 of the **Draft DCO (Volume 3.1) [APP-013]** sets out the need for a Decommissioning Environmental Management to be produced and agreed with the relevant planning authority, which will include measures to manage decommissioning effects on health.
11.4.4	**Mitigations**: More information is needed from the Applicant to justify the position that there are no health impacts during decommissioning.	The environmental effects associated with the decommissioning phase are expected to be of a similar level to those reported for the construction phase works, albeit with a lesser duration of one year. This is due to the nature of the decommissioning works (dismantling of infrastructure and

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		removal from the site), the machinery used, the staff required, and transport routes adopted. Similar embedded mitigation measures would be used to avoid and reduce effects on Receptors. The likely significance of effects relating to the construction phase assessment reported are therefore applicable to the decommissioning phase. The timing of decommissioning is uncertain but would need to comply with legislation and regulations in force at that time. Requirement 28 of the **Draft DCO (Volume 3.1) [APP-013]** sets out the need for a Decommissioning Environmental Management to be produced and agreed with the relevant planning authority, which will include measures to manage decommissioning effects on health.

13. Major Accidents and Disasters (ES Chapter 17)

Table 13.1 Applicant's response to CCC and FDC's Major Accidents and Disasters comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
12.1 Policy Context		
12.1.1	**Cambridgeshire and Peterborough Minerals and Waste Local Plan - Policy 18: Amenity Considerations** *… New development must not result in unacceptable adverse impacts on the amenity of existing occupiers of any land or property, including: (a) risk of harm to human health or safety; …*	**ES Chapter 17 Major Accidents and Disasters (Volume 6.2) [APP-044]** considers the potential for major accidents and disasters as a result of the Proposed development. It records that the Scoping Opinion provided by the Secretary of State agreed that consideration of significant could be scoped from the assessment. The Chapter therefore establishes the appropriate mitigations which the Applicant will implement and these are referenced in Table 17.6 Summary of the embedded environmental measures and how these influence the MA&D assessment.
12.2 Construction Phase Impacts		
12.2.1	**Positive:** None identified.	Noted.
12.2.2	**Neutral:** None identified.	Noted.
12.2.3	**Negative:** None identified.	Noted.
12.2.4	**Mitigations:** None identified.	Noted.
12.3 Operational Phase Impacts		
12.3.1	**Positive:** None identified.	Noted.
12.3.2	**Neutral:** None identified.	Noted.
12.3.4	**Negative:** Within the proposals there is an acknowledgement of the potential of a residual risk of flooding, during a breach of the raised tidal defences	As set out in the **Flood Risk Assessment (Volume 6.4 of the ES) [APP-084],** the Proposed Development will remain entirely dry during the design flood event (overtopping of the Nene flood defences plus climate change) but is at risk of flooding during a residual risk event (breach of

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	protecting the area, or a severe flood event that exceeds the flood management design standard.	the Nene flood defences plus climate change) and/or a particularly severe overtopping event in excess of the design flood. The Applicant has prepared an **Outline Flood Emergency Management Plan (Volume 7.9) [REP1-019]** which is secured by **Draft DCO (Volume 3.1) [REP1-007] Requirement 13.**
12.3.5	**Mitigations:** The preparation and implementation of an Emergency Flood Response Plan is proposed for the operational phase of the facility to address the residual risk of tidal flooding. Cambridgeshire County Council Emergency Planning Team endorses this proposal to develop an Operational Flood Emergency Management Plan for the site, to be developed in cooperation with the Cambridgeshire and Peterborough Local Resilience Forum (CPLRF). Once completed, the operator should undertake training, testing and validation of the plan with partners to ensure that the arrangements are effective. The operator would be expected to put in place an appropriate programme to periodically review, amend and update the arrangements, including liaison and validation with the CPLRF.	An appropriate Flood Emergency Management Plan consistent with the Outline Flood Emergency Management Plan (Volume 7.9 of the ES) **[REP1-019]** will be developed at the detailed design stage post consent. This is secured via **Draft DCO Requirement 13 (Volume 3.1) [REP1-007].** The relevant planning authority will be responsible for discharging this requirement and anticipate consulting the Cambridgeshire and Peterborough Local Resilience Forum (CPLRF) as part of the plan finalisation.
12.4 Decommissioning Phase Impacts		
12.4.1	**Positive:** None identified.	Noted.
12.4.2	**Neutral:** None identified.	Noted.
12.4.3	**Negative:** None identified.	Noted.
12.4.4	**Mitigations:** None identified.	Noted.

