

# Medworth Energy from Waste Combined Heat and Power Facility

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June 2023

## **Statement of Common Ground between Medworth CHP Limited and the Host Authorities (DRAFT)**

## Revision History

Revision number	Date	Details
1.0	24 March 2023	Initial draft Statement of Common Ground ( <b>Volume 9.4</b> ) [REP1-038] was submitted at Deadline 1 of the Examination (10 March 2023)
2.0	28 April 2023	Updated to take account of Cambridgeshire County Council's (CCC) and Fenland District Council's (FDC) comments on Rev 0.0 received on 22 March 2023, Deadline 1 and 2 Examination documents, and any further discussions held with CCC and FDC.  Draft shared for comment
2.0	19 May 2023	CCC Comments received. SoCG updated
2.0	09 June 2023	Updated following review meeting with Host Authorities.
2.1	14 June 2023	Updated following review meeting with Host Authorities.

## Signatories

### Applicant

Signed

On behalf of

Name

Position

Date

### Cambridgeshire County Council

Signed

On behalf of

Name

Position

Date

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#### Statement of Common Ground between the Applicant and the Host Authorities (DRAFT)

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##### Fenland District Council

Signed

On behalf of

Name

Position

Date

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##### Norfolk County Council

Signed

On behalf of

Name

Position

Date

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##### Borough Council of King's Lynn and West Norfolk

Signed

On behalf of

Name

Position

Date

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# 1. Introduction

## 1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared between Medworth CHP Limited ('the Applicant') and the Host Authorities to set out the areas of agreement and/or disagreement between the parties in relation to the proposed Development Consent Order (DCO) Application for the Medworth CHP EfW Facility. The Host Authorities for the purpose of this Application are:

- Cambridgeshire County Council (CCC);
- Fenland District Council (FDC);
- Norfolk County Council (NCC); and
- Borough Council of King's Lynn and West Norfolk (BCKLWN).

1.1.2 The SoCG considers technical matters only. It does not refer to the political position of each Host Authority. Within the SoCG, the Host Authorities have only commented on the development and/or impacts that would fall within their administrative boundary and for which they have technical competence to comment.

1.1.3 The preparation of SOCG is encouraged by PINS. Advice Note 11: *Working with public bodies in the infrastructure planning process* encourages a proactive approach to reaching agreement on the approach and the conclusions of the Environmental Impact Assessment (EIA), and the approach to consents, licences and authorisations.

1.1.4 It is the intention that this document will facilitate further discussions between the Applicant and the Host Authorities and will provide the Examining Authority (ExA) with a clear overview of the level of common ground between both parties. This document will be updated throughout the application process.

1.1.5 This SoCG covers all of the relevant environmental assessment topics, planning policy (including waste need) and the Draft DCO as listed in paragraph 1.2.1 below.

1.1.6 The Host Authorities consider the following topics as the main issues for the Proposed Development and the focus of the Examination:

- Draft DCO;
- Environmental assessment, including air quality, landscape and visual impacts and climate;
- Planning policy compliance; and
- Waste Need.

## 1.2 Approach to Statement of Common Ground

1.2.1 The structure of this SoCG is as follows:

## Statement of Common Ground between the Applicant and the Host Authorities (DRAFT)

- Section 1: Introduction
- Section 2: The parties to the SoCG;
- Section 3: Overview of the Proposed Development;
- Section 4: Draft DCO;
- Section 5: Alternatives;
- Section 6: Traffic and Transport;
- Section 7: Noise and Vibration;
- Section 8: Air Quality;
- Section 9: Landscape and Visual;
- Section 10: Historic Environment;
- Section 11: Biodiversity;
- Section 13: Hydrology;
- Section 14: Geology, Hydrogeology and Contaminated Land;
- Section 15: Climate;
- Section 16: Socio-economics, Tourism, Recreation and Land Use;
- Section 17: Health;
- Section 18: Major Accidents and Disasters;
- Section 19: Cumulative Effects;
- Section 20: Statement of Statutory Nuisance;
- Section 21: Planning Policy;
- Section 22: Waste Need;
- Section 23: Decommissioning; and
- Section 24: Summary.

1.2.2

The Host Authorities and the Applicant agree that all other topics/documents submitted with the DCO application do not need to be included within the SoCG as the content of these do not affect the functions of the Host Authorities, or there are no outstanding matters for discussion in relation to these.

## 2. The parties to the Statement of Common Ground

### 2.1 The Applicant and Parties to the Statement of Common Ground

2.1.1 The parties to this SoCG are:

- Medworth CHP Limited, the Applicant for the Proposed Development; and
- The Host Authorities:
  - Cambridgeshire County Council (CCC);
  - Fenland District Council (FDC);
  - Norfolk County Council (NCC); and
  - Borough Council of King's Lynn and West Norfolk (BCKLWN).

### 2.2 Role of the Host Authorities

2.2.1 The Proposed Development is located in the town of Wisbech within the administrative areas of CCC and FDC. The Grid Connection also extends into the administrative areas of NCC and the BCKLWN. FDC lies within CCC, and the BCKLWN lies within NCC. CCC and NCC are the relevant waste planning authorities for the purpose of this application.

2.2.2 These four authorities have been identified under Section 43 of the Planning Act 2008, as authorities within which the Proposed Development is situated.

### 2.3 Consultation and Engagement

2.3.1 The Applicant and Host Authorities have met on a Monthly basis since February 2021. A summary of topic specific consultation and engagement is set out in each topic section of the SoCG.

### 2.4 Summary of Current Position

2.4.1 An initial draft SoCG with all four Host Authorities was submitted at Deadline 1 of the examination (10 March 2023) (**Volume 9.4**) [REP1-038]. Comments on the draft SoCG were received from the Host Authorities via email on 22 March 2023.

2.4.2 Rev 2.0 of the SoCG (this document) has been shared with the Host Authorities for comment on 28 April 2023. It is intended to submit a Rev 3.0 of the SoCG at Deadline 4 of the examination (25 May 2023), taking account of the Host Authorities comments on Rev 2.

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2.4.3 In order to easily identify whether a matter is ‘agreed’ or ‘not agreed’ at each stage, the agreement logs in the SoCG utilise Red Amber Green (RAG) ratings. The RAG within the ‘position’ column illustrates the following:

- **Red:** no agreement;
- **Amber:** agreement is yet to be reached, but discussions are ongoing;
- **Green:** agreement; and
- **White:** the statement is not relevant to the particular Authority.

2.4.4 The RAG rating is presented separately for CCC/FDC and NCC/BCKLWN, to support the identification of differing positions between the Host Authorities.

## 2.5 Status of the Statement of Common Ground

2.5.1 The current version of the SoCG (Rev 2.1) is in draft form. The documents referred to in this version of the SoCG are those submitted with the DCO application and during Examination.

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## 3. Overview of the Proposed Development

### 3.1 Introduction

3.1.1 The Proposed Development comprises the following key elements:

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

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

- **EfW CHP Facility Site:** A site of approximately 5.3ha located south-west of Wisbech town centre, located within the administrative areas of Fenland District Council and Cambridgeshire County Council. The main buildings of the EfW CHP Facility would be located in the area to the north of the Hundred of Wisbech Internal Drainage Board (HWIDB) drain bisecting the site and would house many development elements including the tipping hall, waste bunkers, boiler house, turbine hall, air cooled condenser, air pollution control building, chimneys and administration building. The gatehouse, weighbridges, 132kV switching compound and laydown maintenance area would be located in the southern section of the EfW CHP Facility Site.
- **CHP Connection:** The EfW CHP Facility would be designed to allow the export of steam and electricity from the facility to surrounding business users via dedicated pipelines and private wire cables located along the disused March to Wisbech railway. The pipeline and cables would be located on a raised, steel structure.
- **TCC:** Located adjacent to the EfW CHP Facility Site, the compound would be used to support the construction of the Proposed Development. The compound would be in place for the duration of construction.
- **Access Improvements:** includes access improvements on New Bridge Lane (road widening and site access) and Algores Way (relocation of site access 20m to the south).
- **Water Connections:** A new water main connecting the EfW CHP Facility into the local network will run underground from the EfW CHP Facility Site along New Bridge Lane before crossing underneath the A47 (open cut trenching or horizontal directional drilling (HDD)) to join an existing Anglian Water main. An

## Statement of Common Ground between the Applicant and the Host Authorities (DRAFT)

additional foul sewer connection is required to an existing pumping station operated by Anglian Water located to the north-east of the Algores Way site entrance and into the EfW CHP Facility Site.

- Grid Connection: This comprises a 132kV electrical connection using underground cables. The Grid Connection route begins at the 132kV switching compound in the EfW CHP Facility Site and runs underneath New Bridge Lane, before heading north within the verge of the A47 to the Walsoken Substation on Broadend Road. From this point the cable would be connected underground to the Walsoken DNO Substation.

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

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

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

3.1.1 The Proposed Development is a Nationally Significant Infrastructure Project (NSIP) under Part 3, Section 14 of the Planning Act 2008 by virtue of the fact that the generating station is located in England and has a generating capacity of over 50MW (see section 15(2) of the 2008 Act). It, therefore, requires an application to be submitted to the Secretary of State for a Development Consent Order (DCO). The DCO application has been submitted by Medworth CHP Ltd (the Applicant); a wholly owned subsidiary of MVV Environment Ltd.

## 3.2 Summary of agreement

3.2.1 **Table 3.1** below sets out the matters agreed in relation to the overview of the Proposed Development.

**Table 3.1: Agreement Log: General**

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
3.1.1	The summary of the Proposed Development provided in <b>Section 3.2</b> above reflects the Host Authorities understanding of the Proposed Development.	Green	Green	Agreed.

