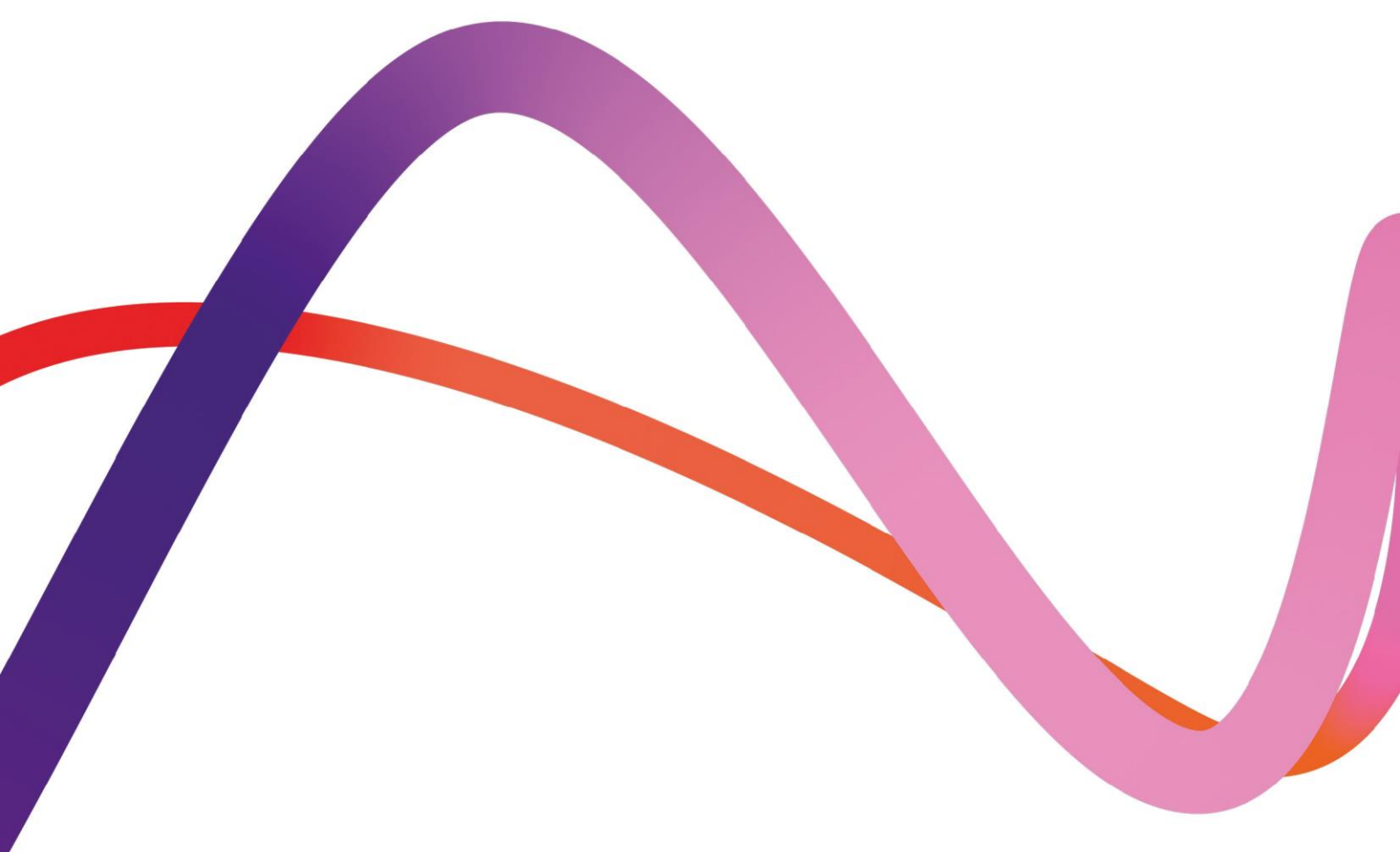


Medworth Energy from Waste Combined Heat and Power Facility



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Deadline: 3
April 2023



Applicant's comments on Deadline 2 submissions

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Contents

1.	Introduction	2
1.1	Background	2
2.	Comments on the responses to Deadline 1 submissions from BCKLWN	3
3.	Comments on the responses to Deadline 1 submissions from CCC and FDC	8

Table 2.1	Comments on the responses to Deadline 1 submissions from the Borough Council of Kings Lynn and West Norfolk	3
Table 3.1	Comments on the responses to Deadline 1 submissions from Cambridgeshire County Council and Fenland District Council	8

1. Introduction

1.1 Background

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 3 (25 April 2023) of the Examination contains the Applicant's comments on Deadline 2 submissions. The responses were made by the following organisations:

- The Borough Council of Kings Lynn and West Norfolk [REP2-029]; and
- Cambridgeshire County Council and Fenland District Council [REP2-031].

1.1.3 The Applicant's comments on the responses are presented in the following tables:

- Table 2.1 Comments on the responses to Deadline 1 submissions from the Borough Council of Kings Lynn and West Norfolk; and
- Table 3.1 Comments on the responses to Deadline 1 submissions from Cambridgeshire County Council and Fenland Borough Council.



2. Comments on the responses to Deadline 1 submissions from BCKLWN

Table 2.1 Comments on the responses to Deadline 1 submissions from the Borough Council of Kings Lynn and West Norfolk

ID	Topic/Para	Response	Applicant Comment
KL01	Noise and Vibration	We have also looked at the applicant's comments on our Noise and Vibration query and are satisfied that these concerns will be dealt with via the Outline CEMP [APP-103].	<p>Comments noted.</p> <p>The Application submitted an updated Outline CEMP at Deadline 1 (Volume 7.12) [REP1-024] and intends to submitted a further revision for Deadline 3.</p>
KL02	Air Quality	The Applicants response to BCKLWN's Relevant Representation (RR) is noted and set out within Table 2.1 within REP1-028. It is also accompanied by REP1-014 (Air Quality Appendix 8B – Air Quality Technical Note (Tracked)) which provides an update to the air quality assessment following the Councils' RR comments.	<p>Comments noted.</p> <p>Some of the data has been further updated in Environmental Statement Appendix 8B: Air Quality Technical Report Revision: 3.0 (Volume 6.4) [REP2-006].</p>
KL03		In terms of the Applicant's response to the RR, the BCKLWN comments have since been expanded on, as explained more fully with the NCC Local Impacts Report (LIR). This provides the most up to date response where for example BCKLWN are broadly in agreement with air quality related matters raised at RR, but also where we are yet to agree for example;	<p>Comments noted.</p> <p>The Applicant's response to BCKLWN comments submitted within the LIR is set out within the Applicant's Response to NCC and KLWN's Local Impact Report (Volume 10.4) [REP2-021].</p>
KL04	Air Quality / 1.1	Under Health Damage Costs / AQ Monitoring (Sections 9.39 – 9.43 LIR) The applicant has indicated that as part of its response to offsetting these potential health damage costs and also	<p>Comments noted and in response to Written Representations, and following a meeting between the Applicant and KLWN, the Applicant has updated and submitted Revision 2 of the LAQMS (Volume 9.21) [REP1-055] at Deadline 3. In addition to the Environmental Permit requirements to monitor emissions at the EfW</p>



ID	Topic/Para	Response	Applicant Comment
		<p>given the level of concern about air quality that it would be receptive in agreeing scope for an air quality monitoring scheme or strategy (AQMS) prior to commencement (to be agreed). As part of offsetting BCKLWN had previously mentioned within the RR that this could extend to work in progressing air quality comments on any further information/submissions received by Deadline 1. However, in light of AQ impacts as not being considered significant, the LIR adds that the Applicant's response for an AQMS seems reasonable especially given the nature and scale of development proposed and as mentioned the level of concern regarding the emissions. An AQMS would also meet the Institute of Air Quality Management's (2018) position statement on mitigation, which advises that offsetting should be within the vicinity of the development which the AQMS would be.</p>	<p>CHP Facility, the Applicant considers that the monitoring detailed in the revised LAQMS will demonstrate that pollutant concentrations in local communities are within the health based objectives and provide confidence to the public. As highlighted, monitoring will be in the vicinity of the Proposed Development.</p>
KL05	Air Quality / 1.2	<p>Under Traffic/AQ Related Matters (Sections 9.26 – 9.38) the LIR confirms that traffic Air Quality (AQ) input data as set out within REP1-014 is now showing positive values for the respective road links and is therefore considered to be more representative which is welcome. However, the LIR explains that there is still some uncertainty with the AQ input data as it appears less than corresponding values as set out within the Transport Assessment that is based on apportioning the waste by payloads. The AQ road link values also do not tally when distributing the number of HGV vehicles within the traffic network. Based on this uncertainty with traffic / emissions the LIR explains that it increases the need for some roadside AQ monitoring to support</p>	<p>Details of the road traffic volumes used in the air quality assessment have been clarified by the Applicant and are provided in Table 8B.D1 and Table 8B.D2 of Environmental Statement Appendix 8B: Air Quality Technical Report Revision: 3.0 (Volume 6.4) [REP2-006]. This document was submitted at Deadline 2.</p> <p>HGV movements will be managed by the measures in the Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011] and Outline Operational Traffic Management Plan (Volume 7.15) [REP1-026] and implemented through DCO Requirements 11 and 12 (Volume 3.1) [REP1-007].</p> <p>The Draft DCO (Volume 3.1) [REP1-007] includes Requirement 27 (Local air quality monitoring strategy). This requires the Applicant to submit a local air quality monitoring strategy for approval prior to the date of commissioning and thereafter that it be implemented as approved. The Applicant is of the opinion that the requirement (as amended at Deadline 3 – see below) provides sufficient guarantees</p>