14. Waste Policy matters, including Waste Availability and Composition

Table 14.1 Applicant's response to CCC and FDC's Waste Policy comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
13.2 Policy Context		
13.2.1	The following policies of the MWLP are relevant to the waste element of the proposal and should be given due consideration in the determination of this DCO: • Policy 1: Sustainable Development and Climate Change (insofar relating to moving waste up the waste hierarchy) • Policy 3: Waste Management Needs • Policy 4: Providing for Waste Management • Policy 19: Restoration and Aftercare Policy 16 (Consultation Areas) is also identified within the extracted policies in the LIR (paragraph 13.2.5).	The **Planning Statement (Volume 7.1) [APP-091]** at section 3.1.2 recognises that in addition to NPS EN-1, NPS EN-3 and NPS EN-5, the SoS is required to have regard to factors such as any local impact report provided by a relevant local authority, and any other matters which he or she considers to be both important and relevant to their decision on the DCO application. These 'other matters' may include local planning policy. The **Planning Statement (Volume 7.1) [APP-091]** makes reference to Policy 3 and 4 when considering the principle of the development and concludes at sections 4.2.42-4.2.43 that both polices are supportive of the Proposed Development. Reference to Policy 16 in the context of the Consultation Areas that are buffers around WMAs and other plan designations intended to ensure such sites are protected from development that would prejudice operations within the area for which the buffer is identified, or to protect development that would be adversely affected by such operations is made at section 3.5.6. The Applicant notes CCC and FDCs comment regarding compliance with this policy at 13.3.3 below. Policy 19, restoration and aftercare is not considered to be relevant to the Proposed Development.
13.3 Construction Phase Impacts		
13.3.1	**Positive:** None Identified.	Noted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
13.3.2	**Neutral:** Waste generation during construction. Construction will involve an element of waste generation, but it is in the developer's interest to minimise, reuse, recycle and recover materials, and this should be addressed through the Construction Environmental Management Plan (CEMP).	Noted and agreed. The **Outline Construction Environmental Management Plan (Volume 7.12) [REP1-024]** considers the effective management of construction waste.
13.3.3	**Neutral:** Replacement of waste management capacity and effect on nearby safeguarded Waste Management Area. The proposed site is located on top of the Algores Way Waste Management Area (WMA), and within the Consultation Area for the Wisbech Household Recycling Centre WMA as identified on the MWLP Policies Map. The proposed development will replace the Algores Way site, which is currently a waste management site handling construction, demolition and excavation waste, and recycled aggregates. In capacity terms, the proposal will result in the loss of this site, but it will be replaced with a facility managing a different type of waste with a significantly increased capacity. The proposed development is unlikely to affect the Wisbech Household Recycling Centre. In this context, the Council is content that the proposed development meets criteria (c) of Policy 16: Consultation Areas, and the proposal is compliant with Policy 16 as a whole.	Noted.
13.3.4	**Negative:** None Identified.	Noted.
13.3.5	**Mitigations:** None identified.	Noted.
13.4 Operational Phase Impacts		
13.4.1	**Positive:** As noted in paragraph 14.4 of the RR, if the facility can meet the efficiency requirements to be considered an R1 class and therefore, be considered a recovery facility as opposed to a disposal facility, then it could potentially enable the recovery of 238kt of waste that is currently disposed of to landfill in Cambridgeshire, and up to 625ktpa from a wider regional area.	The EfW CHP Facility has a design R1 value of 0.81 (0.90 with application of climate change correction factor based on regional heating degree day analysis) at design load conditions (DLC) without the export of heat, ensuring that the installation can be classed as an energy recovery operation irrespective of the level of heat export. A CHP-R assessment and details of the R1 calculation have been submitted as part of a permit application and is attached at **Appendix A of Appendix 9.2C (Volume 9.2) [REP1-036]**. Operational data will be collected during

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		commissioning and each subsequent year, with a re-assessment of the R1 calculation made to ensure the EfW CHP Facility does/can continue to achieve R1 status.
13.4.2	**Neutral:** None Identified.	Noted.
13.4.3	**Negative**: Deliverability of Recovery Capacity in other Waste Planning Authority Areas. The operation of the facility is likely to affect the deliverability of Waste Local Plans outside of Cambridgeshire in those Waste Planning Authority Areas from which waste would be sourced. If either this proposal and / or the already permitted PREL Energy Park / Peterborough Green Energy Project45 (PGEL) are constructed this would result in 1.2mt of recovery capacity in the Cambridgeshire and Peterborough areas, either of which is sufficient to accommodate the residual waste of Cambridgeshire and Peterborough several times over.	The **WFAA (Volume 7.3)** submitted at Deadline 2 demonstrates that in 2021, over 220,000 tonnes of 'in scope' household and commercial waste was disposed of to landfill in Cambridgeshire alone. Furthermore, it is noted the capacity assessment which underpins the Cambridgeshire Waste Local Plan relies on all 200,000 tonnes per annum capacity of the Waterbeach MBT facility as final disposal capacity. This is simply not the case as a significant proportion of the 200,000 tonnes throughput of this facility emerges from the plant as refuse derived fuel., This must then either be sent for recovery or disposed of in landfill. Rather, it is considered a conservative assumption of 50% of MBT input emerges from the plant as refuse derived fuel. With these two points in mind, it is considered that over 330,000 tonnes per annum of residual waste from Cambridgeshire alone could be accommodated by the Proposed Development. This would fully accord with the principles of net self-sufficiency and proximity. In terms of the potential 'over-provision' of capacity because of the permitted PGEL facility in Peterborough, it is considered that the realisation of this would be highly unlikely. This is because the site has been undeveloped for over 13 years (the site was granted planning consent in 2009) and is currently on the market. Furthermore, the Applicant considers it unlikely that the PGEL facility will be developed because the facility would use Advanced Combustion Technology and the UK funding market is now reluctant to fund this type of technology. Finally, regarding the assertion that the Proposed Development would affect the deliverability of Waste Local Plans outside of Cambridgeshire: As demonstrated above, over half of the capacity of the Proposed Development (330,000 tonnes per annum) could be sourced from Cambridgeshire alone. The remainder could also readily be sourced from neighbouring Waste Planning Authorities such as Norfolk and Hertfordshire without compromising the deliverability of their respective