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## 4. Draft DCO

### 4.1 Introduction

4.1.1 A **Draft DCO (Volume 3.1) [APP-013]** and accompanying **Explanatory Memorandum (Volume 3.2) [APP-014]** were submitted as part of the DCO Application. An updated **Draft DCO Rev 2 (Volume 3.1) [REP1-007]** was submitted by the Applicant at Deadline 1. A further revision of the **Draft DCO Rev 3 (Volume 3.1) [REP3-007]** was submitted at Deadline 3. The Draft DCO will continue to be updated during the course of the DCO examination in response to comments from the Host Authorities, other Interested Parties and the Examining Authority.

### 4.2 Summary of consultation and engagement

4.2.1 No specific consultation or engagement on the **Draft DCO (Volume 3.1)** was carried out in advance of the DCO submission. A summary of the consultation and engagement carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 4.1**.

**Table 4.1: Summary of post application consultation with the Host Authorities – Draft DCO**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
Ongoing	CCC	Email	Statutory	Discussions between the Applicant and CCC regarding the highway powers to be included within the DCO are ongoing.

### 4.3 Summary of Agreement

4.3.1 **Table 4.2** below sets out the matters agreed in relation to the **Draft DCO (Volume 3.1) [REP3-007]**. Any topic specific matters relating to Draft DCO are addressed in the respective sections below.



Table 4.2: Agreement Log: Draft DCO

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
4.2.1	The wording of the articles within the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
4.2.2	The wording of Schedule 2 (Requirements) within the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
4.2.3	<p>The procedure for the discharge of requirements set out in Schedule 12 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p> <p>It is agreed that the relevant waste planning authorities (CCC and NCC) will take responsibility for discharging the DCO requirements.</p> <p>The district authorities (FDC and BCKLWN) would be consulted by CCC / NCC on any requirements relevant to their administrative area.</p>	Green	<p><b>NCC Red</b></p> <p>BCKLWN Green</p>	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>BCKLWN: Agreed.</b></p> <p><b>NCC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>Deemed consent. See Applicant's response to the LIR <b>[REP2-021]</b> confirmed that it would amend the Draft DCO at Deadline 3 to provide for a 12-week determination period, see Draft DCO <b>[REP3-007]</b>. The Applicant has also offered to enter into a planning performance agreement to cover costs. However, the Applicant does not agree with the other points as there is a well-established precedent in other DCOs for deemed approval and for requiring requests for information to be time limited to avoid unreasonable delay to the implementation of nationally significant infrastructure projects.</li> </ul>
4.2.4	The wording of all other Schedules in the <b>Draft DCO</b>	Green	Green	<b>CCC &amp; FDC: Agreed.</b>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	(Volume 3.1) [REP3-007] which relate to the Host Authorities is agreed.			NCC & BCKLWN: Agreed.

## 5. Alternatives

### 5.1 Introduction

5.1.1 The assessment of alternatives is set out in **ES Chapter 2: Alternatives (Volume 6.2) [APP-029]**.

### 5.2 Remit of the Host Authorities

5.2.1 The assessment of alternatives is relevant to all four Host Authorities.

### 5.3 Summary of consultation and engagement

5.3.1 No specific meetings have been held with the Host Authorities in relation to the assessment of alternatives. A summary of the comments received from the Host Authorities during the EIA scoping stage and in response to the PEIR are set out in **Table 2.1 - 2.3 of ES Chapter 2: Alternatives (Volume 6.2) [APP-029]**.

### 5.4 Summary of agreement

5.4.1 **Table 5.1** below sets out the matters agreed in relation to the assessment of alternatives.

5.4.2 Matters relating to waste need are set out in **Section 21** of the SoCG.

Table 5.1: Agreement Log: Alternatives

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
5.1.1	The assessment of alternatives set out in <b>ES Chapter 2: Alternatives (Volume 6.2) [APP-029]</b> accords with the requirements of the EIA Regulations, NPS EN-1 and draft EN-1, NPS EN-3 and draft NPS EN-3 and NPS EN-3 and Draft NPS EN-5.	Amber	Green	<p><b>CCC &amp; FDC:</b> Discussions ongoing</p> <p>As host authorities the Councils defer to the Inspectors to assess if the application accords with the requirements of EIA Regulations, and the NPS listed in this item.</p> <p><b>Points of Dispute:</b> As raised during ISH3 - The Council believes that it is important that the Applicant provides the reasons explain why the other sites were not progressed and that this is documented and presented to the Examination, so that there is a clear justification for the selection of this site.</p> <p>Submitted at Deadline 5, the Applicant refers the Councils' to the <b>Applicant's response to ISH3 Action Point 10: Position Statement on Alternatives (Volume 14.6)</b>.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

## 6. Traffic and Transport

### 6.1 Introduction

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

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

- **Outline Construction Traffic Management Plan (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A) (Rev 4) [REP4-006];**
- **Outline Operational Travel Plan (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6C) [APP-074];** and
- **Outline Operational Traffic Management Plan (Volume 7.15) (Rev 3) [REP3-025].**

### 6.2 Remit of the Host Authorities

6.2.1 The relevant highways authorities for the purpose of the DCO application are CCC and NCC.

6.2.2 BCKLN confirmed in their relevant representation **[RR-001]** that NCC are leading on this topic on their behalf. FDC have also agreed that CCC are leading on this topic on their behalf. Notwithstanding this, all authorities have contributed to discussions in relation to traffic and transport and this has been fed in the DCO application and post submission actions.

### 6.3 Summary of consultation and engagement

6.3.1 A summary of the pre-application consultation with the Host Authorities in relation to traffic and transport is set out in **Table 3.5** below. This is also summarised in **ES Appendix 6D: Stakeholder Engagement and Consultation Comments on the Traffic and Transport Assessment [APP-075]**.

6.3.2 A summary of the traffic and transport consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 6.1**.

**Table 6.1: Summary of pre-application submission consultation and engagement with the Host Authorities – traffic and transport**

Date	Host Authority	Form of consultation	of Statutory/Non-Statutory	Summary

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<b>13/01/2020</b>	CCC FDC NCC	EIA Opinion	Scoping	Statutory	EIA scoping opinion response on traffic and transport.
<b>01/04/2020</b>	CCC	MS Teams Meeting		Non-statutory	Introductory meeting. Discussion included the disused March to Wisbech Railway, Transport Assessment, CHP Connection Design.
<b>18/12/2020</b>	CCC	Email - note	Scoping	Non-statutory	Applicant issued Scoping Note, setting out how the reopening of the disused March to Wisbech Railway Line would be considered.
<b>21/01/2021</b>	NCC	MS Meeting	Teams	Non-statutory	Introductory meeting. Discussions included the need for a Transport Assessment and sensitive locations.
<b>12/02/2021</b>	CCC NCC	MS Meeting	Teams	Non-statutory	Discussion regarding reopening of the disused March to Wisbech Railway, Discussion of access scenarios and base line data collection.
<b>25/03/2021</b>	NCC	Email		Non-statutory	NCC provided a response to the Scoping Note, requesting an onsite meeting.
<b>08/04/2021</b>	CCC	MS meeting	Teams	Non-statutory	Meeting to discuss opportunities for ducting under the A47.
<b>06/05/2021</b>	CCC	Email - Note	Scoping	Non-statutory	CCC provided a response to the Applicant's Scoping Note issued on 18/12/2020. Comments related to HGV routing and traffic data.
<b>24/05/2021</b>	CCC	MS Meeting	Teams	Non-statutory	Meeting to discuss grid connection crossings of the A47.
<b>08/2021</b>	CCC FDC NCC BCKLWN	PEIR response		Statutory	PEIR response on traffic and transport.
<b>03/01/2022</b>	CCC	Email		Non-statutory	New Bridge Lane Access improvement design was shared by the Applicant for comment.
<b>17/01/2022</b>	CCC	Email		Non-statutory	The Applicant shared details of traffic generation and distribution calculations.
<b>18/03/2022</b>	CCC	Email		Non-statutory	CCC provided a response to the Applicant's New Bridge Lane design proposals issued on 03/01/2022.

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25/01/2022	NCC	Email	Non-statutory	The Applicant provided an email update to NCC on traffic and transport matters.
27/01/2022	NCC	Email	Non-statutory	NCC responded to the Applicant's email of 25/01/2022.

**Table 6.2: Summary of post-application submission consultation and engagement with the Host Authorities – traffic and transport**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
16/09/2022	CCC	Email	Non-statutory	CCC issued comments in relation to the Access and Rights of Way Plans, and related highways information.
26/10/2022	CCC NCC BCKLWN	MS Teams meeting	Non-statutory	The Applicant presented a summary of the traffic and transport documents submitted with the DCO application. An overview of initial concerns and the need for further highways topic specific meetings was agreed.
01/11/2022	CCC	MS Teams meeting	Non-statutory	Meeting to discuss highways assets, including the presentation of highway assets in the DCO application documents.
09/11/2022	CCC	MS Teams meeting	Non-statutory	Meeting to discuss road safety.
10/11/2022	CCC	MS Teams meeting	Non-statutory	Meeting to discuss the traffic and transport assessment presented in the ES.
15/11/2022	CCC	Email	Non-statutory	Meeting minutes from 09/11/2022 and 10/11/2022 were issued.