ID	Topic/Para	Response	Applicant Comment
		<p>the application i.e. a contribution towards the existing roadside diffusion tube monitoring stations (4) that BCKLWN deploy and an additional location along the A1101.</p>	<p>to the relevant planning authority and therefore a S106 agreement is not required to address this matter.</p> <p>In light of KLWN's comments on the Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP1-055] and the ExA's action points ISH2-3, ISH2-4 and ISH2-7, the Applicant met officers on the 18 March 2023. FDC were invited but no response was received. At this meeting it was agreed that, <u>either</u> the LAQMS is secured by a DCO Requirement (the current proposal) <u>or</u> a financial contribution towards extending the host authority's local air quality monitoring scheme is secured by a S.106 contribution. The level of financial contributions to be proportionate to the commitments within the updated Outline LAQMS and raw data/reports to be shared with the Applicant. The Applicant awaits a response from KLWN, in consultation with FDC on which option they wish to proceed with. Other matters confirmed with KLWN and included within the Outline LAQMS (Revision 2) (Volume 9.21) include:</p> <ul style="list-style-type: none"> • Section 2.1 (General) – date to be published quarterly, shared with relevant planning authorities and quality controlled; • Section 2.2 (Monitoring period) – Implementation to be changed from one year prior to the commencement of final commissioning to prior to the commencement of the authorised works. The updated approach generates approximately 36 rather than 12 months of background data before final commissioning of the EfW CHP Facility; • Section 2.3 (Equipment) To monitor PM10 and PM2.5 within the administrative area of KLWN, inclusion of a particulate monitor; and • Section 2.4 (Locations for the equipment) allows for diffusion tube to be located at the roadside. The final locations to be agreed during preparation of the LAQMS, secured by DCO Requirement. <p>The Draft DCO (Volume 3.1) will be updated for Deadline 3 to make it clear that the Outline Local Air Quality Monitoring Strategy (Volume 9.21) (submitted at Deadline 3) must be submitted and approved prior to the commencement of the authorised development.</p>



ID	Topic/Para	Response	Applicant Comment
KL06	Air Quality / 1.3	<p>Within the Deadline 1 submitted documents that is newly presented is an Outline Air Quality Monitoring Strategy (AQMS; REP1-055) which is welcome. The Applicant's response to RR makes it clear that it is willing to commit to undertaking regular monitoring for air quality at locations to be agreed within both BCKLWN and Fenland DC. The Outline AQMS will be secured through newly inserted DCO Requirement 27 that sets out;</p> <p>(1) Prior to the date of final commissioning, a local air quality monitoring strategy must be submitted to the relevant planning authority for approval. The local air quality monitoring strategy submitted for approval must be substantially in accordance with the outline local air quality monitoring strategy.</p> <p>(2) The local air quality monitoring strategy must be implemented as approved under sub-paragraph (1).</p> <p>The locations as depicted within the Outline AQMS were however submitted some while ago and prior to the Air Quality Assessments carried out. Therefore, we would advise that the locations and type of monitoring should be updated in line with comments within the LIR i.e. that considers particulate matter emissions within an urban background type area within BCKLWN. This may require a financial contribution towards the existing roadside monitoring and as agreed new monitoring locations to be provided by the applicant i.e. that require both a s.106 and/or a DCO Requirement. The AQ monitoring scheme would benefit from joint remote interrogation and downloading rather than separately delivered by</p>	Comments notes, see the Applicant's response to KL05, above.

7 Applicant's comments on Deadline 2 submissions



ID	Topic/Para	Response	Applicant Comment
		each local authority to help reassure public about AQ. It may also be of benefit to consult with the relevant public health sections of both NCC and CCC on this AQMS strategy.	
KL07	Air Quality / 1.4	The NCC LIR also expands on air quality matters that BCKLWN are broadly in agreement with for example under LIR Sections 9.18 – 9.25.	Comments noted. The Applicant's response to BCKLWN comments submitted within the LIR is set out within the Applicant's Response to NCC and KLWN's Local Impact Report (Volume 10.4) [REP2-021] .



3. Comments on the responses to Deadline 1 submissions from CCC and FDC

Table 3.1 Comments on the responses to Deadline 1 submissions from Cambridgeshire County Council and Fenland District Council

ID	Topic/Para	Response	Applicant Comment
CC01	2.2 Land Plan (Rev2) [REP1-004] Extent of Land required Plan 11 of 17	It should be noted that land parcel 11/1b in the Land Plans, which is presumably required by the Applicant to facilitate improvements to New Bridge Lane in the area immediately west of the former level crossing, is not shown to extend to the top of the roadside ditch. Information available to CCC suggests that the top of the roadside ditch is the highway boundary and not extending up to that point may affect whether the undertaker can fully deliver its proposed design within the identified land. Discussions have been held with the Applicant's agent in relation to this, including details of the potential inaccuracies with Ordnance Survey data owing to the scale at which mapping is surveyed, but as the Land Plans remain unchanged it is being raised again. This has also been raised in CCC's response to the Examiner's First Written Questions [CLA.D2.EXQ1.R].	The Applicant is confident that the works required along New Bridge Lane can be carried out within the current Order limits. Following ISH2, the Applicant and CCC are undertaking a review and shall provide an update to the ExA at Deadline 4. The Applicant is confident the matter can be suitably resolved.
CC02	2.4. Access and Rights of Way Plan (Rev3) [REP1-005]	The highway boundary of New Bridge Lane is not displayed correctly on Plan 1 of 4, in the vicinity of the former level crossing and land parcels labelled A6 and A7. The Applicant's agent was supplied with up-to-date highway boundary	The Applicant has discussed this matter with CCC and it is understood that the Plan is correct but recognised that it does not necessarily reflect the total extent of the public highway, which may extend outside the Order limits. A note has been added to the Plan to clarify this matter.



ID	Topic/Para	Response	Applicant Comment
	Highway boundaries Plan 1 of 4	information on 21 February 2023 and it is requested that the Access and Right of Way plan is updated to reflect the data supplied.	
CC03	3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]	The Councils are concerned that this paragraph will allow removal of vegetation without any regard to biodiversity, for example loss of priority habitat, habitat supporting protected species (e.g. water vole, bats etc) and/or further losses of biodiversity (BNG).	The Applicant notes that during ISH2, CCC confirmed that its concerns on this point had been resolved.
	Temporary use of land for carrying out the authorised development Para 32 (1)(b), Part 4, page 24	All vegetation removal should have been assessed as part of the Environmental Statement, to determine the impact on biodiversity and mitigated embedded in the scheme design. The Councils therefore recommend removal of “vegetation” from the paragraph.	
CC04	3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]	The addition of these paragraphs does not commit the Applicant to actually installing and operating carbon capture and storage (or export) equipment.	The Applicant refers to its oral submissions on this point at ISH2 (as summarised in the Applicant’s written summary of oral submissions and ExA Action Point response ISH2-6 from ISH2 on the Draft DCO (Volume 11.2a) submitted at Deadline 3).
	Climate Change and carbon Schedule 2, para 22 and 23		



ID	Topic/Para	Response	Applicant Comment
CC05	<p>3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]</p> <p>Local air quality monitoring strategy</p> <p>Schedule 2, para 27</p>	<p>The Councils seek clarification of the term “final commissioning”. The requirement for submission of the Local Air Quality Monitoring Strategy “Prior to the date of final commissioning”, does not allow for baseline monitoring, which will be required for 1 year prior to commissioning, as set out in the Outline Local Air Quality Monitoring Strategy [REP1-055]. The HLA would seek that the Local Air Quality Monitoring Strategy is in place in advance of any construction and operation.</p>	<p>The Applicant has amended Requirement 27 of Schedule 2 to the Draft DCO (Volume 3.1) submitted at Deadline 3 to confirm that the LAQMS must be submitted and approved prior to commencement of the authorised development.</p>
CC06	<p>3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]</p> <p>Changes to access</p> <p>Schedule 6</p>	<p>CCC welcomes the amendment to remove references to Algores Way from Schedule 6 Part 1. It is presumed that by moving the references to Algores Way to Schedule 6 Part 2 (“Those Parts of the Access to be Maintained by the Street Authority”) that the Applicant now intends for any completed works to Algores Way to be maintained by a third party landowner and not by the LHA. CCC requests confirmation of this.</p>	<p>The Applicant confirms that the completed works to the unadopted section of Algores Way (Work No. 4B) will be maintained by the street authority which is the landowner, Fenland District Council.</p>
CC07	<p>3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]</p> <p>Changes to access</p>	<p>CCC reiterates the comments relevant to Schedule 6 included in its response to the Examiner’s First Written Questions (DCO.1.6 and DCO.1.27) [CLA.D2.EXQ1.R].</p>	<p>The Applicant refers to its oral submissions on this point at ISH2 (as summarised in the Applicant’s written summary of oral submissions from ISH2 on the Draft DCO (Volume 11.2a) submitted at Deadline 3) and has amended Schedule 6 to the Draft DCO (Volume 3.1) submitted at Deadline 3 to make Schedule 6 clearer.</p>