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		Waste Local Plans. As the **WFAA (Volume 7.3)** submitted at Deadline 2 sets out, despite earlier studies underpinning their Waste Local Plans noting significant shortfalls in HIC capacity, more recent studies in Norfolk and Hertfordshire are concluding no shortfalls in capacity – this is despite no new HIC treatment capacity coming on stream in these WPA's, and exportation of approximately 876,000 tonnes of HIC waste each year to other WPAs. In this regard, whilst the emerging Local Plans in these neighbouring areas are failing to recognise any need for additional HIC disposal capacity, the data is clearly telling a different story. It is therefore concluded that the Proposed Development could meet a localised need for capacity (in compliance with the proximity principle) whilst **not** compromising the deliverability of the areas' Waste Local Plans.
13.4.4	Cambridgeshire County Council and Peterborough City Council are both signatories to the Memorandum of Understanding between the Waste Planning Authorities of the East of England (March 2019), which seeks to provide for net self-sufficiency in waste management capacity. This means that the signatories can plan in confidence that they only are required to meet the need of their area, unless it has been explicitly raised by another authority; and that by planning to provide for the needs of only that area, there is an appropriate distribution of waste management facilities in locations proximate to the waste arisings. An over provision in one area is likely to result in other areas being unable to meet the requirement to provide for net self-sufficiency, as this capacity will already exist elsewhere.	As demonstrated above, over half of the capacity of the Proposed Development (330,000 tonnes per annum) could be sourced from Cambridgeshire alone. The remainder could also readily be sourced from neighbouring Waste Planning Authorities such as Norfolk and Hertfordshire without compromising the deliverability of their respective Waste Local Plans. As the **WFAA (Volume 7.3)** submitted at Deadline 2 sets out, despite earlier studies underpinning their Waste Local Plans noting significant shortfalls in HIC capacity, more recent studies in Norfolk and Hertfordshire are concluding no shortfalls in capacity – this is despite no new HIC treatment capacity coming on stream in these WPA's, and exportation of approximately 876,000 tonnes of HIC waste each year to other WPAs. In this regard, whilst the emerging Local Plans in these neighbouring areas are failing to recognise any need for additional HIC disposal capacity, the data is clearly telling a different story. It is therefore concluded that the Proposed Development could meet a localised need for capacity (in compliance with the proximity principle) whilst **not** compromising the deliverability of the areas' Waste Local Plans.
13.4.5	Given the current state of strategic planning, other areas will be able to see that there is over provision in a nearby area, but they will have no certainty as to if that capacity is available to their plan area. Consequently, they will still need to provide suitable alternative recovery capacity withing their	See response to 13.4.4

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	plan areas, but viability and deliverability will be undermined by the uncertainty caused by this proposal. Ultimately, this undermines the Local Plan led system and the confidence that is placed in it by local communities	
13.4.6	**Negative**: Uncertainty for two communities. If this proposal is consented, then there will be consent for two large facilities (this proposed facility and PREL / PGEL) providing 1.2mt of capacity within a relatively small geographic area. Whichever facility is constructed first is likely to impact on and reduce the viability of the other. This will result in uncertainty for the communities of Wisbech and Peterborough, neither of which will know if one, both or neither of these facilities will be constructed. It should be noted the PREL / PGEL consent has been technically implemented, so there is no date on which that consent will expire	Even though the PGEL facility has technically been 'implemented' as far as the planning permission is concerned, in the main, this facility has been undeveloped for over 13 years (the site was granted planning consent in 2009) and the site is currently on the market. Furthermore, the Applicant considers it highly unlikely that the PGEL facility will be developed because the facility is only permitted to use Advanced Combustion Technology and the UK funding market is now reluctant to fund this type of technology. Any changes to the permitted development to accommodate changes to the UK funding market would need to be the subject of a further planning application – at which point factors such as need, and sustainability (e.g., the ability of the facility to achieve R1 status through the recovery of heat and power) must be considered.
13.4.7	**Negative:** Disposal of Air Pollution Control, Bottom Ash and Metal Slag. The EfW will produce Air Pollution Control (APC) residue and bottom-ash which includes metal slag. APC residue of the facility will require disposal at an appropriate landfill. There is the potential to recycle the bottom ash, but it would need to be transported by road to another facility. Associated impacts with the incineration and transport of waste, such as traffic, amenity, and climate change, are set out under the other sections of this document.	The EfW CHP Facility treatment process creates two principal types of waste; Incinerator Bottom Ash (IBA) and Air Pollution Control residues (APCr). **Section 3.5.38 to 3.5.41 and Sections 3.4.42 to 3.4.46, ES Chapter 3 Description of the Proposed Development (Vol 6.2) [APP-030]** describe the production and management of the IBA and APCr at the EfW CHP Facility, confirming The IBA and APCr will be exported off site to suitable licenced facilities for either further recycling, in respect of IBA, and landfill in respect of APCR (although the Applicant continues to review the market to investigate commercial opportunities to recycle or recover this waste). Information on the location of licenced IBA and APCr facilities is set out in the **Applicant's response to the ExA's Written Questions (ExQ1) – Appendix 10.2B Technical Note – IBA and APCr Sites and Capacity (Volume 10.2)**.
13.4.8	**Negative:** Minimum amount of waste required for operation. The current documentation in the application submission does not set out the minimum amount of waste required for the facility to operate. This information is important in order	Section 3.5.2 of **ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030],** states the general parameters