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24/11/2022		CCC	MS Teams meeting	Non-statutory	Further meeting to discuss the traffic and transport assessment presented in the ES.
10/01/2023	CCC	Email		Non-statutory	Updated Access Improvement drawings issued to CCC for comment.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation		Statutory	Relevant representations from the Host Authorities were published. These included comments on the traffic assessment.
20/02/2023	CCC	MS Teams meeting		Non-statutory	Meeting to discuss highway land boundaries
13/04/2023	CCC	MS Teams meeting		Non-statutory	Meeting to discuss the junction design for Cromwell Road/New Bridge Lane and the Access Improvements along New Bridge Lane
18/04/2023		CCC	MS Teams meeting	Non-statutory	Meeting to discuss actions arising from ISH2.
18/04/2023		CCC	Email	Non-statutory	Meeting minutes issued.
27/04/2023		CCC	In-person meeting	Non-statutory	Meeting to discuss Applicant's amended designs for Cromwell Road/New Bridge Lane Junction and Access Improvements along New Bridge Lane.
01/06/2023		CCC	MS Teams meeting	Non-Statutory	Meeting to discuss the proposed amendments to the Access Improvements along New Bridge Lane and at the Cromwell Road/New Bridge Lane junction following issuing of



design information to CCC on 25/05/23. Also to discuss highway land boundaries in relation to the Applicant's proposed Change Application.

## 6.4 Summary of agreement

6.4.1 **Table 6.3.** below sets out the matters agreed in relation to traffic and transport.

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Table 6.3: Agreement Log: Traffic and transport

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
6.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 6: Traffic and Transport (Volume 6.2) [APP-033]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>The Transport Assessment Team have agreed the approach in terms of the assessment and are now discussing the details of the appropriate mitigation, this being the (already proposed Change Application) enhancements to New Bridge Lane and the signalisation of the Cromwell Road / New Bridge Lane junction.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
6.3.2	<p><u>Assessment conclusion</u></p> <p>There will be no likely significant traffic and transport effects during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 6.9 of ES Chapter 6: Traffic and Transport (Volume 6.2) [APP-033]</b>).</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>The Transport Assessment Team would have no concerns over the impact of the applicant's development subject to the (already proposed Change Application) enhancements to New Bridge Lane and also a positive conclusion to the ongoing review by CCC, of the information relating to the signalisation of the Cromwell Road / New Bridge Lane junction.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
6.3.3	<p><u>Outline Construction Traffic Management Plan (CTMP)</u></p> <p>The <b>Outline Construction Traffic Management Plan (Rev 3) (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6A) [REP3-014]</b></p>	Green	Green	<p><b>CCC &amp; FDC: Agreed</b>, subject to final review of the Applicant's Outline CTMP Rev 5 (Volume 6.4) submitted at Deadline 5.</p> <p>Outstanding clarifications:</p> <ul style="list-style-type: none"> <li>Minor text updates to the Outline CTMP.</li> </ul>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	<p>secured in Requirement 11 of the <b>Draft DCO (Volume 3.1) [REP3-006]</b> secures the necessary measures to ensure there are unlikely to be any significant traffic and transport effects during the construction phase.</p> <p>The <b>Outline CTMP Rev 5 (Volume 6.4)</b> includes the necessary restrictions to control the routing of HGVs during the construction phase. No HGVs would be permitted through Wisbech Town Centre or Elm High Road.</p>			<ul style="list-style-type: none"> <li>• Temporary diversion routes</li> <li>• Highway condition surveys including <ul style="list-style-type: none"> <li>○ Routes;</li> <li>○ Frequency; and</li> <li>○ adjoining publicly maintainable highway.</li> </ul> </li> </ul> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
6.3.4	<p><u>Outline Operational Traffic Management Plan</u></p> <p>The <b>Operational Traffic Management Plan (Volume 7.15) (Rev 3) [REP3-025]</b> secured in Requirement 12 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> secures the necessary measures to ensure there are unlikely to be any significant traffic and transport effects during the operational phase.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
6.3.5	<p><u>Outline Operational Travel Plan</u></p> <p>The <b>Outline Operational Travel Plan (Volume 6.4 ES Chapter 6 Traffic and Transport Appendix 6C) [APP-074]</b> secured in Requirement 15 of the <b>Draft DCO (Volume 3.1)</b></p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	<b>[REP3-007]</b> secures the necessary measures to manage travel during the operational phase.			
6.3.6	<p><u>New Bridge Lane – Road Design</u></p> <p>The principle of accessing the site via New Bridge Lane and the associated widening and improvement works is acceptable.</p> <p>The detailed design of the highways access would be agreed with CCC as part of Requirement 7 (Highway Access) of the <b>Draft DCO (Volume 3.1) [REP3-007]</b>.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>Access Improvements New Bridge Lane – final review by CCC of the Applicant’s updated outline design.</li> <li>Access Improvements Cromwell Road/New Bridge Lane junction. On the basis the Change Application is accepted by the ExA, CCC are reviewing the outline design, signalisation modelling and Stage 1 safety audit.</li> </ul> <p>The Applicant understand CCC have no in principle objections to the proposal.</p> <p>Both parties recognise the need to extend the Order limits to accommodate the proposed works and the Applicant submitted a Change Application request on 05/06/23. CCC and FDC have no in-principle objections to this application.</p> <p>The Applicant and CCC are confident this matter can be closed and within the Examination.</p>
6.3.7	<p><u>Draft DCO</u></p> <p>The <b>Draft DCO (Volume 3.1) [REP3-007]</b> contains the appropriate powers to deliver the</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>The Applicant and CCC are negotiating the wording of the draft DCO and s278 to deliver the Access Improvements.</li> </ul>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	<p>highways works proposed as part of the DCO application.</p> <p>This includes the adoption of a section of Algores Way by CCC.</p>			<p>The Applicant and CCC are confident this matter can be closed and within the Examination.</p>
6.3.8	<p><u>March to Wisbech Railway reopening</u></p> <p>The Proposed Development will not compromise the requirements of CCC in respect to the reopening of the disused March to Wisbech Railway, and the terms of the S278 agreement are agreed.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>The Applicant and CCC are negotiating the wording of the draft DCO and s278 to deliver the Access Improvements. The Applicant and CCC are confident this matter can be closed and within the Examination.</li> </ul>
6.3.9	<p><u>Public Rights of Way</u></p> <p>The <b>Access and Public Rights of Way Plan (Volume 2.4) [REP3-005]</b> accurately reflects the extent of public rights of way and access likely to be affected by the Proposed Development.</p>	Green	Green	<p><b>CCC &amp; FDC:</b> Agreed, subject to final review of the Applicant's Outline CTMP Rev 5 (Volume 6.4) submitted at Deadline 5.</p> <p>Outstanding clarifications:</p> <ul style="list-style-type: none"> <li>Minor text updates to the Outline CTMP.</li> <li>Temporary diversion routes</li> <li>Highway condition surveys including <ul style="list-style-type: none"> <li>Routes;</li> <li>Frequency; and</li> <li>adjoining publicly maintainable highway.</li> </ul> </li> </ul> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

## 7. Noise and Vibration

### 7.1 Introduction

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

7.1.2 An **Outline Construction Noise Management Plan** is provided as part of the **Outline Construction Environmental Management Plan (CEMP) (Rev 4) (Volume 7.12) [REP4-008]**. This is secured in Requirement 10 of the **Draft DCO (Volume 3.1) [REP3-xxx]**.

7.1.3 An **Outline Operational Noise Management Plan (Volume 6.4 ES Chapter 7 Noise and Vibration Appendix 7D) (Rev 3) [REP4-004]** has also been produced to demonstrate how noise and vibration would be managed during the operation of the Proposed Development. This is secured in Requirement 19 of the **Draft DCO (Volume 3.1) [REP3-007]**.

### 7.2 Remit of the Host Authorities

7.2.1 The Joint CCC/FDC relevant representation [**RR-002 and RR-003**] confirms that FDC are leading on this topic.

7.2.2 NCC confirm in their relevant representation [**RR-004**] that the BCKLWN are leading on this topic on their behalf.

### 7.3 Summary of consultation and engagement

7.3.1 A summary of the pre-application consultation with the Host Authorities in relation to noise and vibration is set out in **Table 7.1** below. This is also summarised in **Section 7.2 of ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]**.

7.3.2 A summary of the noise and vibration consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 7.2**.

**Table 7.1: Summary of pre-application submission consultation and engagement with the Host Authorities – noise and vibration**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2022	CCC FDC	EIA Scoping opinion	Statutory	EIA scoping opinion response on Noise and Vibration.
18/08/2020	CCC NCC FDC BCKLWN	Email	Non-Statutory	Survey and Monitoring Plan (SMP) issued by the Applicant to the Host Authorities for comment.

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<b>13/10/2020</b>	CCC NCC FDC BCKLWN	Email	Non-Statutory	Updated SMP to address queries and comments provided on the previous version.
<b>12/02/2021</b>	CCC NCC FDC BCKLWN	Email	Non-Statutory	Updated SMP to address queries and comments provided on the previous version.
<b>08/2021</b>	CCC FDC BCKLWN	PEIR response	Statutory	PEIR response on noise and vibration.
<b>07/10/2021</b>	CCC NCC FDC BCKLWN	Email	Non-Statutory	Updated SMP to address queries and comments provided on the previous version.
<b>15/10/2021</b>	FDC behalf Host Authorities)	(on of MS Teams Meeting	Non-Statutory	To discuss latest version of the SMP.
<b>15/11/2021</b>	CCC NCC FDC BCKLWN	Email	Non-Statutory	Host Authorities confirmed that an alternative monitoring location proposed by the Applicant was acceptable.
<b>07/01/2022</b>	CCC NCC FDC BCKLWN	Email	Non-Statutory	Agreement to scope out vehicle induced vibration. Vehicle induced vibration considered qualitatively at New Bridge Lane.
<b>29/01/2022</b>	FDC behalf Host Authorities)	(on of Email	Non-Statutory	Email exchange confirming further agreement on the scope of the noise and vibration assessment.
<b>03/02/2022 14/02/2022</b>	FDC behalf Host Authorities)	(on of Email	Non-Statutory	FDC confirmed that as no HDD is proposed for the Grid Connection, an assessment of impacts is not required.