ID	Topic/Para	Response	Applicant Comment
Schedule 6			
CC08	<p>3.1. Draft Development Consent Order (Tracked) – Rev2 [REP1-006]</p> <p>Protective Provisions</p> <p>Articles 11 and 12, Schedule 11</p>	<p>Neither article 11 and 12, nor the Protective Provisions (Schedule 11), of the draft DCO have been amended to reflect the changes requested by CCC in paragraph 3.13. of its Relevant Representations [RR-002]. The County Council considers that the DCO does not currently offer sufficient protection to the authority in respect of new or amended highways and Page 3 of 17 accesses. This is unacceptable to CCC who will, after completion of works, resume its statutory maintenance responsibilities for the affected highways.</p> <p>Protective provisions are requested to provide the Local Highway Authority (LHA) with the right to review the design, construction and completion of any works in or affecting the highway, prior to the requirement for the undertaker to request certification from the LHA that such works are acceptable. Such provisions could operate broadly in the sequence below:</p> <ul style="list-style-type: none"> i. right of the LHA to review and comment upon and approve (and recover reasonable costs in doing so) in relation to the detailed design of works affecting the existing or proposed public highway; ii. the right to observe and make representation to the undertaker regarding ongoing works that affect the existing or proposed public highway; iii. the ability of the LHA to inspect and approve the completed works within the existing or proposed highway; iv. the requirement of the 	<p>The Applicant refers to its response to CCC's relevant representation in Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties (Volume 9.2) [REP1-028].</p> <p>The Applicant also refers to its oral submissions on this point at ISH2 (as summarised in the Applicant's written summary of oral submissions from ISH2 on the Draft DCO (Volume 11.2a) submitted at Deadline 3). The Applicant has amended Requirement 7 of Schedule 2 to the Draft DCO (Volume 3.1) submitted at Deadline 3 to make it clear that the highway authority must approve all works to the public highway.</p>



ID	Topic/Para	Response	Applicant Comment
		<p>undertaker to obtain certification from the LHA that works are satisfactory and can be adopted as part of the public highway; and the provision of a 'maintenance period' of a minimum of 12 months to follow adoption, during which time the LHA can require the undertaker to resolve any defects in the construction of newly completed works to be adopted as part of the public highway.</p> <p>Further, the payment of reasonable fees, commitment to any commuted sums, commitment to undertake condition/dilapidation surveys of highways, and any necessary mitigation requirements, such as a bridge to avoid prejudicing the reopening of Wisbech rail, are to be discussed and agreed. Please note that the protective provisions requested in this section of CCC's response are not a comprehensive list of all protections requested by the authority</p>	
CC09	<p>6.4. Environmental Statement - Chapter 6 - Traffic and Transport - Appendix 6A - Outline Construction Traffic Management Plan (Tracked) - Rev 2 [REP1-010]</p>	<p>The Outline CTMP does not provide any detail on how access will be preserved for non-motorised traffic that uses New Bridge Lane and the former level crossing as a through route. The Councils request that detail is provided on this.</p>	<p>The Applicant understands that the public does not currently have a right of access over the disused March to Wisbech Railway. Network Rail currently display a notice under the Highways Act 1980 which states that there is no right of public access. The Applicant is not seeking to amend Network Rail's rights in this regard.</p> <p>Notwithstanding, the Applicant will seek to maintain access for non-motorised users along New Bridge Lane and ensure that adequate management of construction traffic is provided. The Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011] does include for the management of non-motorised users through the provision of advanced warning signage and the employment of Qualified personnel (banks person) who will be placed at key locations where and when necessary during construction, including New Bridge Lane. The Outline CTMP has been updated for Deadline 3 with additional management measures.</p>



ID	Topic/Para	Response	Applicant Comment
	Non-motorised users General		
CC10	6.4. Environmental Statement - Chapter 6 - Traffic and Transport - Appendix 6A - Outline Construction Traffic Management Plan (Tracked) - Rev 2 [REP1-010] Damage to highway network General	<p>The outline CTMP does not address the issue of damage to the wider highway network for which CCC is responsible. It is noted that there is provision for the inspection of access points to the highway to be used by construction vehicles.</p> <p>It is requested that provision be made for “before”, “during” and “after” inspections of the wider highway network to be affected by construction traffic. The methods of these inspections are to be agreed with CCC and the inspections funded by the Applicant.</p> <p>It is further requested that provision be made for the Applicant to fund any highway maintenance works that are required to remedy damage caused by construction traffic to the wider highway network.</p>	The Outline CTMP (Volume 6.4) has updated for Deadline 3 to refer to the timing of the surveys. It has also been amended to include for either the Applicant or CCC undertaking the necessary repair works, the latter funded by the Applicant. The Applicant is also in discussion with CCC with regard to the inclusion of these measures within an appropriate S278.
CC11	6.4 Environmental Statement - Chapter 7 - Noise and Vibration Appendix 7D - Outline Operational	The Councils would like to highlight that predicted operational noise effects from the permitted installation has excluded R2. Although it is understood that it is the intention for this development to purchase the property, and therefore it will no longer be a receptor. Until a time when this property is no longer a residential property, R2 is still a valid receptor and should be included in the table.	<p>On the 24 August 2022, the Applicant informed the ExA it had acquired R2 (9 New Bridge Lane) and consequently updated the Book of Reference (Volume 4.1) [AS-006].</p> <p>Since acquiring the property, the Applicant confirms it is and shall remain unoccupied.</p>



ID	Topic/Para	Response	Applicant Comment
	Noise Management Plan (Tracked) - Rev 2 [REP1-012]		Draft DCO Requirement 19 (Noise Management) (Volume 3.1) [REP1-007] secures the cessation of use of R2 (9 New Bridge Lane) as a residential property.
	Exclusion of R2		
	Table 4.1		
CC12	6.4 Environmental Statement - Chapter 7 - Noise and Vibration Appendix 7D - Outline Operational Noise Management Plan (Tracked) - Rev 2 [REP1-012]	In addition to the location of an acoustic fence at 10 New Bridge Lane, the design features of any acoustic fence including should be detailed in the report including its height, materials of construction and noise attenuation calculations. It should be demonstrated that the fence will be sufficient to achieve the outcome specified in Table 4.1 after mitigation. If the owners or occupiers of 10 New Bridge Lane are not agreeable to this mitigation measure, an alternative option(s) should be provided.	<p>The Applicant confirms that during the production of the Outline Noise Management Plan Appendix 7D (Volume 6.4) [REP1-012], the Applicant has engaged in discussions with the owners of 10 New Bridge Lane to confirm their requirements regarding materials and width of entrance to their property. The Outline Operational Noise Management Plan, Appendix 7D (Volume 6.4) [REP1-012] was updated to include reference to agreeing the detailed design with the owners of 10 New Bridge Lane.</p> <p>The detailed design, including the acoustic properties of the fence, will be submitted to the relevant planning authority for approval. The detailed information will demonstrate that the fence will be sufficient to achieve the outcome specified in Table 4.1 (Appendix 7D (Volume 6.4) [REP1-012]) after mitigation.</p> <p>The detailed design is secured by the Operational Noise Management Plan; a Draft DCO Requirement 19 (Noise Management) (Volume 3.1) [REP1-007].</p>
	Acoustic fence at 10 New Bridge Lane		
	Para 5.1.2.		
CC13	6.4 Environmental Statement - Chapter 8 - Air	CCC welcomes the revised Air Quality Technical Note which addresses the majority of issues of concern in previous documentation.	Comments noted.



ID	Topic/Para	Response	Applicant Comment
	Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014]		The Applicant submitted an updated Environmental Statement Appendix 8B: Air Quality Technical Report Revision: 3.0 (Volume 6.4) [REP2-006] for Deadline 2.
	Revised Technical Note		
	General		
CC14	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014]	'FBC' requires correction to 'FDC'	Comments noted.
	Correction		
	Para 3.1.3.		
CC15	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note	Whittlesea' requires correction to 'Whittlesey'.	Comments noted.



ID	Topic/Para	Response	Applicant Comment
	(Tracked) [REP1-014] Correction Para 3.1.5.		
CC16	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014] Environmental Permit Para 4.2.5	The Councils have not seen the submission of the Environmental Permit. The EA are the regulating authority. The Councils are therefore unable to comment on the accuracy of this additional statement.	Comments noted. The Applicant submitted its Environmental Permit application on 05 August 2022. On 02 September 2022 the Environment Agency confirmed that the application would be prioritised to allow parallel tracking with the DCO application. The Applicant was advised by the Environment Agency that the Environmental Permit for the EfW CHP Facility was duly made on the 23 March 2023. Consultation of the EP will commence in due course and the Applicant will provide further updates during the Examination.
CC17	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014]	Generator modelling has been updated, based on updated specifications. It is not explicitly mentioned in any of the material provided, but in discussions with the Applicant on 31/10/22 it was stated that the short-term model results are based on consideration of emissions in every hour of the year and therefore worst-case. If confirmed, then the Councils consider this to be acceptable.	The modelling of the emergency scenario presented in paragraph of 6.4.1 of Environmental Statement Appendix 8B: Air Quality Technical Report Revision: 3.0 (Volume 6.4) [REP2-006] has been carried out to identify the risk of short-term Air Quality Objectives being exceeded. The Applicant can confirm that in order to do this, the model assumes that emissions occur in every hour of the year and the maximum results are presented.