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	to be able to understand whether there is likely to be insufficient waste to power the power plant in the future. Impact of insufficient fuel is, therefore, uncertain, and potentially negative as the operator may have to source waste that could potentially be recycled.	for the EfW CHP Facility, including, for the purposes of assessing a worst-case scenario, the maximum annual tonnage to be treated at the EfW CHP Facility. The maximum annual tonnage (625,600tpa) is secured by Work No. 1 **Draft DCO (Volume 3.1) [REP1-006].** The Applicant's Deadline 2 submissions include the updated Waste Fuel Availability Assessment (WFAA) Revision 2 (Volume 7.3). the WFAA has assessed both the local/regional requirement for the Proposed Development as well as the national need. This has concluded that there is insufficient residual waste management capacity available to ensure that non-recyclable waste can be managed as far up the waste hierarchy as possible (i.e., diverted from landfill and in accordance with the waste hierarchy) and in a manner which complies with the proximity principle (i.e., treating waste as close as possible to its point of arising). To secure a commitment of compliance with the waste hierarchy, the Applicant proposes Requirement 14, Schedule 2 **Draft DCO (Volume 3.1) [APP-013]**. Therefore, the Applicant does not agree that the minimum tonnage to operate the EfW CHP Facility is relevant.
13.4.9	**Negative:** Query of R1 Status. Paragraph 2.2.5 of the Waste Fuel Availability Assessment [APP-094] states that for energy generation to be considered as waste treatment (rather than disposal) it must achieve a minimum level of energy recovery efficiency, as specified in the revised Waste Framework Directive (rWFD). There is a footnote to this paragraph stating that the Proposed Development will be designed to meet the relevant energy recovery coefficient (i.e. R1 of 0.65). However, the Council has been unable to identify the documentation detailing how this will be achieved and if it requires both heat and power recovery to be operating to achieve the required energy recovery co-efficient. If the Proposed Development cannot achieve the required level of energy recovery efficiency, it will be regarded as a waste disposal operation under the rWFD,	See response to 13.4.1.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	and not a recovery operation. The impact of a facility considered as a disposal facility would not be moving waste up the waste hierarchy and would therefore have a potentially significant negative impact on the ability to move waste up the hierarchy.	
13.4.10	**Negative:** Moving Waste up the Waste Hierarchy and Compliance with Policies 3 and 4 of the MWLP / Waste Availability and effect on MWLPs. Both Policy 3 and Policy 4 of the MWLP require that any proposed facilities maximise the waste being moved up the waste hierarchy. The distance that waste is likely to travel to the proposed facility is currently unknown, and there is no certainty as to the maximum distance that it could be brought in from. The impact of this is likely to be seen in relation to the climate change, traffic, and the sustainable management of waste. The further distance travelled and the larger the quantity of waste will result in increasingly negative impacts. Owing to the facility operating on a regional scale, any locally positive effect on moving waste up the waste hierarchy is likely to be outweighed by the distances that waste will need to travel to fuel the constant operation of the facility.	The Applicant fully supports the reduction of waste, re use of waste and recycling of waste and it must be stressed that the facility will not prevent recycling. It is considered that the Proposed Development will fully deliver implementation of the waste hierarchy – a cornerstone of England's waste management policy and legislative framework - and divert waste from continued management at the bottom of the waste hierarchy (i.e., landfill) up to having value (in the form of electricity recovered from it). The Proposed Development is designed to accept residual waste, from codes 19 and 20. These are wastes that remain after source separation of recyclables or processing to recover any such viable recyclable material. At the Applicant's other EfW facilities the use of waste codes 19 and 20 prevents the delivery of source segregated or pre-sorted recyclates. The target feedstock is residual waste that is currently being landfilled. As such the facility will move the waste up the waste hierarchy from disposal to recovery. Additionally, (and importantly), the **WFAA (Volume 7.3)** submitted at Deadline 2 also considers the need for the Proposed Development in the context of how much residual waste will require management in the future. In other words, the achievement of national targets for the recycling and reuse of waste have already been taken into account when considering how much residual waste is likely to require management in the future. Furthermore, even if it was considered that there were elements of the existing residual waste stream that could be recycled or re-used, without full analysis of that waste which is currently sent to landfill, it is not known what fractions/ % of the residual waste stream could potentially be moved further up the hierarchy. The **WFAA (Volume 7.3)** submitted at Deadline