**Table 7.2: Summary of post-application submission consultation and engagement with the Host Authorities – noise and vibration**

<b>Date</b>	<b>Host Authority</b>	<b>Form of consultation</b>	<b>Statutory/Non-Statutory</b>	<b>Summary</b>
<b>03/10/2022</b>	FDC	MS Teams meeting	Non-statutory	Meeting to discuss comments raised in the FDC draft relevant representation.
<b>07/10/2022</b>	FDC	MS Teams meeting	Non-statutory	Follow up meeting to continue discussion of matters raised in the meeting on 03/10/2022.

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07/10/2022	FDC	Email	Non-statutory	Baseline noise monitoring report and other information issued to FDC following meeting.
14/10/2022	BCKLWN	MS Teams meeting	Non-statutory	Meeting to discuss noise assessment, including proposed mitigation measures.
15/10/2022	FDC	Email	Non-statutory	Meeting minutes from 03/10/2022 and 07/10/2022 were issued to FDC.
02/11/2022	BCKLWN	Email	Non-statutory	Meeting minutes from 14/10/2022 were issued to KLWN.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the noise and vibration assessment.

## 7.4 Summary of agreement

7.4.1 **Table 7.3** below sets out the matters agreed in relation to the assessment of noise and vibration.



Table 7.3: Agreement Log: Noise and Vibration

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
7.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]</b> including the data gathering methodology, baseline, scope of the assessment and the assessment methodology set out is appropriate.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
7.3.2	<p><u>Embedded Environmental Measures and Additional Mitigation</u></p> <p>The embedded environmental measures presented in <b>Section 7.7</b> and additional mitigation set out in <b>Section 7.10</b> of <b>ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]</b> are appropriate.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
7.3.3	<p><u>Assessment conclusion</u></p> <p>Subject to the implementation of agreed mitigation measures, there will be no likely significant noise and vibration effects during the construction,</p>	Green	Green	<p>CCC &amp; FDC: Agreed</p> <p>NCC &amp; BCKLWN: Agreed.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	operation or decommissioning of the Proposed Development ( <b>Section 7.7 and 7.10 of ES Chapter 7: Noise and Vibration (Volume 6.2) [APP-034]</b> ).			
7.3.4	<p><u>Outline Construction Noise Management Plan</u></p> <p>The <b>Outline Construction Noise and Vibration Management Plan</b> provided within the <b>Outline CEMP (Rev 4) [REP4-008]</b> and secured in Requirement 10 of the <b>Draft DCO (Rev 3) (Volume 3.1) [REP3-007]</b> secures the necessary measures to ensure there are unlikely to be any significant noise and vibration effects during the construction phase.</p>	Green	Amber	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC and BCKLWN: Discussions ongoing.</b></p> <p>Section 3.3 of BCKLWN's relevant representation <b>[RR-001]</b> confirms that it is concerned about the effects of night-time working at Walsoken. BCKLWN wishes to see a separate management plan to address this specifically. BCKLWN also supports inclusion of a requirement to restrict the out of hours deliveries and vehicle movements and to secure early completion of the new access route via the Cromwell Road Link.</p> <p><b>Applicant:</b> Controls on working hours, (which will include the timing of deliveries) will be secured through the approval and implementation of the hours specified in section 7.4 of the <b>Outline Construction Traffic Management Plan (Volume 6.4) [REP1-011]</b> and section 4.2 of the <b>Outline Construction Environmental Management Plan (Volume 7.12) (CEMP) [REP4-008]</b>. Measures to control noise during construction are set out in section 3 of the Outline Construction Noise and Vibration Management Plan, contained Appendix F of the Outline CEMP. For works taking place outside of core working hours, the relevant construction contractor will need to seek the consent of the local authority under Section 61 of the Control of Pollution Act, as confirmed in section 5 of Appendix F of the Outline CEMP.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				The Applicant and BCKLWN shall meet to review the status of the remaining matters to be concluded.
7.3.5	<p><u>Outline Operational Noise Management Plan</u></p> <p>The <b>Outline Operational Noise Management Plan (Rev 3) [REP4-004]</b> secured in Requirement 19 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> secures the necessary measures to ensure there are unlikely to be any significant noise and vibration effects during the operational phase.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>Note: The Applicant's Deadline 5 submission (<b>Outline Operational Noise Management Plan (Rev 4)</b>) includes the requested minor text update to include "relevant local authorities"</p> <p><b>NCC and BCKLWN: Agreed.</b></p>

## 8. Air Quality

### 8.1 Introduction

8.1.1 The assessment of air quality is set out in **ES Chapter 8: Air Quality (Volume 6.2) [APP-035]**, together with supporting figures and appendices. This includes the **Air Quality Technical Report Rev 3 (Appendix 8B) (Volume 6.4) [REP2-007]**.

### 8.2 Remit of the Host Authorities

8.2.1 CCC and FDC have both engaged in consultation regarding air quality.

8.2.2 NCC confirmed in their relevant representation that air quality falls into the remit of the BCKLWN and therefore defers to them on this matter. The commentary in Table 8.3 which follows therefore represents the views of BCKLWN only.

### 8.3 Summary of consultation and engagement

8.3.1 A summary of the pre-application consultation with the Host Authorities in relation to air quality is set out in **Table 8.1** below. This is also summarised in **Appendix 8A: Stakeholder consultation comments on Air Quality (Volume 6.4) [APP-078]**.

8.3.2 A summary of the noise and vibration consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 8.2**.

**Table 8.1: Summary of pre-application submission consultation and engagement with the Host Authorities – air quality**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC FDC	EIA Scoping Response	Statutory	EIA scoping response on air quality.
06/2020	CCC FDC	Email	Non-statutory	Applicant issued Methodology Statement to Host Authorities.
21/07/2020	CCC FDC	Email	Non-statutory	Comments on Methodology Statement provided by CCC and FDC.
02/10/2020	BCKLWN	Email	Non-statutory	Comments on Methodology Statement provided by BCKLWN.
08/2021	CCC FDC	PEIR response	Statutory	PEIR response on air quality.
13/01/2022	CCC	MS Teams meeting	Non-statutory	Discussion of CCC comments on the PEIR.

**Table 8.2: Summary of post-application submission consultation and engagement with the Host Authorities – air quality**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
19/10/2022	BCKLWN	Email	Non-statutory	BCKLWN issued questions to the Applicant on the air quality assessment in advance of the technical meeting on 31/10/2022.
31/10/2022	CCC FDC NCC BCKLWN	MS Teams meeting	Non-statutory	Meeting to discuss the points raised in CCC/FDC's draft relevant representation, including assessment anomalies, and assumptions.
09/11/2022	CCC FDC NCC BCKLWN	Email	Non-statutory	Meeting minutes from 31/10/2022 and a table of responses to comments received were issued to the Host Authorities.
11/11/2022	CCC	Email	Non-statutory	CCC provided comments on the draft meeting minutes from 31/10/2022.
15/11/2022	CCC FDC NCC BCKLWN	Email	Non-statutory	The meeting minutes from 31/10/202 were reissued in response to feedback received from CCC on 11/11/2022.

## 8.4 Summary of agreement

8.4.1 **Table 8.3** below sets out the matters agreed in relation to the assessment of air quality.

Table 8.3: Agreement Log: Air Quality

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
8.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 8: Air Quality (Volume 6.2) [APP-035]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>BCKLWN: Agreed</b>, subject to final check in advance of Deadline 5.</p> <p>EHO to confirm this position for Deadline 5 (or list any outstanding matters)</p>
8.3.2	<p><u>Environmental Assessment and conclusion</u></p> <p>There will be no likely significant effects on air quality (including odour) during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 8.9</b> and <b>8.10</b> of the <b>ES (Volume 6.2) [APP-035]</b>).</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>BCKLWN: Agreed.</b></p>
8.3.3	<p><u>Outline Construction Environmental Management Plan</u></p> <p>The content of the <b>Outline Construction Environmental Management Plan (Rev 4) (Volume 7.12) [REP4-008]</b>, secured in Requirement 10 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>BCKLWN: Agreed.</b></p>
8.3.4	<p><u>Outline Local Air Quality Monitoring Strategy</u></p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p>

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<p>The content of the <b>Outline Local Air Quality Monitoring Strategy (Rev 3) (Volume 9.21) [REP4-016]</b>, secured in Requirement 27 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>			<p><b>BCKLWN:</b> Agreed, subject to final check by BCKLWN's EHO</p>
<p><b>8.3.5</b>     <u>Outline Odour Management Plan</u></p> <p>The content of the <b>Outline Odour Management Plan (Rev 2) (Volume 7.11) [REP1-021]</b>, secured in Requirement 16 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>BCKLWN: Agreed.</b></p>

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## 9. Landscape and Visual

### 9.1 Introduction

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

9.1.2 An Outline **Landscape and Ecology Strategy (Rev 2) (Figure 3.14) (Volume 6.3) [REP2-026]** has been produced. This is secured in Requirement 4 of the **Draft DCO (Volume 3.1) [REP3-007]**.

9.1.3 An **Outline Landscape and Ecology Management Plan (Rev 1)** has been produced (**Volume 7.7) [APP-098]**. This is secured in Requirement 5 of the **Draft DCO (Volume 3.1) [REP3-007]**.