ID	Topic/Para	Response	Applicant Comment
	Diesel generator emissions Para 4.2.22		
CC18	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014] Modelled road network Para 5.1.2	The basis for the modelled road network still remains unclear to the Councils. For instance, the definition of "roads expected to be affected by construction and operational traffic" is unclear, and it is not established whether there are any roads beyond the modelled links where changes in traffic could exceed screening criteria.	The statement "roads expected to be affected by construction and operational traffic" is referring to the roads where traffic flows have been provided from the transport assessment. This identifies where traffic flows will be affected by the Proposed Development. The roads used in the modelled road network do not in all cases exceed the IAQM screening criteria for detailed assessment, but all data have been used for completeness. Changes in road traffic on roads outside of the modelled network will be lower than the screening criteria.
CC19	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014] IBA loading and transportation	The Councils note that the IBA will be loaded in an enclosed area and transported in enclosed or sheeted vehicles.	Comments noted, see the Applicant's response to CC13, above.



ID	Topic/Para	Response	Applicant Comment
	Para 5.1.4.		
CC20	6.4 Environmental Statement - Chapter 8 - Air Quality Appendix 8B - Air Quality Technical Note (Tracked) [REP1-014] HHRA Annex G	Dioxins in particular have been linked to increased cancer risk ¹ , but no consideration of this has been included in the HHRA. Further justification for the approach should be provided.	<p>The UK approach to assessing the impact of dioxin emissions is to assess against the Tolerable Daily Intake set by the Committee of Toxicity¹, rather than considering cancer risk. This approach has been employed in Annex G Human Health Risk Assessment of Environmental Statement Appendix 8B: Air Quality Technical Report Revision: 3.0 (Volume 6.4) [REP2-006].</p> <p>Furthermore, in 2019 Public Health England (PHE), now the UK Health Security Agency (UKHSA), published a guidance on '<i>PHE statement on modern municipal waste incinerators (MWIs) study</i>' reporting on the outcomes of two major studies on municipal waste incinerators and health impacts. UKHSA is the national technical expert on possible impacts on health of energy from waste facilities. The guidance states that: "<i>modern, well run and regulated municipal waste incinerators are not a significant risk to public health. While it is not possible to rule out adverse health effects from these incinerators completely, any potential effect for people living close by is likely to be very small. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that these incinerators make only a very small contribution to local concentrations of air pollutants.</i>"</p> <p>The Proposed Development will operate under an Environmental Permit managed by the Environment Agency that stipulates a series of controls and monitoring that will ensure compliance with the emissions to air limits that are set to ensure no significant risk to human health.</p>
CC21	7.11 Outline Odour Management Plan (Tracked) - Rev 2 [REP1-020]	Updated to acknowledge that all residential locations are 'high' sensitivity to odour.	Comments noted.

¹ COT (2010). COT statement on occurrence of mixed halogenated dioxins and biphenyls in UK food, COT Statement 2010/02



ID	Topic/Para	Response	Applicant Comment
	Receptor list Table 2.1		
CC22	7.12 Outline Construction Environmental Management Plan (Tracked) - Rev 2 [REP1-022] Table of impacts Para 3.4.4	The Councils have noted the addition and welcome the inclusion of a table of impacts.	Comments noted.
CC23	7.12 Outline Construction Environmental Management Plan (Tracked) - Rev 2 [REP1-022] Outline Local Air Quality Monitoring Strategy Para 5.3.4.	The Councils would like to seek clarification that the removal of this paragraph is due to duplication with the Outline Local Air Quality Monitoring Strategy [REP1-055], and that the monitoring will still be undertaken by the Applicant.	The Applicant can confirm that the paragraph was removed because it is now the intention to remove the requirement for air quality monitoring from the Outline CEMP (Volume 7.12) [REP1-022] and instead deliver it via a separate Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP1-055] . The implementation of this strategy is secured via Requirement 27 of the draft DCO (Volume 3.1) [REP1-007] .
CC24	7.12 Outline Construction Environmental	The Councils welcome the inclusion of measures to manage emissions from NRMM.	Comments noted.



ID	Topic/Para	Response	Applicant Comment
	Management Plan (Tracked) - Rev 2 [REP1-022] NRMM emissions Para 5.3.5.		
CC25	7.12 Outline Construction Environmental Management Plan (Tracked) - Rev 2 [REP1-022] Outline Ecological Mitigation Strategy Appendix D	The Councils are concerned that ecological mitigation in the OCEMP [REP1-022] are only suggested as “should” be completed. The Councils seek that the Outline Ecological Mitigation Strategy, Appendix D, OCEMP [REP1-022] be updated to identify what ecological mitigation measures “will” be implemented to protected biodiversity during construction.	The Applicant will submit an updated Outline CEMP (Volume 7.12) [RE1-022] for Deadline 3 which will include and confirm the ecological mitigation to be implemented within the Outline Ecological Mitigation Strategy in Appendix D to that document.
CC26	7.12 Outline Construction Environmental Management Plan (Tracked) - Rev 2 [REP1-022] Outline Construction	The Councils await specific details of the plant equipment and construction techniques, and will work with the Applicant to access the effects and mitigation measures. The Councils would look for Table 2.1. to be updated with receptor-specific mitigation measures, once additional details of construction are known.	Noted. The Table will be updated and confirmed within the final CEMP submitted to the relevant planning authority.



ID	Topic/Para	Response	Applicant Comment
	Noise and Vibration Management Plan Appendix F		
CC27	7.15 Outline Operational Traffic Management Plan (Tracked) - Rev 2 [REP1-025] Non-motorised users General	The preservation and enhancement of New Bridge Lane as a through-route for NMU traffic is in alignment with Statements of Action 1 ('making the countryside more accessible'), 2 ('a safer and health-enhancing activity'), 3 ('72,500 new homes'), and 5 ('filling the gaps') of the Cambridgeshire Rights of Way Improvement Plan (ROWIP). This route could provide a welcome east-west route for NMU traffic when Wisbech southern fringe developments are brought forward, and furthermore it could form part of access routes from Wisbech into the nearby countryside. Ensuring the route is attractive to NMUs is therefore of significance to CCC. The Outline OTMP does not provide any detail on how possible conflict between non-motorised users and the heavy goods traffic that will be introduced to New Bridge Lane will be mitigated. CCC request that further detail is provided on this.	<p>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.</p> <p>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. Following further discussions with CCC, the Applicant has amended the draft DCO (Volume 3.1) submitted at Deadline 3 to confirm that the reduction in speed limit can be delivered using the powers in Article 17.</p> <p>With the above measures in place the Applicant is satisfied that arrangements for NMUs along New Bridge Lane during operation will be enhanced over the situation that exists at present. However, the Applicant has updated the Outline Operational Traffic Management Plan (OTMP) for Deadline 3 to include for the provision of additional signage, an informal NMU crossing point at the site entrance and for the monitoring of NMU activity along New Bridge Lane; the results of which will be provided to the liaison group and the need for any additional mitigation identified, agreed and delivered.</p>
CC28	7.15 Outline Operational Traffic Management	No provision is made for the mitigation of the damage that will be caused to the operational traffic routes. CCC requests that provision be made for assessment of the damage that will be	The Applicant is discussing this matter with CCC and a financial contribution for the maintenance of the improvements to New Bridge Lane will form part of the S.278.



ID	Topic/Para	Response	Applicant Comment
	Plan (Tracked) - Rev 2 [REP1-025] Damage to highway network General	caused by the forecast operational traffic flows and that the Applicant funds proactive maintenance/upgrading of these routes to mitigate the effects of the operational traffic. This will be especially relevant to heavy vehicles.	
CC29	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028] Biodiversity – off-site BNG Para 8.4, page 41	The Councils welcome confirmation that the Applicant is exploring off-site BNG options. The Councils recommend consideration is given to how off-site BNG provisions could be combined with or complement off-site requirement for other disciplines, such as mitigation and enhancement of Public Rights of Way, as set out in the Councils' LIR 2.16-2.18 [REP1- 074].	Comments noted. The Applicant met CCC and Middle Level Commissioners on 31 March 2023 to discuss BNG opportunities and it has updated ES Chapter 11 Appendix 11M Biodiversity Net Gain (Volume 6.4) [AS-009] as a result of this meeting. This revised document is submitted for Deadline 3.
CC30	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory	The Councils welcome confirmation that habitat was assessed against priority habitat criteria. The Councils seek further clarification as to why the habitats along the railway did not meet Open Mosaic Habitat on Previously Developed Land priority habitat criteria.	Scrub consisting of bramble and shrubs is the predominant habitat type along the disused March to Wisbech Railway within the red line boundary. The priority habitat criteria (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 ²) requires an area of open mosaic habitat to be at least 0.25ha in size, contain unvegetated loose bare substrate, and shows spatial variation in

² 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].