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		2 has taken a reasonable approach to assessing potential fuel levels by reviewing quantities of residual waste that are currently sent to landfill and drawing conclusions around the availability of that material to be diverted to the Proposed Development and result in that material being lifted up the waste management hierarchy. The Applicant also refers to Requirement 14 in the **Draft DCO (Volume 3.1) [REP1-007]** relating to compliance with the waste hierarchy,
13.4.11	There is a tension in the project between seeking to reduce the distance that waste travels by sourcing waste that could be managed further up the waste hierarchy and / or bringing in waste over longer distances that is only suitable for recovery.	Waste markets in the UK are directly influenced by a range of factors including waste type, availability of management capacity and government fiscal, waste management and planning policies. Whilst waste should be managed as close as possible to its point of origin, the complex range of influencing factors inevitably means there is a flow of material across the country (and beyond). In this context, it is important to recognise that the Proposed Development is likely to draw in waste from a wider area, than say, simply Cambridgeshire, and that over the life of the Proposed Development, the area from which it will receive waste material is likely to change. Notwithstanding this, as demonstrated in the **WFAA (Volume 7.3)** submitted at Deadline 2, over half of the capacity of the Proposed Development (330,000 tonnes per annum) could be sourced from Cambridgeshire alone – and the remainder could also readily be sourced from neighbouring Waste Planning Authorities such as Norfolk and Hertfordshire without compromising the deliverability of their respective Waste Local Plans. In this regard, the Proposed Development would not only be driving the management of residual waste up the waste hierarchy, but it would manage waste in a manner which aligns closely with the proximity principle.
13.4.12	Negative: Spatial distribution of waste. The proposed facility will require waste as fuel. The Applicant has defined the "in-scope waste" in the Waste Fuel Assessment (WFA) as waste being suitable fuel for the facility and specifically relates to waste being sent to landfill within four specific European Waste Codes in their study area; which broadly translate to black-bag waste, both household and	Noted and agreed that this is the approach which was adopted.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	commercial, that is currently being sent to landfill. This includes waste that may have been processed into refuse derived fuel as well.	
13.4.13	The map below illustrates the location of the in-scope waste being sent to landfill, as listed in the second column of Table 4.4 of the WFA. It has been prepared using the Environment Agency's Waste Data Interrogator 2018, which is the same information the WFA is based on. *Figure 3 Illustration of WFA Table4.4 waste disposed to non-hazardous landfill by Waste Planning Authority Area (Data Source: Environment Agency's Waste Data Interrogator 2018)*	Noted. However, it should also be noted that the 2018 Environment Agency data on which this map and Table 4.4 of the **WFAA (Volume 7.3)** submitted at Deadline 2, has been based, has since been updated with the latest 2021 data. This update shows a similar trend to that reported in the original Table 4.4 and overall quantities of 'in scope' HIC waste sent to landfill in the Study Area remains at ~2.4 million tonnes. There are, however, some notable differences in distribution i.e. Suffolk has seen an increase from ~38,000 tonnes to ~77,000 tonnes; Bedford has increased from ~17,000 tonnes to ~32,000 tonnes; and Norfolk has reduced from ~84,000 tonnes to ~41,000 tonnes.
13.4.14	This map does not depict the 1,507 tonnes attributed to Waste Planning Authority (WPA) not codeable (Bedfordshire), or the 100,539 tonnes attributed to WPA not codeable (East of England), neither of which appear in Table 4.4 of the WFA. However, it does include tonnages for Thurrock and Southend-on-Sea which were, (albeit stated to the contrary in Table 4.4,) not included in the Essex tonnage.	Noted. However, it should also be noted that: • The referenced 'not codeable quantities' do appear in Table 4.4 of the WFFA; and • The Thurrock and Southend on Sea quantities are confirmed in Table 4.4 as being **included** with the Essex tonnage.
13.4.15	As is illustrated above, the main concentration of waste that would be available to feed the facility is located to the south of Cambridgeshire.	Whilst it is accepted that the highest concentration of 'in scope' HIC waste sent to landfill takes place in Essex (located to the South of Cambridgeshire), using the 2021 updated data (which has been set out in the **WFAA (Volume 7.3**) submitted at Deadline 2), the next highest Waste Planning Authorities who dispose 'in scope' HIC to landfill are: • Leicestershire (~232,000 tonnes) • Cambridgeshire (~220,000 tonnes) • Northamptonshire (~211,000 tonnes) • Hertfordshire (209,000 tonnes) • Lincolnshire (102,000 tonnes) With the exception of Hertfordshire, these WPA's are all west and north of the Proposed Development.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
13.4.16	Of the 2,292 kilo-tonnes of waste depicted on the map above (out of a total of 2,438kt), over half (1,264kt) arises from Essex (1034.47kt) and Hertfordshire (229.53), with an additional 36.45kt and 8.02kt arising in Thurrock and Southend-on-Sea respectively. Other large concentrations are Cambridgeshire (236.03kt) itself and in Leicestershire (220.43kt) and Northamptonshire (188.04kt) to the west.	See response to 13.4.15.
13.4.17	If PGEL / PREL (an EfW facility that has consent for the importation of 595ktpa of waste) and the proposed development were both operational, they would together provide 1.2 million tonnes of capacity, both sourcing waste from the area identified above. As can be seen from the distribution of waste, there is only just sufficient waste outside of Essex and Hertfordshire to fuel both plants.	See response to 13.4.6.
13.4.18	In relation to the distribution of waste, it is understandable that where there are areas with smaller tonnages they be required to travel further to be managed; the larger tonnages of waste arising from Essex, Hertfordshire and Leicestershire would be traveling long distances to be managed. Particularly given that Leicestershire does not share a border with Cambridgeshire, and whilst Essex, Hertfordshire and Northamptonshire do, meaning those Counties located to the south of the County would need to travel the length of Cambridgeshire to reach the facility. Whilst the County of Northamptonshire is closer at its farthest point from the facility, it is still located over 100km away. If this proposed facility were to be permitted so close to PGEL, it would result in the waste required to feed the facility traveling longer distances than if it was located closer to those waste arisings.	Waste markets in the UK are directly influenced by a range of factors including waste type, availability of management capacity and government fiscal, waste management and planning policies. Whilst waste should be managed as close as possible to its point of origin, the complex range of influencing factors inevitably means there is a flow of material across the country (and beyond). In this context, it is important to recognise that the Proposed Development is likely to draw in waste from a wider area, than say, simply Cambridgeshire, and that over the life of the Proposed Development, the area from which it will receive waste material is likely to change. The **WFAA (Volume 7.3)** submitted at Deadline 2, has been based on the area that the Proposed Development is most likely to draw waste in from. This has been defined as an area approximately a 2-hour drive time from the Proposed Development. It is generally commercially viable to transport non-hazardous household, industrial and commercial waste from up to around 2 hours away, over 2 hours the haulage cost becomes increasingly expensive. However, due to the fluid nature of the UK waste market, there may also be instances where managing waste from further afield represents the best available solution.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		It is also worth noting that this regionalised pattern of waste management (akin to that adopted by the **WFAA (Volume 7.3**) submitted at Deadline 2) is already evident across the Study Area. For example, Norfolk currently sends significant quantities of HIC waste to an energy from waste facility in Bedfordshire (Rookery South). Finally, in respect of the Proposed Development offering capacity that is 'too close' to the PGEL facility this facility – the Applicant considers it highly unlikely that this facility will be developed. This is because it has remained undeveloped for over 13 years (the site was granted planning consent in 2009) and the site is currently on the market. Furthermore, the facility is only permitted to use Advanced Combustion Technology and the UK funding market is now reluctant to fund this type of technology. Any changes to the permitted development to accommodate changes to the UK funding market would need to be the subject of a further planning application – at which point factors such as need, and sustainability (e.g., the ability of the facility to achieve R1 status through the recovery of heat and power) must be considered. Notwithstanding the doubt surrounding the deliverability of the PGEL facility, the **WFAA (Volume 7.3)** submitted at Deadline 2, assessment has demonstrated that even if the capacity offered by this as yet unbuilt development, a clear need for the capacity offered by the Proposed Development remains.
13.4.19	Furthermore, if other recovery facilities are developed during the lifetime of the facility, it would result in this EfW having to source waste from further afield. This would result in the movement of waste over ever increasing distances, which in turn would have negative impacts including climate change, traffic, and the sustainable use of resources. Smaller, more localised facilities would result in a more sustainable outcome.	The WFAA (Volume 7.3) submitted at Deadline 2 which supports the need for the Proposed Development is focussed entirely on the availability of residual waste, which is presently either sent to landfill or exported from the UK for final disposal i.e., that part of the waste stream that is left over after reuse, recycling and other forms of recovery have taken place. Allied to this, for both the national and local analysis of fuel availability, the WFAA (Volume 7.3) submitted at Deadline 2- and specifically Appendix C – has sought to consider the extent to which there is a need for additional residual waste management capacity by reviewing and taking account of the following energy from waste capacity both in the Study Area and in England: • Operational capacity;