9.1.4 An **Outline Lighting Strategy (ES 4 ES Chapter 3 Description of the Proposed Development Appendix 3B (Volume 6.4) (Rev 2) [REP3-013]** 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) [REP3-007]**.

### 9.2 Remit of the Host Authorities

9.2.1 The Joint CCC/FDC relevant representation [**RR-002 and RR-003**] confirms Landscape Architects were appointed to provide specialist support on this topic.

9.2.2 BCKLWN confirm in their relevant representation [**RR-001**] that NCC are leading on this topic on their behalf.

### 9.3 Summary of consultation and engagement

9.3.1 A summary of the pre-application consultation with the Host Authorities in relation to landscape and visual is set out in **Table 9.1** below. This is also summarised in **ES Chapter 9: Landscape and Visual Appendix 9A Consultation Response Summaries (Volume 6.4) [APP-079]**.

9.3.2 A summary of the landscape consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 9.2**.

**Table 9.1: Summary of pre-application submission consultation and engagement with the Host Authorities – landscape and visual**

Date	Host Authority	Form of consultation	of	Statutory/Non-Statutory	Summary
13/01/2020	CCC FDC NCC	EIA scoping response		Statutory	EIA scoping response on landscape and visual.



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<b>13/03/2020</b>	CCC FDC <sup>1</sup>	Email – further comments on EIA Scoping Report.	Non-statutory	The Councils provided additional comments in relation to the study area, ZTV, viewpoints, photomontages and townscape effects.
<b>13/08/2020</b>	CCC FDC	Email - Technical Note	Non-statutory	Applicant responded to CCC/FDCs further comments on the EIA Scoping Report dated 13/03/2020.
<b>24/09/2020</b>	CCC FDC	Email – response to Applicant’s technical note	Non-statutory	CCC/FDC responded with further comments on the study area, ZTV, viewpoints, blimp use, visual receptors, Residential Visual Amenity Assessment and visualisations.
<b>02/11/2020</b>	CCC FDC	MS teams meeting	Non-statutory	Meeting to discuss the CCC/FDC comments and the Applicant’s responses.
<b>11/11/2020</b>	CCC FDC	Email - Technical Note	Non-statutory	The Applicant issued a further technical note to CCC/FDC summarising the outcomes of the 02/11/2022 meeting.
<b>19/11/2020</b>	CCC FDC	Email	Non-statutory	CCC sought confirmation regarding the methodology to be adopted for the visualisations due to be produced for the viewpoints.
<b>01/12/2020</b>	CCC FDC	Email	Non-statutory	Applicant responded to CCC’s email of 19/11/2020 to confirm the approach that would be adopted.
<b>03/12/2020</b>	CCC FDC	Email	Non-statutory	CCC confirmed their agreement with the Applicants approach (01/12/2020). Note – this was subsequently superseded by later agreements reached in February 2022.
<b>08/2021</b>	CCC FDC NCC	PEIR Response	Statutory	PEIR responses to the LVIA.

<sup>1</sup> CCC and FDC were represented by Liz Lake Associates from this correspondence onwards.

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15/12/2021	CCC FDC	Email	Non-statutory	Applicant issued memo setting out updated development parameters, proposed visualisation types and ZTV methodology in advance of the meeting to be held January 2022.
11/01/2022	CCC FDC	MS Teams meeting	Non-statutory	Meeting to discuss visualisation types and ZTV methodologies.
08/02/2022	CCC FDC	Email response	Non-statutory	CCC/FDC responded to the memo/meeting, confirming acceptance of the proposed approach to ZTV modelling, the LVIA methodology and agreement in relation to visualisations.

**Table 9.2: Summary of post-application submission consultation and engagement with the Host Authorities – landscape and visual**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
21/10/2022	CCC NCC BCKLWN	MS teams meeting	Non-statutory	Discussion regarding the methodology adopted for the assessment, proposed mitigation and the assessment of effects.
02/11/2022	CCC NCC BCKLWN	Email	Non-statutory	Applicant issued meeting minutes and clarification note from 21/10/2022. Clarification ZTVs and cross sections were issued with assessment remaining unchanged.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the LVIA.
27/01/2023	CCC NCC BCKLWN	Email	Non-statutory	Applicant's consultant sent an email to the Host Authorities seeking clarification on whether they intended to provide information on which LVIA conclusions they do not agree with and why, as recorded as an action during the meeting on the 02/11/2022.

## 9.4 Summary of agreement

9.4.1 **Table 9.3** below sets out the matters agreed in relation to the landscape and visual impact assessment.

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Table 9.3: Agreement Log: Landscape and Visual Impact

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
9.3.1	The relevant legislation, planning policy and technical guidance was identified in Section 9.3 of the <b>ES [APP-036]</b> .	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p>
9.3.2	The approach to data gathering set out in Section 9.4 of the <b>ES [APP-036]</b> , including the definition of the study area, and the approach surveys is reasonable to inform the assessment of likely significant effects.	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p>As described above, substantial pre-application consultation was carried out to agree the 17km study area, the location of viewpoints and the methods of assessment.</p>
9.3.3	The current and future baseline set out in Section 9.5 of the <b>ES [APP-036]</b> is accurately described.	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				<p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p>
9.3.4	The scope of the assessment set out in Section 9.6 of the <b>ES [APP-036]</b> is reasonable to inform the assessment of likely significant effects.	Green	Red	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p><b>NCC and BCKLWN: Not Agreed.</b></p> <p>As set out in the Councils' Joint Local Impact Report (LIR) <b>[REP1-064]</b> NCC is concerned that the full extent of the stack and plume has not been included on the visualisations and that the Zone of Theoretical Visibility (ZTV) and viewpoint 16 may not represent the likely degree of visibility, especially on the villages to the east within NCC's area. BCKLWN wishes to see that mature/important trees are retained as far as possible and that details of landscaping should be included within the requirements.</p> <p><b>Applicant:</b> The Applicant has responded to the Council's Joint LIR in its Deadline 2 submission <b>[REP2-021]</b>. It confirms in Table 6.1 that having assessed the Proposed Development in accordance with the LVIA study area previously agreed with the</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				Host Authorities and on the basis of the assumed maximum height parameters for the plume and its likely occurrence based on meteorological data, there would be no significant landscape or visual effects on any receptors within Norfolk. Detailed design, including landscape mitigation are included within the DCO requirements (requirements 2 and 4 of the <b>Draft DCO</b> ) [REP3-007].
9.3.5	<p>The embedded environmental measures described in Section 9.7 of the <b>ES [APP-036]</b> are appropriate to manage the likely significant effects of the Proposed Development.</p> <p>The methods of implementation set out in Section 9.11 of the <b>ES [APP-036]</b> are agreed.</p>	Amber	Green	<p><b>CCC &amp; FDC: Discussions ongoing</b></p> <p>Notwithstanding their view regarding the prominence of the EFW CHP Facility, CCC/FDC are content with the embedded environmental measures in relation to landscape.</p> <p>CCC/FDC remain concerned that the embedded environmental measures proposed in respect of the RVAT for 10 New Bridge Lane such as the acoustic fence would not be sufficient (as set out in the <b>CCC/FDC LIR [REP1-074]</b>, paragraph 5.4.3). The Applicant responds to these points in their response to the <b>CCC / FDC LIR [REP2-020]</b>.</p> <p><b>The Applicant understand CCC and FDC will issue further comments at Deadline 5.</b></p> <p><b>NCC and BCKLWN: Agreed and comment.</b></p> <p>Whilst no specific concerns have been raised about the appropriateness of the embedded environmental measures set out in Section 9.7 of the ES, BCKLWN wishes to see that</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				<p>mature/important trees are retained as far as possible and that details of landscaping should be included within the requirements.</p> <p><b>Applicant:</b> Section 11.7 of Chapter 11 of the ES – Biodiversity [AS-008] details embedded mitigation measures to minimise land-take and the loss of habitat, species woodland and hedgerows and to protect veteran trees. As explained in Table 6.1 of the Applicant's Deadline 2 Submission [REP2-021] the individual trees or groups of trees/hedgerows to be removed are of moderate to low quality and new planting is proposed as mitigation. When mature this will provide additional screening although the LVIA does not rely upon this in assessing impacts (as confirmed in section 9.7 of the ES [APP-036]. Requirements 4 and 5 of the <b>draft DCO [REP3-007]</b> provide for the approval and implementation of landscape mitigation.</p>
9.3.6	The assessment methodology set out in Section 9.8 of the ES [APP-036] is reasonable to inform the assessment of likely significant effects.	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>No comments have been raised in the relevant representation, WR or LIR to dispute this position.</p> <p><b>NCC &amp; BCKLWN:</b> are content, but has concerns about the scope, as set out in 9.3.4 above.</p>
9.3.7	The assessment conclusions in relation to landscape and townscape character, set out in Section 9.9 of the ES [APP-036] are agreed.	Amber	Red	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>CCC/FDC have outstanding concerns regarding the potential extent of the landscape and townscape effects resulting from the</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				<p>Proposed Development in their relevant representation [RR-002 and RR-003] and LIR (section 5.3 and 5.4) [REP1-074]. The Applicant responds to these points in their response to the CCC / FDC LIR [REP2-020]. The Applicant understand CCC and FDC will issue further comments at Deadline 5.</p> <p><b>NCC &amp; BCKLWN: Discussions ongoing.</b></p> <p>As set out in its relevant representation [RR-004], NCC agrees that the landscape impacts of the grid connection in Norfolk are likely to be minimal. However, NCC has raised concerns about the scope of the assessment with regards to the stack and likely plume that could impact views from Norfolk and the wider landscape potentially to a greater degree than reported in the assessment conclusions.</p> <p><b>Applicant:</b> See the Applicant’s response to NCC’s concerns at item 9.3.4 above, which confirms that the effects are not assessed as significant. The Applicant notes from the Joint LIR [REP1-064] that NCC’s primary concern relates to the visual impact on residential receptors rather than the effects on landscape and townscape character within the Norfolk administrative area.</p>
9.3.8	The assessment conclusions in relation to visual receptors, set out in Section 9.9 of the ES [APP-036] are agreed.	Red	Red	<p>BCKLWN N/A</p> <p><b>CCC&amp; FDC: Not agreed.</b></p> <p>CCC / FDC have outstanding concerns regarding the potential extent of the visual effects resulting from the Proposed Development in their relevant representation [RR-002 and RR-</p>