ID	Topic/Para	Response	Applicant Comment
	<p>Parties [REP1-028]</p> <p>Biodiversity – Open Mosaic Habitat</p> <p>Para 8.6, page 42</p>		<p>habitats forming a mosaic of one or more early successional communities. Areas of open habitat present within the Site along the disused March to Wisbech Railway are small and localised, and where habitat mosaic exists it is of insufficient size to fulfil the priority habitat criteria.</p>
CC31	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Biodiversity – habitats of county importance</p> <p>Para 8.7, page 42</p>	<p>The Councils welcome confirmation that habitat was assessed against Cambridgeshire and Peterborough County Wildlife Site habitat definitions. This matter is resolved.</p>	<p>Comments noted.</p>
CC32	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory</p>	<p>The Councils seek further consultation is undertaken with the Internal Drainage Board to see if there are opportunities to enhance watercourses within close proximity to the development for the benefit of water vole. The Councils require further information about the proposed offsite water vole habitat to ensure it is</p>	<p>See the Applicant's response to CC29, above.</p> <p>The Applicant is in the process of setting up a meeting with the Middle Level Commissioners to discuss the feasibility of enhancing ditch habitat which is managed by the Internal Drainage Board on- and off-site.</p>



ID	Topic/Para	Response	Applicant Comment
	Parties [REP1-028] Biodiversity – water vole Para 8.8, page 42	appropriate and able to be delivered, as set out in the Councils' LIR [REP1-074]. For example, a feasibility Biodiversity Net Gain assessment, as requested by Natural England [RR-022]	Off-site habitat creation/enhancement will be provided as part of the Proposed Development's Biodiversity Net Gain (BNG) provision. The Applicant will provide an Outline BNG Strategy for Deadline 4 which will set out the approach for delivering BNG. The implementation of this strategy will be secured via Requirement 6 of the draft DCO (Volume 3.1) which will be updated for Deadline 3.
CC33	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028] Biodiversity – water vole Para 8.9, page 43	This does not address the Councils' concerns set out at paragraphs 7.3.13-7.3.17 and 7.4.17-7.4.17 of the Councils' LIR [REP1-074]. The Councils are concerned the ecological mitigation set out in the Outline Construction Environmental Management Plan [REP1-022] will not be delivered. Refer to response to OCEMP above.	See the Applicant's response to CC25, above.
CC34	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]	Confirmation of implementation of dark corridors are welcomed. The Councils require the Outline Lighting Strategy [APP-071] to be updated to confirm dark corridors will be "identified in the final Operational Lighting Strategy at the detailed design phase post consent"	ES Chapter 3 Description of the Proposed Development Appendix 3B Outline Lighting Strategy (Volume 6.4) [APP-071] has been updated to provide this confirmation and submitted at Deadline 3.



ID	Topic/Para	Response	Applicant Comment
	Biodiversity – lighting Para 8.10, page 43		
CC35	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]	The Councils welcome clarification that all ponds have been surveyed for Great Crested Newt. However, the Councils are concerned the ecological mitigation set out in the Outline Construction Environmental Management Plan [REP1-022] will not be delivered. Refer to response to OCEMP above.	See the Applicant's response to CC25, above.
	Biodiversity – Great Crested Newt Para 8.9, page 43		
CC36	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]	The Applicant states that the Outline Lighting Strategy "sets out that lighting design will follow the principles of Bat Conservation Trust/Institute for Lighting Professionals joint guidance." This is inaccurate, the Outline Lighting Strategy states the lighting strategy "will also take account of the recommendations of BCT Guidance Note 08/18 – Bats".	See the Applicant's response to CC34, above.
	Biodiversity - bats		



ID	Topic/Para	Response	Applicant Comment
	Para 8.12, page 43		
CC37	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]	CCC notes the Applicant's responses. Further comments are made below in response to the Applicant's Technical Note Climate Change: Appendix 9.2C (Part 9).	Comments noted.
	Climate change and carbon		
	Page 45 to 50 (Climate)		
CC38	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]	Confirmed that refined ZTVs were produced by WSP, which confirm the extensive coverage highlighted across the Study area.	Comments noted.
	Landscape and Visual Para 6.9, page 80		



ID	Topic/Para	Response	Applicant Comment
CC39	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Landscape and Visual Para 6.11, page 81</p>	<p>The Councils recognise that sections were produced, but do not agree that comparing the relationship of the Cold Store building with the residential property Potty Plants is appropriate. The relationship and position between the properties is different. Just because it was found acceptable in that instance, does not set precedent for it being acceptable in regard to Number 10 New Bridge Lane.</p> <p>In relation to Number 10 NBL is the proximity to the access, (including lighting, kiosk, gates etc,) and the requirement for the DCO to implement 3m tall acoustic barriers and gates within the front garden of this property to try and mitigate noise and visual effects associated with Page 9 of 17 the HGV and other vehicle movements in close proximity to the dwelling adjacent to the road. The lorries are taller than the proposed fence, and so would still be visible above the fence, as the section sightline is not drawn in line with the top of the fence itself, and there would be clear views into the Proposed Development when the gates of the property are open.</p> <p>No.10 New Bridge Lane is a small bungalow that would have its surroundings fundamentally altered as a consequence of this development, not just by the widened access road outside, together with the loss of mature trees and vegetation (for which there is no meaningful replacement planting to mitigate the change in view), but also by the dominating nature of the 55m tall EFW and 93m tall twin chimneys. The section sightlines provided do not show the extent</p>	<p>The relationship between Potty Plants and the Cold Store is relevant because the vertical (and horizontal) extent of built development visible would be greater and the built form is closer to the dwelling than compared with Number 10 NBL and the proposed EfW CHP Facility. In addition, and unlike Potty Plants and the Cold Store, visual impacts at 10 NBL would be mitigated to some degree by retained woodland opposite the dwelling and the acoustic fence along the northern boundary of the garden (secured in Requirement 19 of the draft DCO (Volume 3.1) [REP1-007]).</p> <p>The gates of the 10 NBL would only open automatically to allow vehicles in and out and would therefore be closed the majority of the time. Any less restricted views available during these very short periods of time would be available to anybody in the front garden or viewing the entrance gates the northern elevation of the property, noting that the existing rear garden patio and principal south facing views from the property are available to the in the opposite direction to the EfW CHP Facility.</p> <p>The Councils claim that partial visibility of the upper parts of HGV's and infrastructure associated with the entrance of the CHP EfW Facility would contribute a meaningful magnitude to breaching the Residential Visual Amenity Threshold (RVAT). Partial visibility of vehicles and entrance structures have no potential to be considered overbearing and would be largely mitigated by the 3m high acoustic fence.</p> <p>The section sightlines presented in the Applicant's response to the Relevant Representations – Part 9 Appendices (Volume 9.2) [REP1-036] are only drawn to the top of the building and chimneys as that enables comparison with other developments including Potty Plants and the Cold Store and illustrates the maximum effect scenario when the gates within the acoustic fence are open.</p> <p>The 3m high acoustic fence will offer partial visual mitigation, however, it is not possible to fully mitigate the visual impact of the Proposed Development with planting in the Order limits due to the location of the ditch south of New Bridge Lane and the open entrance to the CHP EfW Facility. Notwithstanding the</p>



ID	Topic/Para	Response	Applicant Comment
		(length) of the building façade or two chimneys that would be visible above the fence.	assessment conclusions are that the visual impact, whilst significant, would not breach the RVAT.
CC40	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Traffic and Transport – draft DCO clauses</p> <p>Page 104 to 108</p>	<p>The Applicant's response to CCC's Relevant Representations is noted. However, the clauses referenced by the Applicant are not considered offer sufficient protection to the authority. It is noted that discussions regarding Heads of Terms for a section 278 agreement have commenced, however in the absence of any formal agreement being reached at this time, it remains the case that CCC is dissatisfied with the protections it has been afforded in relation to new or amended highways.</p>	<p>The Applicant also refers to its oral submissions on this point at ISH2 (as summarised in the Applicant's written summary of oral submissions from ISH2 on the Draft DCO (Volume 11.2a) submitted at Deadline 3). The Applicant has amended Requirement 7 of Schedule 2 to the Draft DCO (Volume 3.1) submitted at Deadline 3 to make it clear that the highway authority must approve all works to the public highway.</p>
CC41	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Schedule 6 part 1 dDCO</p> <p>Page 109</p>	<p>The Applicant's response regarding CCC's representation in respect of Algores Way and accesses A3, A4 and A5 are welcomed.</p>	<p>Comment noted, matter closed.</p>



ID	Topic/Para	Response	Applicant Comment
CC42	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Draft Access and ROW plans</p> <p>Page 109 to 111</p>	<p>CCC notes and welcomes the Applicant's response and, following detailed discussions in respect of the Access and ROW plans, CCC can confirm that (with the exception of the comments at item 2.4) above it is content with the amendments that have been made to the plans.</p>	<p>Comments noted and please see the Applicant's response to CC02, above.</p>
CC43	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Environmental Statement, Chapter 6, Traffic and Transport, Appendix 6A.</p> <p>Page 111</p>	<p>CCC welcomes the Applicant's response in respect of its intention not to use Wisbech Byway 21 and Elm Byway 6 for construction traffic.</p>	<p>Comment noted, matter closed.</p>