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		• Capacity under construction; • Consented capacity (but not built); and • Capacity in the planning system. Taking into account all existing and emerging capacity, the assessment has concluded that there remains a clear need for the residual waste management capacity offered by the Proposed Development.
13.4.20	**Negative:** No certainty of local waste management provision. Owing to this being a commercial facility, any waste received will be because of commercial agreements or contracts. There is therefore no certainty that this proposed facility will receive waste from the local area or be able to receive that waste, if the need arose. Waste operators often prefer to use their own facilities and transport waste over longer distances rather than sending waste to a rivals' facility which may be closer in distance. Given the scale of the facility, its operation would likely entail the transporting of waste over significant distances.	The Applicant would charge a gate fee for receiving and managing any waste sent by any waste company or local authority (a supplier). Such gate fees would be set through a tender process (especially in the case of local authority waste) or by negotiation. In considering this the supplier will also take into account the cost of transporting the waste from its location to the Applicant's facility and compare this to the cost of transporting and disposing of the waste at another facility it may own further afield. Generally, waste that has been collected locally by a competing waste company is more likely to go to the Applicant's facility than further afield. The Applicant has experienced this at its facility in Devonport. Vehicles collecting waste local to the Applicant's facility are likely to be smaller than larger vehicles coming for further afield, but these can be received equally as well as the larger ones. For the avoidance of doubt the Applicant does not collect waste in any part of the UK, nor operate any transfer stations, and therefore has no incentive to bring waste in from further afield at the exclusion of more local waste.
13.4.21	**Negative:** Updated Government Waste Minimisation Targets. In January 2023, the Government published its Environmental Improvement Plan47 which has a target is to reduce residual waste (excluding major mineral wastes) kg per capita by 50% by 2042 (from 2019 levels). This, in combination with the Government's Circular Economy Package48 (which sets a target to recycle 65% of municipal waste by 2035), has the potential to affect the waste available to fuel the proposed facility. It is acknowledged that this will not result in a direct 50% reduction in fuel available, owing to population growth and the facility only using certain types of waste. However, if both targets are be achieved, it	A fundamental factor is that the EIP includes no clear strategy nor puts the required funding in place to set out how a halving of residual waste by 2042 will be achieved - especially given the stagnating municipal recycling rates already discussed in this assessment. Despite there being significant doubt surrounding the achievability of the halving of residual waste by 2042, the WFAA **(Volume 7.3)** submitted at Deadline 2 has nonetheless sought to understand the 'need case' for the capacity offered by the Proposed Development in the event of such an aspirational target being achieved.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	is likely that there will be a reduction in available waste. Consequently, the facility will need to source its fuel from further afield	Current Office for National Statistics (ONS) population predictions are that in 2043, there will be approximately 61,744,098 people in England – and at 287kg of residual waste per head, this equates to 17.72 million tonnes of residual waste. Whilst current operational and 'in construction' EfW capacity equates to 19.4 million tonnes (as predicted by Tolvik if 2022), inevitably by 2042, a large portion of the existing capacity will be decommissioned and / or require upgrading – particularly the older/ smaller non R1 compliant facilities. It is considered that even in the unlikely event of the EIP stretch target of halving residual waste by 2042 being achieved, there remains a clear need for the capacity offered by the Proposed Development.
13.4.22	Additionally, if constructed, this facility may potentially receive waste which was previously sent to other recovery facilities, which may affect their ability to operate. This issue may not immediately present itself, but in the longer term should additional facilities be consented, or there be a reduction in available fuel, this situation could potentially arise.	The **WFAA (Volume 7.3)** submitted at Deadline 2 which supports the need for the Proposed Development is focussed entirely on the availability of residual waste, which is presently either sent to landfill or exported from the UK for final disposal i.e., that part of the waste stream that is left over after reuse, recycling and other forms of recovery have taken place. In this regard, the need case does not rely on the ability of the Proposed Development to divert residual waste already being sent to energy recovery facilities.
13.4.23	**Negative:** Distribution of Recovery Facilities. For the most sustainable outcome, a network of waste recovery facilities distributed evenly is more likely to result in lower distances of travel overall. Concentrating so much waste recovery capacity, whether it be from PGEL / PREL and / or MVV is not seen as a sustainable option and is therefore contrary to MWLP Policy 1 which opens: "Mineral and waste management proposals will be assessed against the overarching principle of whether the proposal would play an active role in guiding development towards sustainable solutions. In undertaking that assessment, account will be taken of local circumstances such as the character, needs, constraints and opportunities of the plan area. Proposals which are not consistent with this principle will be refused…"	Local Plan Policy 1 Sustainable Development and Climate Change requires that minerals and waste management proposals play an active part in guiding development towards sustainable solutions with consideration to be given to character, need, constraints and opportunities. It requires that proposals take a proactive approach to mitigating and adapting to climate change and include measures to minimise greenhouse gas emissions. The planning assessment presented within the **Planning Statement (Volume 7.1) [APP-091]** assesses the Proposed Development against relevant national and local policy including Policy 1. It concludes within section 4.5 that the Proposed Development is consistent with this policy. The Proposed Development seeks to move the treatment of waste up the waste hierarchy from landfilling producing useful heat and steam which can be supplied to local businesses. **ES Chapter 14 Climate (Volume 6.2) [APP-041]** concludes that the Proposed Development is compliant with UK Government Carbon Budgets and the transition to net zero. In