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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				<p><b>003]</b> and LIR (section 5.4). The Applicant responds to these points in their response to the <b>CCC / FDC LIR [REP2-020]</b>.The Applicant understand CCC and FDC will issue further comments at Deadline 5.</p> <p><b>NCC: Not agreed.</b></p> <p>Paragraph 10.13 of the Joint LIR <b>[REP1-065]</b> emphasises that NCC's primary concern is the impact the stack and plume on residential receptors situated on the edge of villages to the east and other remote dwellings and that these effects would be difficult to mitigate given their height/scale.</p> <p><b>Applicant:</b> See the Applicant's response to item 9.3.4 above. Based on historic meteorological data, the plume would only be visible occasionally in certain climatic conditions. Its effects on landscape and visual receptors are not considered significant given the plume's likely infrequent occurrence.</p>
9.3.9	The assessment conclusions in relation to residential visual amenity, set out in Section 9.9 of the <b>ES [APP-036]</b> are agreed, and the Residential Visual Amenity Threshold (RVAT) would not be breached.	Red	NCC Red	<p>BCKLWN N/A</p> <p><b>CCC&amp; FDC: Not agreed.</b></p> <p>CCC/FDCs relevant representation <b>[RR-002 and RR-003]</b> and <b>LIR [REP1-074]</b> section 5.4.3 – 5.4.12 raised concerns that the RVAT could be breached for 10 New Bridge Lane. The Applicant's consultant prepared a clarification cross section (<b>Volume 9.2 Part 9 Appendices [REP1-036]</b>) to demonstrate that the RVAT would not be breached and no change to the assessment was required. CCC/FDC do not agree with the Applicant's position.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				<p>The Applicant responds to the points raised by CCC/FDC in their response to the <b>CCC/FDC LIR [REP2-020]</b>. The Applicant understand CCC and FDC will issue further comments at Deadline 5</p> <p><b>NCC and BCKLWN: Not Agreed.</b></p> <p>See above. Whilst neither authority has raised issues specifically on breaching the Residential Visual Amenity Threshold (RVAT), the Joint LIR <b>[REP1-064]</b> explains the councils' position and concerns regarding the impact of the Proposed Development, most notably the effects of its stack and plume on residential receptors within villages within Norfolk.</p>
9.3.10	<p><u>Outline Landscape and Ecology Strategy and Outline Landscape and Ecology Management Plan</u></p> <p>The content of the <b>Outline Landscape and Ecology Strategy (Rev 2) (Figure 3.14) (Volume 6.3) [REP2-026]</b> and <b>Outline Landscape and Ecology Management Plan (Rev 1) (Volume 7.7) [APP-098]</b> is agreed, and the final versions will be approved by CCC as secured in Requirements 4 and 5 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b>.</p>	Green	N/A	<p><b>CCC &amp; FDC: Agreed.</b></p> <p>Confirmed in the LIR <b>[REP1-074]</b>.</p> <p><b>NCC and BCKLWN:</b> Paragraph 12.9 of the <b>Joint LIR [REP1-064]</b> confirms that the Outline Landscape and Ecology Strategy and the Management Plan does not relate to Norfolk and so is not relevant for NCC and BCKLWN.</p>

## 10. Historic Environment

### 10.1 Introduction

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

10.1.2 The **Outline CEMP (Rev 4) (Volume 7.12) [REP4-008]** includes provision for an archaeological Written Scheme of Investigation. The CEMP is secured in Requirement 10 of the **Draft DCO (Volume 3.1) [REP3-007]**.

### 10.2 Remit of the Host Authorities

10.2.1 The Joint CCC/FDC relevant representation [**RR-002 and RR-003**] confirms that CCC hold a remit in relation to the consideration of the Proposed Development on the Historic Environment, including heritage assets and the Georgian townscape. The joint representation confirms that FDC's remit is limited to consideration of impacts on Listed Buildings and Conservation Areas.

10.2.2 BCKLWN have engaged in the consideration of the impact of the Proposed Development on heritage assets but confirmed the remit in respect to archaeology lies with NCC.

### 10.3 Summary of consultation and engagement

10.3.1 A summary of the pre-application consultation with the Host Authorities in relation to the historic environment is set out in **Table 10.1** below. This is also summarised in **Section 10.2 of ES Chapter 10: Historic Environment (Volume 6.4) [APP-037]**.

10.3.2 A summary of the historic environment consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 10.2**.

**Table 10.1: Summary of pre-application submission consultation and engagement with the Host Authorities – historic environment**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2022	CCC FDC NDC	EIA Scoping Opinion	Statutory	EIA scoping response on the historic environment.
23/03/2021	CCC	MS Teams meeting	Non-statutory	Meeting to share borehole data and discuss need for fieldwork.
08/2021	CCC FDC BCKLWN	PEIR responses	Statutory	PEIR responses on Historic Environment.

**Table 10.2: Summary of post-application submission consultation and engagement with the Host Authorities – historic environment**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
19/10/2022	CCC NCC	MS teams meeting	Non-statutory	Discussion regarding potential archaeological impacts, mitigation and geoarchaeology.  Post meeting Applicant issued project document links via email.
20/10/2022	CCC NCC	Email	Non-statutory	Meeting minutes from 19/10/2022 were issued.

## 10.4 Summary of agreement

10.4.1

**Table 10.3** below sets out the matters agreed in relation to the historic environment assessment.

Table 10.3: Agreement Log: Historic Environment

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
10.3.1	<p><u>Assessment approach</u> The assessment presented in <b>ES Chapter 10: Historic Environment (Volume 6.2) [APP-037]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
10.3.2	<p><u>Assessment conclusion – heritage assets</u> There will be no likely significant effects on the setting of heritage assessment during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 10.9 of the ES (Volume 6.2) [APP-037]</b>).</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
10.3.3	<p><u>Assessment conclusion - archaeology</u> There will be no likely significant effects on archaeology during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 10.9 of the ES (Volume 6.2) [APP-037]</b>).</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
10.3.4	<p><u>Outline Written Scheme of Investigation</u> The content of the <b>Outline Written Scheme of Investigation</b> set out in the <b>Outline CEMP (Volume 7.12) [REP4-009]</b> is agreed, and the final version will be approved by CCC as secured in Requirement 10 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b>.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

# 11. Biodiversity

## 11.1 Introduction

11.1.1 This section of the SoCG covers the following matters:

- Biodiversity assessment (**ES Chapter 11 Biodiversity (Volume 6.2) [AS-008]**) together with accompanying figures and appendices;
- Habitat Regulations Assessment (**Volume 5.3) [AS-007]**; and
- Biodiversity Net Gain (**ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain (Volume 6.4) Rev 3 [REP3-018]** submitted at Deadline 3.

## 11.2 Remit of the Host Authorities

11.2.1 CCC have been responsible for providing responses regarding biodiversity on behalf of themselves and FDC.

11.2.2 NCC have engaged in discussions regarding biodiversity but confirm in their relevant representation that the BNG calculations are not relevant to them.

11.2.3 BCKLWN confirmed in their relevant representation [**RR-001**] that NCC are leading on this topic on their behalf.

## 11.3 Summary of consultation and engagement

11.3.1 A summary of the pre-application consultation with the Host Authorities in relation to biodiversity is set out in **Table 11.1** below. This is also summarised in **ES Appendix 11A (Volume 6.4) [APP-081]**.

11.3.2 A summary of the biodiversity consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 11.2**.

**Table 11.1: Summary of pre-application submission consultation and engagement with the Host Authorities – biodiversity**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC FDC NCC BCKLWN	EIA Scoping opinion	Statutory	EIA scoping response on biodiversity.
12/03/2020	CCC NCC	MS Teams meeting	Non-statutory	Meeting to discuss proposed survey approach, including protected species, HRA and net gain.