ID	Topic/Para	Response	Applicant Comment
CC44	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Waste Need</p> <p>Page 119 (Waste Need Row 1 – Light)</p>	<p>The point raised refers to an additional requirement being requested, in relation to catchment restrictions. The response does not appear to correspond with this point. The Applicant may wish to review this response.</p>	<p>Noted. The original point raised in [REP1-028] was as follows:</p> <p><i>Schedule 2 - Additional Requirement Requested (Priority for the management of local waste and wider catchment restriction)</i></p> <p><i>14.26 The Council is concerned that there is a possibility that the operator could, through reasonable commercial contractual arrangements, find the facility receiving waste from locations further afield than the Host Authority areas and, when a more local contract arises, the operator may be unable to accept it owing to prior commitments. The Council would be keen to see a requirement that addresses the following:</i></p> <ol style="list-style-type: none"> <i>1. Priority for the treatment of waste within the host Planning Authorities' area, followed by those areas nearest to the facility, before seeking waste from those more distant. The exact mechanism for this to be the subject of discussion during this Examination.</i> <i>2. A wider catchment restriction to prevent the importation of waste over unreasonable distances, again to be subject to discussion during the Examination. This will aid in demonstrating the proximity principle is being applied.</i> <p>The Applicant's response at Deadline 1 was:</p> <p><i>As outlined in the stand-alone Technical Note 'Response to the Waste Fuel Availability Assessment Representations' (Appendix 9.2d Part 9) - 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 stand-alone Technical Note on responses to the Waste Fuel Availability Assessment representations provides a CHP-R assessment and details of the R1 calculation. Operational data will be collected during 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.</i></p> <p>Whilst the localised assessment in the WFAA (Volume 7.3) [REP2-009] has been based upon a 2-hour drive time Study Area – the application of this</p>



ID	Topic/Para	Response	Applicant Comment
CC45	9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028] Waste Need and Policy Page 120 to 128 (Waste Need and Policy)	Please refer to comments made on Appendix 9.2D Technical Note	Noted. See responses to comments on Appendix 9.2D Technical Note.
			<p>'catchment area' is simply a tool to demonstrate that even within a restricted geographic catchment, the need for the waste management capacity offered by the Proposed Development is evident. Whilst it is generally commercially viable to transport non-hazardous household, industrial and commercial waste from up to ~2 hours away from waste facilities such as that [proposed at Wisbech, and that distances over 2 hours travel time become increasingly expensive for those seeking to dispose of waste, sourcing waste from further afield is not totally prohibitive. Allied to this, 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). Waste contracts are often short term and the subject of regular change. In this regard, over the life of the Proposed Development, the area from which it will receive waste material is likely to change.</p>



ID	Topic/Para	Response	Applicant Comment
CC46	<p>9.2 Applicant's Comments on the Relevant Representations – Part 1 Local Authorities and 3(a) Statutory Parties [REP1-028]</p> <p>Waste Need and Policy Page 128 (Waste Need and Policy)</p>	<p>Please refer to the Councils' Relevant Representations [RR-002 and RR-003] paragraph 14.21, which in summary states that as currently drafted, Requirement 14 Waste Hierarchy Scheme places no additional requirements beyond those that would be stipulated within the waste permit. The Requirement as written would not prevent material that could be managed further up the waste hierarchy from being managed at the proposed facility, so long as the waste type was permitted under the permit, which have not yet been specified.</p> <p>The only reference to residual waste is located within criterion 2 (a), which requires the recording of tonnages entering the site. The additional criteria proposed are essential to ensure that waste that could be treated further up the waste hierarchy is not received at the facility.</p>	<p>Following discussions between the Applicant and CCC, the Applicant is currently considering a number of amendments proposed by CCC to Requirement 14.</p>
CC47	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Climate change and carbon – waste composition</p> <p>Appendix 9.2C Table 2.1 –</p>	<p>CCC welcomes the Applicant's acknowledgement that variation in residual waste composition affects the estimation of GHG emissions associated with EfW and LFG processes. However, the sensitivity analysis completed to date by the Applicant does not fully address this matter. There is a 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 Applicant's calculations on this matter bring with them such a degree of uncertainty that the claimed benefits cannot properly be relied on.</p>	<p>Please see previous responses to these comments, provided at: Applicant's Response to the CCC and FDC Local Impact Report (Volume 10.3) [REP2-020] Section 10: Climate Change, Table 10.1/9.4 Operational Phase Impacts/LIR Paragraphs 9.4.4 (Objection 1).</p>



ID	Topic/Para	Response	Applicant Comment
	Waste Composition	<p>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 Page 11 of 17 (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.</p> <p>CCC has carried out its own GHG emissions calculations with a variety of waste composition scenarios, and the results were 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. 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.</p>	
CC48	9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]	CCC maintain that 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 entire 40-year period, which will never be the case, as it ignores the forecast	Please see previous responses to these comments, provided at: Applicant's Response to the CCC and FDC Local Impact Report (Volume 10.3) [REP2-020] Section 10: Climate Change, Table 10.1/9.4 Operational Phase Impacts/LIR Paragraphs 9.4.13 to 9.4.16.



ID	Topic/Para	Response	Applicant Comment
	Climate change and carbon – avoided emissions from electricity Appendix 9.2C	<p>decarbonisation of the UK electricity grid over time.</p>	
	Table 2.1 – Avoided Emissions – Grid Mix	<p>CCC welcomes the applicant’s additional sensitivity analysis in Appendix A of this Technical Note, considering the gradual decarbonisation of the UK Grid and the potential impact on the assessment of avoided emissions, and the acknowledgement that this would reduce the scale of the savings derived from avoided emissions.</p>	
	Decarbonisation	<p>When the forecast decarbonisation of the UK electricity grid over the proposed lifetime of the plant operation (2026 to 2066) is included, the carbon impact of the Proposed Development is much worse – by more than 2.8 million tonnes CO₂e, compared to the figure originally claimed by the Applicant in their Environmental Statement. The implications of this error have been discussed by the Applicant in this “Technical Note. Climate Change, Appendix A – Grid mix decarbonisation”. This shows that the amount of GHG emissions offset by electricity generation from the proposed plant 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.</p>	
		<p>The impact of this error on the overall difference in GHG emissions over the 40 years lifetime between the ‘with development and ‘without development’ scenarios is thereby reduced to Page 12 of 17 only 413 ktCO₂e (according to the</p>	



ID	Topic/Para	Response	Applicant Comment
		<p>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.</p>	
CC49	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Climate change and carbon – baseline scenario Appendix 9.2C</p> <p>Table 2.1 – Without Development Scenario – Landfill</p>	<p>CCC maintain that it is, at best, unknown, whether or not, without the development, all of the annual 625,000 tonnes of waste would go to landfill every year for the entire 40 years of operation.</p> <p>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.</p> <p>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.</p>	<p>Please see previous responses to these comments, provided at: Applicant's Response to the CCC and FDC Local Impact Report (Volume 10.3) [REP2-020] Section 10: Climate Change, Table 10.1/9.4 Operational Phase Impacts/LIR Paragraphs 9.4.17 and 9.4.18.</p>



ID	Topic/Para	Response	Applicant Comment
CC50	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Climate change and carbon – carbon capture and storage Appendix 9.2C</p> <p>Table 2.1 – Embedded Measures - CCS</p>	<p>The Applicant has not answered the question as to why CCS is not currently included in the proposed development, rather than just being set aside to potentially add later. Has any feasibility assessment already been carried out?</p> <p>CCC maintains that CCS technology is likely to be necessary for the proposal to be compatible with a pathway to net zero.</p> <p>Setting aside an area for future development of CCS is insufficient as it does not guarantee when or if CCS will become operational.</p>	<p>Please refer to CE.1.3 of the Applicant's Response to the ExA's Written Questions (Volume 10.2) [REP2-019] which sets out the Applicant's position on CCS. The Applicant also refers to its oral submissions on this point at ISH2 (as summarised in the Applicant's written summary of oral submissions from ISH2 on the Draft DCO (Volume 11.2a) submitted at Deadline 3).</p> <p>As set out in paragraph 3.6.6 of the National Policy Statement for Energy (EN-1) and paragraph 2.5.28 National Policy Statement for Renewable Energy Infrastructure (EN-3), all commercial scale fossil fuel generating stations with a capacity of 300MW or more and of a type covered by the EU's Large Combustion Plant Directive¹ (LCPD), should demonstrate that the plant is carbon capture, transportation and storage ready. Where applicable, (proposals in excess of 300MW), applicants are required to demonstrate that their proposed development complies with the Carbon Capture Readiness (CCR) guidance (Nov 2009)² or any successor to it.</p> <p>In brief, to ensure CCR, Section 4.7.10 of the EN-1 sets out at several tests which must be met to indicate that readiness, these are:</p> <ul style="list-style-type: none"> A) Carbon capture readiness (on site): <ul style="list-style-type: none"> a. <i>“that sufficient space is available on or near the site to accommodate carbon capture equipment in the future”;</i> b. <i>“the technical feasibility of retrofitting their chosen carbon capture technology”.</i> B) CO₂ transportation readiness: <i>“the technical feasibility of transporting the captured CO₂ to the proposed storage area”;</i> C) CO₂ storage readiness: <i>“that a suitable area of deep geological storage offshore exists for the storage of captured CO₂ from the proposed combustion station”;</i> and D) Economic feasibility of Carbon Capture, Transport and Storage: <i>“the economic feasibility within the combustion station's lifetime of the full CCS chain, covering retrofitting, transport and storage”.</i> <p>Footnote 88 of EN-1 confirms Energy from Waste plants are not covered by the LCPD.</p>