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		addition it notes that the Proposed Development would not generate additional flood risk, employing climate resilient measures which are listed within the Chapter in Table 14.15.
13.4.24	**Negative:** Compatibility with surrounding land uses (Use Class E). The surrounding industrial estate appears, from a desktop survey, to include buildings that could be considered to fall within Use Class E (Commercial, Business and Service) such as retail, medical and health services, and creche, day nursery and day centres. Planning permission is not required to change between uses within the same Use Class. The Councils have requested that the applicant undertake a land use survey to ascertain whether there are any uses within Use Class E which are sensitive to being in close proximity to an EFW, and explain how any land use conflict would be resolved, if a sensitive activity was established near the facility after its construction.	Comment noted. As set out in the **Planning Statement (Vol 7.1) [APP-091],** the proposed EfW CHP Facility Site is located within the defined settlement boundary of Wisbech and in an employment area such that it is in accordance with the broad spatial strategy set out in Policy 4 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (MWLP). Allied to this, the proposed EfW CHP Facility Site is also designated as a Waste Management Area (WMA). The Applicant notes that the EfW CHP Facility Site is identified within the Emerging Fenland Local Plan October 2022 as a Waste Management Area consistent with the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 located within a Minerals and Waste Local Plan Consultation Area. That part of the EfW CHP facility Site located south of the IDB ditch which bisects the site, west to east is shown as being allocated for Employment/non residential development (Policy LP37.01) with land to the south and east similarly allocated (LP37.01, LP37.06 and LP37.07). The EfW CHP Facility Site is shown as being within an Established Employment Area (Policy LP15). The Proposed Development is, therefore, considered to be an acceptable use of land from a planning policy perspective. On this basis, there is not considered to be a need to undertake a survey of land uses within Use Class E (Shops, offices, cafes, restaurants etc) nor is there an express policy requirement to do so. Notwithstanding the above, the Applicant has undertaken an assessment of the potential effects of the Proposed Development on surrounding land uses and development plan allocations and this is presented in **Chapter 15: Socio economics, Tourism, Recreation and Land Use (Volume 6.2) [APP-042]** of the Environmental Statement (ES). It concludes that surrounding (existing and proposed) land uses would not be affected significantly by the Proposed Development with mitigation measures in place. These measures include for a **Construction Traffic Management Plan (Appendix 6A Volume 6.4) [REP1-011**], a **Construction Noise**

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		and Vibration Monitoring Plan (within the Outline Construction Environmental Management Plan, Volume 7.12) [REP1-024] and an Operational Noise Management Plan (Appendix 7D Volume 6.4) [REP1-013]. Drawing upon the conclusions presented within the Chapter, the Applicant is confident that the Proposed development would not affect future businesses such as those categorised within Use Class E.
13.5 Decommissioning Phase Impacts		
13.5.1	**Positive:** Decommissioning of the site would enable the use of the site for other uses, (see Negative below).	Noted.
13.5.2	**Neutral**: None Identified.	Noted.
13.5.3	**Negative:** It is difficult to anticipate the exact nature of the effects associated with decommissioning - it will depend on the form of decommissioning that is taking place, how much of the facility is being recommissioned at that time, repurposed, or being demolished in its entirety, and what is proposed to replace it. Therefore, the decontamination of the site and management of waste generated from decommissioning would require consideration at that time.	The **Draft DCO (Volume 3.1) [REP1-007]** Requirement 28 requires the submission of a Decommissioning Plan, including a Decommissioning Environmental Management Plan. This latter document would include for the management of those decommissioning impacts including the requirement to undertake for example, highway condition surveys prior to and following decommissioning with the Applicant responsible for any damage recorded as occurring.
13.5.4	4 MWLP Policy 19: Restoration and Aftercare contains a number of requirements. All mineral extraction related proposals, and all waste management proposals which are likely to be temporary in nature, must be accompanied by a restoration and aftercare scheme proposal, secured, if necessary, by a legal agreement. And, where appropriate must meet criteria (a) – (f). Of those, the following criteria are considered to be particularly relevant for the decommissioning of the proposed facility: (a) set out a phasing schedule so as to restore available parts of the site to a beneficial afteruse as soon as is reasonably practicable to do so, and to restore the whole of the site within an agreed timeframe. Only in exceptional circumstances, such as where the afteruse is a reservoir or	See response to 13.5.3 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
	on very small sites where phasing is not practical, will a non-phased scheme be approved; (b) reflect strategic and local objectives for countryside enhancement and green infrastructure, including those set out in relevant Local Plans and Green Infrastructure Strategies, in the Local Nature Partnerships vision and strategic proposals, as well as any applicable wider Development Plan objectives; (d) demonstrate net biodiversity gain through the promotion, preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets;	
13.5.5	The following criteria do not appear to be relevant at this time, but due consideration should be given to them when the Decommissioning Plan is prepared: (c) contribute, if feasible, to identified flood risk management and water storage needs (including helping to reduce the risk of flooding elsewhere) or water supply objectives and incorporate these within the restoration scheme; (e) protect geodiversity and improve educational opportunities by incorporating this element within the restoration scheme, by leaving important geological faces exposed and retaining access to them; and (f) incorporate within the restoration scheme amenity uses, such as formal and informal sport, navigation, and recreation uses.	See response to 13.5.3 above.