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23/04/2020	CCC NCC	Email	Non-statutory	Meeting minutes from 12/03/2020 were issued by the Applicant.
01/09/2020	NCC	Email	Non-statutory	Provided a response to the Winter Bird Survey 2020. Comments on weather conditions were set out.
11/09/2020	CCC	Email	Non-statutory	Provided a response to the Winter Bird Survey 2020. Comments on weather conditions and agricultural land usage were set out.
21/12/2020	CCC	Email	Non-statutory	Provided a response to the Breeding and Passage Bird Survey Report 2020. Comments on the assessment of collision risk were provided.
25/03/2021	CCC NCC FDC	MS Teams meeting	Non-statutory	Meeting to discuss the scope of the ecological surveys.
30/03/2021	NCC	Email	Non-statutory	Provided comments on the Preliminary Ecological Appraisal Report. Broadly agreed with the content and provided further comments on badgers and bats.
31/03/2021	CCC NCC FDC	Email	Non-statutory	Meeting minutes from 25/03/2021 were issued.
08/2021	CCC NCC FDC	PEIR responses	Statutory	PEIR responses on Biodiversity

**Table 11.2: Summary of post-application submission consultation and engagement with the Host Authorities – biodiversity**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
16/11/2022	CCC NCC FDC	MS teams meeting	Non-statutory	Discussion regarding biodiversity net gain, protected species, and the Outline Ecology and Landscape Plan.  Post meeting Applicant issued project document links via email.
02/12/2022	CCC NCC	Email	Non-statutory	Meeting minutes from 16/11/2022 were issued.
31/03/2023	CCC FDC NCC BCKLWN	MS teams meeting	Non-statutory	Meeting to discuss biodiversity net gain

24/04/2023	CCC FDC NCC BCKLWN	Email	Non-statutory	Meeting minutes from 31/03/2023 were issued.
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## 11.4 Biodiversity assessment

11.4.1 The biodiversity assessment is set out in **ES Chapter 11: Biodiversity (Volume 6.2) [AS-008]**, together with supporting figures and appendices.

### Summary of agreement

11.4.2 **Table 11.3** below sets out the matters agreed in relation to the biodiversity assessment.

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Table 11.3: Agreement Log: Biodiversity

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
11.3.1	<u>Assessment approach</u> The assessment presented in <b>ES Chapter 11: Biodiversity (Volume 6.2) [AS-008]</b> including the data gathering methodology, baseline, scope of the assessment and the assessment methodology set out is appropriate.	Green	Green	<b>CCC &amp; FDC: Agreed.</b>  <b>NCC &amp; BCKLWN: Agreed.</b>
11.3.2	<u>Embedded environmental measures.</u> The proposed embedded environmental measures set out in Section 11.7 of <b>ES Chapter 11: Biodiversity (Volume 6.2) [AS-008]</b> are appropriate.	Green	Green	<b>CCC &amp; FDC:</b> Agreed, subject to, at Deadline 5, the Applicant submitting: <ul style="list-style-type: none"> <li>• BNG DCO Requirement to include specific reference to a minimum 10% net gain.</li> <li>• The updated <b>ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 4 (Volume 6.4)</b> (including <b>Annex C BNG Strategy</b>) to include               <ul style="list-style-type: none"> <li>○ Off-site water vole mitigation and enhancement</li> <li>○ Local sites within the administrative areas of the Host Authorities to be targeted for off-site BNG</li> <li>○ Host Authorities to be involved in the BNG strategy.</li> </ul> </li> </ul> <b>NCC &amp; BCKLWN: Agreed.</b>
11.3.2	<u>Assessment conclusion</u>	Green	Green	<b>CCC &amp; FDC:</b> Agreed, subject to, at Deadline 5, the Applicant submitting:

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			<p>There will be no likely significant effects on biodiversity during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 11.9</b> of the <b>ES (Volume 6.2)</b> [AS-008]).</p> <ul style="list-style-type: none"> <li>• BNG DCO Requirement to include specific reference to a minimum 10% net gain.</li> <li>• The updated <b>ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 4 (Volume 6.4)</b> (including <b>Annex C BNG Strategy</b>) to include <ul style="list-style-type: none"> <li>○ Off-site water vole mitigation and enhancement</li> <li>○ Local sites within the administrative areas of the Host Authorities to be targeted for off-site BNG</li> <li>○ Host Authorities to be involved in the BNG strategy.</li> </ul> </li> </ul> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
<p><b>11.3.3</b> <u>Management Plans – Outline CEMP</u> The biodiversity mitigation measures set out in the <b>Outline CEMP (Volume 7.12)</b>, including <b>Appendix D (Outline Ecological Mitigation Strategy)</b> [REP4-008] and secured in Requirement 10 of the <b>Draft DCO (Volume 3.1)</b> [REP3-007] are acceptable.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed and comment.</b></p> <p>Final outstanding matter was water vole habitat enhancement, now secured in the BNG strategy - All matters agreed with the exception on comments relating to water voles (see ID 11.3.2 above)</p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
<p><b>11.3.4</b> <u>Management Plans - Outline Operational Lighting Strategy</u> The <b>Outline Operational Lighting Strategy (Appendix 3B Outline Lighting Strategy (Volume 6.4)</b> [REP3-013] (secured in Requirement 18 of the <b>Draft DCO (Volume 3.1)</b> [REP3-007]) is acceptable to manage potential impacts on water voles and bats.</p>	Green	N/A	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: N/A</b></p>

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11.3.5	<u>Management Plans - Outline Landscape and Ecology Strategy</u> The <b>Outline Landscape and Ecology Strategy (ES Figure 3.14) (Volume 6.3) [REP2-026]</b> secured in Requirement 4 (Biodiversity and landscape mitigation) of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is acceptable.	Green	Green	<b>CCC &amp; FDC: Agreed.</b>  <b>NCC &amp; BCKLWN: Agreed.</b>
11.3.6	<u>Management Plans - Outline Landscape and Ecology Plan</u> The <b>Outline Landscape and Ecology Management Plan (Volume 7.7) [REP3-007]</b> secured in Requirement 4 (Biodiversity and landscape mitigation) of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is acceptable.	Green	N/A	<b>CCC &amp; FDC: Agreed.</b>

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## 11.5 Habitat Regulations Assessment

- 11.5.1 It is agreed by the Host Authorities that the Secretary of State is the competent authority in respect to the Habitat Regulations Assessment (HRA) process. A **Habitat Regulations Assessment No Significant Effects Report [AS-007]** was submitted as part of the DCO Application
- 11.5.2 A summary of the consultation feedback from the Host Authorities in relation to the HRA is provided in **Table 3.1 of the HRA No Significant Effects Report (Volume 5.3) [AS-007]**. Comments were received from CCC, FDC and NCC in relation to the assessment and survey scope which were taken into account within the production of the final HRA No Significant Effects Report.
- 11.5.3 Paragraph 7.3.3 of the **CCC / FDC LIR [REP1-074]** confirms the Councils view that the Proposed Development would not affect the integrity of European sites.
- 11.5.4 NCC and the BCKLWN have not raised any issues in relation to the HRA No Significant Effects Report in submissions to date and have no further comments to make on HRA matters at this time.

## 11.6 Biodiversity Net Gain

- 11.6.1 The biodiversity net gain assessment is presented in **ES Chapter 11: Biodiversity Appendix 11M (Rev 2) (Volume 6.2) [AS-009]**. An updated version has been submitted at Deadline 3 **[REP3-018]**.

## Summary of agreement

- 11.6.2 **Table 11.4** below sets out the matters agreed in relation to biodiversity net gain.

Table 11.4: Agreement Log: Biodiversity Net Gain

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC and BCKLWN	
11.4.1	The methods and application of the biodiversity metric set out in the <b>BNG Assessment [AS-009]</b> have been correctly applied.	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed
11.4.2	The Proposed Development would result in a net loss of biodiversity and therefore compensation is required.	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed.
11.4.3	The delivery of off-site compensation is appropriate to provide biodiversity net gain, in addition to the onsite opportunities identified (as set out in <b>ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 3 [REP3-007]</b> ) and <b>ExQ1 Appendices – 10.2C Biodiversity Net Gain – Next Steps (Volume 10.2) [REP2-027]</b> .	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed.
11.4.4	Submitted at Deadline 5, the wording of <b>Draft DCO Requirement 6 (Biodiversity Net Gain) (Volume 3.1) [REP4-007]</b> securing the delivery of the strategy [REP3-018] which sets out a commitment to deliver 10% net gain is appropriate.	Green	Green	CCC & FDC: Agreed, subject to the Applicant submitting the updated wording in the <b>draft DCO (Volume 3.1)</b> at Deadline 5  Outstanding matter: <ul style="list-style-type: none"> <li>Specific reference to minimum 10% BNG in the DCO Requirement; now agreed.</li> </ul> NCC & BCKLWN: Agreed.

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC and BCKLWN	
11.4.5	<p><u>Outline BNG Strategy</u> Submitted at Deadline 5 the Outline BNG Strategy set out in Annex C of <b>ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain - Rev 4 (Volume 6.4)</b> is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC:</b> Agreed, subject to the Applicant submitting the updated wording in the <b>draft DCO (Volume 3.1)</b> at Deadline 5</p> <p>Outstanding matter:</p> <ul style="list-style-type: none"> <li>• Specific reference to minimum 10% BNG in the DCO Requirement; now agreed.</li> </ul> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

## 12. Hydrology

### 12.1 Introduction

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

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

- **ES Chapter 12 Hydrology Appendix 12F Outline Drainage Strategy (Volume 6.4) [REP1-017]**; and
- **Outline Flood Emergency Management Plan (Volume 7.9) [REP1-019]**.

### 12.2 Remit of the Host Authorities

12.2.1 All four Host Authorities have been engaged in discussions regarding hydrology, including CCC and NCC in their roles as lead local flood authorities.

### 12.3 Summary of consultation and engagement

12.3.1 A summary of the pre-application consultation with the Host Authorities in relation to hydrology is set out in **Table 12.1** below. This is also summarised in **ES Appendix 12B (Volume 6.4) [APP-085]**.

12.3.2 A summary of the biodiversity consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 12.2**.

**Table 12.1: Summary of pre-application submission consultation and engagement with the Host Authorities – hydrology**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC NCC BCKLWN	EIA Scoping Opinion	Statutory	EIA scoping response on hydrology.
11/01/2021	NCC	Email	Non-statutory	Provided comments on flood risk and works affecting ordinary watercourses.
15/01/2021	CCC	Email	Non-statutory	Provided information on flooding in the area.
19/04/2021	CCC	MS Teams meeting	Non-statutory	Meeting to discuss the draft surface water drainage strategy. Include discussions on discharge rates and climate change allowance.