ID	Topic/Para	Response	Applicant Comment
			<p>CCR and national policy EN-1 and EN-3 were tested at Examination in the assessment of Cory's 665,000tpa Riverside EfW (EN010093). The Secretary of State's decision letter (09 April 2020) at section 4.16 concludes;</p> <p><i>“As the combustion element of this Application seeks consent for an electricity generating facility with a total generating capacity of under 300 MW using waste as fuel, the Secretary of State is satisfied that this is not a development to which the CCR requirement applies”.</i></p> <p>Consequently, CCR guidance was not required to be examined and the development was approved without a CCR requirement.</p> <p>Based on existing national policy and a recent comparable DCO Examination; at less than 300MW and excluded from LCPD, the Proposed Development does not need to provide CCR and therefore complies with EN-1 and EN-3.</p> <p>Published on 30 March 2023, the Applicant has reviewed the draft EN-1³ and EN-3⁴; see National Policy Statement Tracker (Volume 9.18) submitted at Deadline 3. The position on carbon capture remains unchanged, however the Applicant acknowledges paragraph 4.8.12 states: <i>“If, as expected, that consultation ^[1] leads to changes in the relevant legal or policy framework then those new requirements will apply and supersede the existing CCR requirements. In the meantime, CCR policy remains as set out in the section above”.</i></p> <p>That position is likely to change if the Government's recently published proposals Decarbonisation Readiness consultation⁵ are implemented. However, these proposals would only require the Applicant's proposals to demonstrate Decarbonisation Readiness, as defined by the Government and to be regulated through the Environmental Permit (see Section 4). Decarbonisation Readiness (DR) is the updated term for Carbon Capture Readiness (CCR) which was defined in 2009.</p> <p>If the proposals for DR are adopted in their current form, the Applicant via their Environmental Permit would have to satisfy the following criteria:</p>



ID	Topic/Para	Response	Applicant Comment
			<p>a) that sufficient space is available on the site to accommodate any equipment necessary to facilitate CCUS;</p> <p>b) that it is technically feasible to retrofit a CCUS plant to the combustion power plant;</p> <p>c) that the site's location enables access to offshore permanent storage for the CO₂;</p> <p>d) and that it is likely to be economically feasible, within the power plant's lifetime, to retrofit CCUS. This test would be non-mandatory to pass.</p> <p>Section 1.2 of the Project Benefits (Volume 7.4) [APP-095] confirms, MVV has a growth strategy to be carbon neutral by 2040 and thereafter carbon negative, i.e., climate positive. A result of MVV's sustainable growth strategy and acknowledging the national position of carbon capture could change and be applicable to the Proposed Development, a responsible way forward was to proceed with a suitably sized area of land within the EfW CHP facility Site for future CC technology.</p> <p>Section 3.40 (Carbon Capture) ES Chapter 3: Description of the Proposed Development (Volume 6.2) [APP-030], summarise the points made above and confirms:</p> <ol style="list-style-type: none"> 1) The EfW CHP Facility Site has been designed to allow sufficient space for the plant and equipment for a CCS facility, if required, in the future (criterion (a) of EN-1 and the draft DR requirements) 2) The steam turbine and associated equipment will be designed be retrofit ready for the installation of CCS (criterion (b) of EN-1 and the draft DR requirements). <p>On criterion (c) and (d) of EN-1 and the draft DR requirements, the Applicant has conducted pre-feasibility studies and continues to consider available options to ensure compliance.</p> <p>Whilst the regulatory requirements and arrangements to deliver DR via the Environmental Permitting process are yet to be confirmed, to confirm Applicant's commitments and provide comfort to the ExA that matters surrounding future carbon capture are addressed within the Draft DCO (Volume 3.1) [REP1-007], two DCO Requirements are included:</p>



ID	Topic/Para	Response	Applicant Comment
			<ul style="list-style-type: none"> Requirement 22 – Carbon capture and export readiness reserve space; and Requirements 23 – Carbon capture readiness monitoring report. <p>In summary, the Proposed Development complies with the adopted and emerging national policy statements and future proofs the Proposed Development to ensure compliance with carbon capture policy.</p> <p>¹EU Directive 2001/80/EC ²Carbon Capture Readiness (CCR): a guide on consent applications (Nov 2009) ³DRAFT: Overarching National Policy Statement for energy (EN-1) (March 2023) ⁴DRAFT: National Policy Statement for renewable energy infrastructure (EN-3) (March 2023) ⁵Decarbonisation Readiness Consultation on updates to the 2009 Carbon Capture Readiness requirements (March 2023)</p>
CC51	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Climate change and carbon – IEMA guidance</p> <p>Appendix 9.2C Table 2.1 – IEMA Guidance</p>	<p>CCC does not agree that the development would “result in a net decrease in GHG emissions equivalent to approximately 2,571ktCO₂e over its lifetime.”</p> <p>As mentioned above, the assumptions made regarding the composition of the waste can very easily tip the balance as to which disposal method (EfW or landfill) is the lowest carbon. For Page 13 of 17 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.</p> <p>Taking the correction to emissions from electricity generation alone, the net benefit would be</p>	<p>Please see previous responses to these comments, provided at Applicant's Response to the CCC and FDC Local Impact Report (Volume 10.3) [REP2-020] Section 10: Climate Change, Table 10.1/9.4 Operational Phase Impacts/LIR Paragraphs 9.4.4 (Objection 1 and 2), 9.4.22 and 9.4.23.</p>



ID	Topic/Para	Response	Applicant Comment
		<p>reduced to only 413 kt CO₂e over 40 years, or around 10 kt CO₂e per year, by the Applicant's own calculations. When that error is combined with the uncertainty of waste composition, 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.</p> <p>CCC does not agree that the proposal would have net GHG emissions below zero. The calculation of the emissions without development is also highly uncertain.</p> <p>CCC does not agree with the Applicant's 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."</p>	
CC52	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Appendix 9.2D Technical Note Responses to the Waste Fuel Availability</p>	<p>The Cambridgeshire and Peterborough Minerals and Waste Plan (2021) provides for net self-sufficiency and achieves this without the reliance or provision of additional waste management capacity for the lifetime of the Plan. The applicant's statement that it requires the construction of Peterborough Green Energy Project (also known as PGEL), to be self-sufficient is incorrect.</p> <p>The applicant's submission misinterprets Policy 3. As stated in Policy 3 "Figures in brackets in the 'capacity gap' rows indicate the adjusted capacity</p>	<p>An updated version of the WFAA was produced at Deadline 2 – see WFAA (Volume 7.3) [REP2-009]. This has continued to conclude 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 a manner which complies with the proximity principle (i.e., treating waste as close as possible to its point of arising).</p> <p>More specifically, the updated WFAA (Volume 7.3) [REP2-009] submitted at 2 demonstrates Deadline 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</p>



ID	Topic/Para	Response	Applicant Comment
	<p>Assessment Representations - Net self-sufficiency</p> <p>Appendix 9.2C 3.2.13 to 3.2.17</p>	<p>gap (or surplus) that would result if permitted but not yet operational capacity becomes operational.”. The -80kt value is based on existing capacity, rather than that which is permitted but not yet constructed. The attempt to increase the -80kt figure is erroneous.</p> <p>Criterion (a) of Policy 3 requires that development “would assist in closing a gap identified in the table, provided such a gap has not already been demonstrably closed;” The existence of consent for recovery capacity could be considered to indicate that that gap, in planning terms, Page 14 of 17 has been closed, and criterion (a) is therefore not relevant in this scenario. Additionally, the County Council is currently considering an application for a recovery facility near Warboys, (reference: CCC/22/151/FUL) which would, if approved, also accommodate a large proportion of that shortfall.</p>	<p>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 320,000 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.</p> <p>In terms of the PGEL facility, CCC states that “<i>The Cambridgeshire and Peterborough Minerals and Waste Plan (2021) provides for net self-sufficiency and achieves this without the reliance or provision of additional waste management capacity for the lifetime of the Plan.</i>” However, it is noted that this achievement of net self-sufficiency beyond 2031 relies on the development of the permitted but as yet to be built Peterborough Green Energy Ltd (PGEL) energy from waste facility.</p> <p>The Applicant is of the view however, that this facility will not be developed – and therefore, the current plan will not achieve self-sufficiency. Not only has it been undeveloped for over 13 years (the site was granted planning consent in 2009), but the site is also 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.</p> <p>In terms of the recently proposed Thermeco Thermal Treatment Facility near Warboys (reference CCC/22/151/FUL), this proposal is for a facility to manage up to 87,500 tonnes per annum of ‘regionally sourced’ refuse derived fuel (RDF). However, the application is for a site that was granted planning permission by Cambridgeshire County Council (reference: H/5002/18/C) in July 2019 for the construction of a heat and power plant comprising biomass energy from waste (fluidised bed combustion) facility (48,000 tonnes per</p>