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
13.5.6	The Councils recognise that with decommissioning not anticipated until the end of the life of the facility, it is not possible to anticipate the wording of future planning policy. However, the requirement as drafted do not refer to national or local policy. This is likely to result in an unsatisfactory restoration without alteration.	The Applicant will prepare an Outline Decommissioning Environmental Management Plan which will be submitted into Examination. The plan will reference to the need for the final Decommissioning Plan to be prepared consistent with relevant national and local policy in place at that time.

15. Cumulative Impacts (ES Chapter 18)

Table 15.1 Applicant's response to CCC and FDC's Cumulative Impact comments

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
14.1 Summary		
14.1.1	In drafting this LIR, the Councils have considered each of the potential impacts of the proposed development on an individual basis, along with whether the proposed mitigations are sufficient to address them. It should be noted that where there is reference in this LIR to impacts being classed as 'Not Significant', this is a technical classification based on set environmental criteria and whilst this categorisation is relevant in relation to the ES, it does not mean that the impacts do not exist or should be discounted.	Noted.
14.1.2	It is considered that some of the significant impacts that are detailed throughout the LIR are unable to be suitably and sufficiently addressed by the mitigations as currently set out in the application submission and the draft DCO, in particular those relating to the impacts in climate change, landscape and visual, waste needs, the waste hierarchy, and local waste policy.	Noted. The Applicant considers that the effects arising from the construction, operation and decommissioning of the Proposed development to be not of such significance either alone or combines as to indicate that the Proposed Development is non-compliant with national policy and any other adopted or emerging policies that the ExA considers material. The Planning Balance is presented in the **Planning Statement (Volume 7.1) [APP-090].**
14.1.3	Furthermore, as noted in sections 3, 4, 5, and 15 of the Councils' RR, although the cumulative assessment within the Applicant's ES has considered the key issues, concerns have been raised regarding the traffic and transport and air quality assessments as they do not accurately assess the potential impact on the TCA, the proposed Free School site or wider school sites.	The Applicant has set out within its response to the Councils' relevant representations why it considers that the Proposed Development would not have a significant effect upon the TCA and other schools. The list of long and short lists of projects to be included within the cumulative assessment (**ES Chapter 18 Cumulative Effects Assessment Volume 6.2 [APP-045**] and **Appendix 18A Volume 6.4 [APP-090])** was issued to each host authority on 25 February 2022. A cut off date up to the end of January 2022 for projects was proposed. In response CCC provided information on the Fenland Education Campus but did not reference the proposed Free School. The assessment therefore considered all relevant

LIR Paragraph	Summary of CCC and FDC Comments	Applicant's response
		projects in line with the methodology consulted upon at PEIR. In its response to statutory consultation CCC concurred with the identified approach for the consideration of both inter-project and inter-related effects in the Cumulative Effects Assessment (CEA).
14.1.4	Although the consideration of each impact, at each stage of the project, was necessary in order to provide the ExA with sufficient detail, it is important to emphasise that whilst some of the impacts detailed may appear be unobjectionable, these are not independent standalone issues but impacts that will take place simultaneously and will be felt cumulatively. Therefore, the ExA is requested to have regard to the cumulative impact of the proposed development on air quality, noise and vibration, traffic and transport, landscape and visual, climate change, and health, at each phase of the proposed development and should consent be granted ensure that appropriate mitigation measures are secured in the DCO.	**ES Chapter 18 Cumulative Effects Assessment Volume 6.2 [APP-045]** records at Table 18.2 that CCC concurred with the identified approach for the consideration of both inter-project and inter-related effects in the Cumulative Effects Assessment (CEA). The Chapter undertakes an assessment of inter-related and inter-project effects generated by the Proposed Development which includes for the consideration of the cumulative effects upon receptors from more than one environmental topic. The conclusion reached in Section 18.7 Inter-related effects assessment is that cumulative effects would not be significant.
14.1.5	**Mitigations:** The Councils have set out in this LIR the specific impacts and mitigations that would be required to address them, should the ExA grant consent for the facility. In addition to the mitigations detailed above, the Councils wish to highlight the resource necessary to properly consider, consult, and respond to the submissions from the applicant relating to the requirements, should the DCO be granted. Moreover, the ongoing monitoring of the site, throughout each of the phases (construction, operation, and decommissioning) will be a key matter of local concern and therefore, the Councils would request that the ExA provides a mechanism within the DCO for the application of fees to ensure that the applicant can be charged fees to allow for the proactive monitoring of the site to ensure compliance with the requirements.	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.

16. Conclusion

16.1.1 The Applicant's response to the CCC and FDC LIR has been provided in this document and were submitted to the Examining Authority for Deadline 2 (24 March 2023).