ID	Topic/Para	Response	Applicant Comment
			<p>annum) and treatment of wastewater by evaporation treatment plant (65,000 tonnes per annum) and associated infrastructure, which expired in 2022.</p> <p>In calculating the need requirements set out in the extant Cambridgeshire and Peterborough Waste Local Plan (adopted 2021), all consented sites would have been considered when determining the level of future need required – including the Warboys site. Any capacity shortfall identified in the Waste Local Plan would therefore need adjusted to reflect the fact that the proposed facility at Warboys is a direct replacement for up to 113,000 tonnes of previously consented waste management capacity.</p> <p>In addition to this, it is noted that the proposed facility at Warboys would only accept RDF - and 20% of this would be derived from the adjacent Woodford Recycling MRF. The updated WFAA (Volume 7.3) [REP2-009] however, clearly sets out that there is sufficient (non-RDF) residual waste that is presently sent to landfill, both in Cambridgeshire and in its surrounding areas, which could not be managed at the proposed facility at Warboys. In this regard, the Proposed Development would provide much needed non-RDF capacity for the management of the locality's residual HIC waste.</p>
CC53	<p>9.2 Applicant's Response to the Relevant Representations – Part 9 Appendices [REP1-036]</p> <p>Appendix 9.2D Technical Note Responses to the Waste Fuel Availability Assessment Representations</p>	<p>Please refer to the Councils' Relevant Representations [RR-002 and RR-003] paragraph 14.21, which in summary states that as currently drafted, Requirement 14 Waste Hierarchy Scheme places no additional requirements beyond those that would be stipulated within the waste permit. The Requirement as written would not prevent material that could be managed further up the waste hierarchy from being managed at the proposed facility, so long as the waste type was permitted under the permit, which have not yet been specified.</p>	<p>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 and heat recovered from it).</p> <p>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.</p>




ID	Topic/Para	Response	Applicant Comment
	<p>- The waste hierarchy</p> <p>Appendix 9.2C 3.2.18 to 3.2.22</p>	<p>The only reference to residual waste is located within criterion 2 (a), which requires the recording of tonnages entering the site.</p>	
CC54	<p>9.3 Draft Itinerary for Accompanied Site Inspection [REP1-037]</p> <p>Residential property No. 25 Cromwell Road Table 2.1</p>	<p>The industrial unit the Applicant has referred to has a postcode of PE14 0SD. The residential property at 25 Cromwell Road has a postcode of PE14 0SN and is located opposite Smiths Farm Shop. The following images highlight its position:</p>	<p>The Applicant welcomes the clarification provided and agrees that 25 Cromwell Road should be included within the Accompanied Site Inspection.</p>



ID	Topic/Para	Response	Applicant Comment



ID	Topic/Para	Response	Applicant Comment
		 <p data-bbox="483 791 1072 879">The property is also identified within the Applicant's visual assessment with Major Significant Adverse Effects:</p>	



ID	Topic/Para	Response	Applicant Comment																		
9J27	<p>Environmental Statement Chapter 9: Landscape and Visual Appendix 9J – Visual Assessment Tables</p> <table border="1"> <thead> <tr> <th>Receptor</th> <th>Sensitivity</th> <th>Phase</th> <th>Rationale</th> <th>Magnitude of change</th> <th>Type of Effect</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>Operation Year 15</td> <td>The rationale set out for Operation Year 1 would apply throughout the operation phase. There would be no change by Operation Year 15 as tree and wet woodland planting within the southern part of the ESI/CHP Facility woodland (as shown in Figure 3.14 Outline Landscape and Ecology Strategy) would only slightly reinforce existing cumulative screening and could not affect any views of the upper-most sections of the chimneys. Were any of the potential development proposed for the South Wisbech Broad Location for Growth (see Chapter 18 (Volume 6.2)) take place on the fields north of A47, this could further screen the ground and lower-level activities and facilities.</td> <td>Very Low</td> <td>Adverse an long term</td> </tr> <tr> <td>No. 25 Cromwell Road</td> <td>High</td> <td>Construction</td> <td>This is a single large, two storey dwelling set slightly back from the south-eastern side of busy B198 which has street lighting along this section ~240m north-east of A47 traffic island. It is opposite the carpark, sheds and greenhouses associated with Smith's Farm Shop. The property's gardens are concentrated on its south-western and north-western sides. It possesses an open immediate setting onto disused fields which in turn extend to the southern edge of the Wisbech Industrial Estate. The closest development is the Coverts building which is 100m to the north-east and although only ~8m high extends back 100m from its frontage onto B198. The area to the east of the property is designated as 'South Wisbech Broad Location for Growth' in the Adopted Fenland Local Plan 2014. There is a permitted light warehouse type.</td> <td>Medium</td> <td>Adverse an short term</td> </tr> </tbody> </table> <p>June 2022 Environmental Statement Chapter 9: Landscape and Visual Appendix 9J – Visual Assessment Tables</p>	Receptor	Sensitivity	Phase	Rationale	Magnitude of change	Type of Effect			Operation Year 15	The rationale set out for Operation Year 1 would apply throughout the operation phase. There would be no change by Operation Year 15 as tree and wet woodland planting within the southern part of the ESI/CHP Facility woodland (as shown in Figure 3.14 Outline Landscape and Ecology Strategy) would only slightly reinforce existing cumulative screening and could not affect any views of the upper-most sections of the chimneys. Were any of the potential development proposed for the South Wisbech Broad Location for Growth (see Chapter 18 (Volume 6.2)) take place on the fields north of A47, this could further screen the ground and lower-level activities and facilities.	Very Low	Adverse an long term	No. 25 Cromwell Road	High	Construction	This is a single large, two storey dwelling set slightly back from the south-eastern side of busy B198 which has street lighting along this section ~240m north-east of A47 traffic island. It is opposite the carpark, sheds and greenhouses associated with Smith's Farm Shop. The property's gardens are concentrated on its south-western and north-western sides. It possesses an open immediate setting onto disused fields which in turn extend to the southern edge of the Wisbech Industrial Estate. The closest development is the Coverts building which is 100m to the north-east and although only ~8m high extends back 100m from its frontage onto B198. The area to the east of the property is designated as 'South Wisbech Broad Location for Growth' in the Adopted Fenland Local Plan 2014. There is a permitted light warehouse type.	Medium	Adverse an short term		
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CC55	<p>9.21 Outline Local Air Quality Monitoring Strategy [REP1-055]</p> <p>Demolition and Construction</p> <p>General</p>	<p>The Councils request that the monitoring strategy also includes a monitoring strategy focused at the demolition and construction phase, in line with the Construction Management Plan objectives.</p>	<p>Submitted at Deadline 3, Section 2.2.1 of the Outline LAQMS (Volume 9.21) confirms the LAQMS will be submitted prior to the commencement of the authorised development. Consequently, the Draft DCO Requirement 27 (Local air quality monitoring strategy) (Volume 3.1) has been updated accordingly, see below.</p> <p>“Local air quality monitoring strategy 27. (1) Prior to the commencement of the authorised development, date of final commissioning a local air quality monitoring strategy must be submitted to the relevant planning authority for approval. The local air quality monitoring strategy submitted for approval must be substantially in accordance with the outline local air quality monitoring strategy.</p> <p>(2) The local air quality monitoring strategy must be implemented as approved under subparagraph (1).”</p>																		



ID	Topic/Para	Response	Applicant Comment
CC56	9.21 Outline Local Air Quality Monitoring Strategy [REP1-055] Location of Diffusion Tube and Continuous monitoring General	This document includes the location of Diffusion Tube and Continuous monitoring for the operational period of the development. The Councils do not object to these locations, although seek to confirm them on completion of specific information regarding transport routes and equipment.	Submitted at Deadline 3, Section 2.4.1 to 2.4.2 of the Outline LAQMS (Volume 9.21) allows the locations for the monitoring equipment to be agreed as part of the final LAQMS.
CC57	9.21 Outline Local Air Quality Monitoring Strategy [REP1-055] Local Air Quality Management General	FDC would like to ensure that there is support for Local Air Quality Management, and request information is made available for the Annual Air Quality Screening Review and any Air Quality Action Planning if required.	Submitted at Deadline 3, Section 2.1.5 of the Outline LAQMS (Volume 9.21) was updated to accept written requests from the relevant planning authority. See the Applicant's response to KL05, above.
CC58	9.21 Outline Local Air Quality Monitoring Strategy [REP1-055] Further Information General	The Councils request that this document provides more detailed information including the availability of data to the HLAs, interpretation of data, and process for the notification of exceedances. If an exceedance is identified, the Councils would like this document to outline the commitment for source identification, resolution and emission reduction associated with this installation and its associated activities.	Submitted at Deadline 3, Section 2.1.4 of the Outline LAQMS (Volume 9.21) was updated include the submission of quarterly reports. See the Applicant's response to KL05, above.



ID	Topic/Para	Response	Applicant Comment
	9.21 Outline Local Air Quality Monitoring Strategy [REP1- 055] Monitoring Period Para 2.2.1	The monitoring period is due to start one year prior to 'final commissioning'. The HLA would request that the Applicants provides confirmation of what this term means, and if this includes any operational time. The HLA would seek that the Local Air Quality Monitoring is in place in advance of any operation.	The date of final commissioning is defined in Article 2 of the Draft DCO (Volume 3.1) [APP1-007] . Submitted at Deadline 3, to provide the relevant cross reference, a footnote has been added to Section 2.2.2 of the Outline LAQMS (Volume 9.21) .
CC59	9.21 Outline Local Air Quality Monitoring Strategy [REP1- 055] Equipment Para 2.3.1	Diffusion tubes should specifically measure nitrogen dioxide (NO ₂) and sulphur dioxide (SO ₂), not NO _x and SO _x as described.	Submitted at Deadline 3, Section 2.3.1 of the Outline LAQMS (Volume 9.21) was updated to state nitrogen dioxide (NO ₂) and sulphur dioxide (SO ₂).