08/2021	NCC	PEIR responses	Statutory	PEIR responses on Hydrology
26/10/2021	CCC	MS Teams meeting	Non-statutory	Meeting to discuss flood risk and surface water drainage strategy.
01/03/2022	NCC	MS Teams meeting	Non-statutory	Meeting to discuss surface water management plan, SuDS strategy and run off management for Walsoken substation.

**Table 12.2: Summary of post-application submission consultation and engagement with the Host Authorities – hydrology**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
24/10/2022	CCC	MS teams meeting	Non-statutory	Discussion regarding surface water discharge, water reuse, climate change allowances, pumping, calculations and other matters
10/11/2022	NCC	MS teams meeting	Non-statutory	Discussion regarding surface water drainage, watercourse crossings and hydrology at the Walsoken substation.
22/11/2022	CCC	Email	Non-statutory	Meeting minutes from 24/10/2022 were issued to CCC.
24/11/2022	NCC	Email	Non-statutory	Meeting minutes from 10/11/2022 were issued to NCC.
02/12/2022	NCC	Email	Non-statutory	Email from NCC querying the extent of the Hundred of Wisbech Internal Drainage Board (IDB) drains. To be followed up.
02/12/2022	CCC	Email/technical note	Non-statutory	Technical note issued addressing comments raised by CCC in the meeting of 24/10/2022 and the CCC/FDC relevant representation.

## 12.4 Summary of agreement

12.4.1 **Table 12.3** below sets out the matters agreed in relation to hydrology.



Table 12.3: Agreement Log: Hydrology

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
12.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 12: Hydrology (Volume 6.2) [APP-039]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
12.3.2	<p><u>Environmental Assessment and conclusion</u></p> <p>There will be no likely significant effects on hydrology during the construction, operation or decommissioning of the Proposed Development taking account of the embedded mitigation measures (<b>Section 12.9</b> of the <b>ES (Volume 6.2) [APP-039]</b>).</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
12.3.3	<p><u>Outline Drainage Strategy</u></p> <p>The content of the <b>Outline Drainage Strategy (Volume 6.4) [REP1-017]</b>, secured in Requirement 8 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
12.3.4	<p><u>Outline Flood Emergency Management Plan</u></p> <p>The content of the <b>Outline Flood Emergency Management Plan (Volume 7.9) [REP1-019]</b>, secured in Requirement 13 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC and BCKLWN: Agreed.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
12.3.5	<p><u>Outline Water Management Plan</u></p> <p>The content of the <b>Outline Water Management Plan within Appendix B of the Outline CEMP (Volume 7.12) [REP4-009]</b>, secured in Requirement 10 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
12.3.6	<p><u>Internal Drainage Boards (IDBs)</u></p> <p>The Proposed Development crosses a number of watercourses which fall under the jurisdiction of the King's Lynn IDB, and the Hundred of Wisbech IDB rather than the Lead Local Flood Authority. The Applicant is responsible for obtaining the necessary consents from the IDBs in addition to those required from the Lead Local Flood Authority.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>

# 13. Geology, Hydrogeology and Contaminated Land

## 13.1 Introduction

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

## 13.2 Remit of the Host Authorities

13.2.1 CCC and FDC have not requested any specific engagement in relation to geology, hydrogeology and contaminated land, or raised any points in their relevant representation.

13.2.2 NCC confirm in their relevant representation **[RR-004]** that they have no points to raise regarding geology, hydrogeology and contaminated land. Consideration of this topic falls into the remit of BCKLWN.

## 13.3 Summary of consultation and engagement

13.3.1 A summary of the pre-application consultation with the Host Authorities in relation to geology, hydrogeology and contaminated land is set out in **Table 13.1** below. This is also summarised in **Section 13.2 of ES Chapter 13 Geology, hydrogeology and contaminated land (Volume 6.2) [APP-040]**.

13.3.2 A summary of consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 13.2**.

**Table 13.1: Summary of pre-application submission consultation and engagement with the Host Authorities – geology, hydrogeology and contaminated land**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC FDC	EIA Scoping Opinion	Statutory	EIA scoping response on geology, hydrogeology and contaminated land.
08/2021	CCC BCKLWN	PEIR responses	Statutory	PEIR responses on geology, hydrogeology and contaminated land.

**Table 13.2: Summary of post-application submission consultation and engagement with the Host Authorities – geology, hydrogeology and contaminated land**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
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01/12/2022	NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. BCKLWN provided comments on the assessment of geology, hydrogeology and contaminated land.
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## 13.4 Summary of agreement

13.4.1 **Table 13.3** below sets out the matters agreed in relation to geology, hydrogeology and contaminated land.

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Table 13.3: Agreement Log: Geology, hydrogeology and contaminated land

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
13.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 13: Geology, hydrogeology and contaminated land (Volume 6.2) [APP-040]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
13.3.2	<p><u>Assessment conclusion</u></p> <p>There will be no likely significant effects on geology, hydrogeology and land contamination during the construction, operation or decommissioning of the proposed development taking account of the embedded mitigation measures (<b>Section 13.11</b> of the <b>ES (Volume 6.2) [APP-040]</b>).</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

## 14. Climate

### 14.1 Introduction

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

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

### 14.2 Remit of the Host Authorities

14.2.1 CCC have been engaged in discussions regarding this topic and had appointed a specialist consultant to support their submissions.

14.2.2 BCKLWN confirmed in their relevant representation that NCC would be responsible for providing comments on this topic on their behalf [RR-001].

14.2.3 NCC confirmed in their relevant representation that they have no issues in relation to the assessment within their administrative area and defer to CCC in relation to the EfW CHP Facility itself.

### 14.3 Summary of consultation and engagement

14.3.1 A summary of the pre-application consultation with the Host Authorities in relation to climate change is set out in **Table 14.1** below. This is also summarised in **ES Appendix 14A (Volume 6.4) [APP-088]**.

14.3.2 A summary of consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 14.2**.

**Table 14.1: Summary of pre-application submission consultation and engagement with the Host Authorities – climate**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	BCKLWN CCC FDC	EIA Scoping Opinion	Statutory	EIA scoping response on climate.
11/12/2020	CCC	MS Teams meeting	Non-statutory	Meeting to discuss proposed GHG emissions assessment.
01/2021	CCC FDC NCC BCKLWN	Email	Non-statutory	GHG Emissions Methodology issued.

04/02/2021	BCKLWN CCC	Email	Non-statutory	Comments on GHG Emissions Methodology provided.
08/2021	BCKLWN CCC FDC	PEIR responses	Statutory	PEIR responses on climate.

**Table 14.2: Summary of post-application submission consultation and engagement with the Host Authorities – climate**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
20/10/2022	CCC BCKLWN	MS Teams meeting	Non-statutory	Meeting to discuss CCC's draft relevant representation including waste assumptions, avoided emissions, mitigation, guidance and the assessment of effects.
28/10/2022	CCC BCKLWN	Email	Non-statutory	Meeting minutes from 20/10/2022 were issued.
09/11/2022	CCC BCKLWN	Email Technical Note	- Non-statutory	Provided a response to CCC's draft relevant representation comments discussed in the meeting held on 20/10/2022. Including further sensitivity analysis for avoided emissions, considering the gradual decarbonisation of the UK Grid.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published.

## 14.4 Summary of agreement

14.4.1 **Table 14.3** below sets out the matters agreed in relation to climate change.

Table 14.3: Agreement Log: climate change

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
14.3.1	<p><u>Assessment approach: Climate change resilience assessment</u></p> <p>The CCR assessment approach presented in ES <b>Chapter 14: Climate (Volume 6.2) [APP-041]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>CCC and FDC are yet to comment on climate change resilience, so this is not yet agreed. The Applicant and CCC have met to discuss preparing further sensitivity scenarios and therefore both parties aim to submit comments to the ExA at Deadline 6.</p> <p><b>BCKLWN:</b> Whilst it is recognised this is a key topic to be discussed in detail at the Examination, no separate comments have been made on this issue by BCKLWN officers, so it is described as N/A in the rating.</p>
14.3.2	<p><u>Assessment conclusion: Climate change resilience assessment</u></p> <p>There are no significant effects remaining following the assessment of climate change impacts on the construction, operational and decommissioning phases of the Proposed Development and its receptors. This is because all relevant and implementable environmental measures have been employed into all phases of the Proposed Development.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>The Applicant and CCC have met to discuss preparing further sensitivity scenarios and therefore both parties aim to submit comments to the ExA at Deadline 6.</p> <p><b>BCKLWN:</b> Whilst it is recognised this is a key topic to be discussed in detail at the Examination, no separate comments have been made on this issue by BCKLWN officers, so it is described as N/A in the rating.</p>
14.3.3	<p><u>Assessment approach: GHG emissions assessment</u></p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing</b></p>



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The GHG assessment approach presented in ES **Chapter 14: Climate (Volume 6.2) [APP-041]** including the data gathering methodology, baseline, scope of the assessment, and the assessment methodology set out is appropriate.

CCC and FDC provided some general comments in their relevant representation **[RR-002 and RR-003]** relating to the scope and methodology of the assessment. Discussions are ongoing on this matter.

**Construction: Discussions ongoing**

CCC have recently been provided with spreadsheets from the Applicant and are raising some questions about this in their response to ISH4. **Operation: Not agreed**

Without development scenario:

**CCC & FDC position:** As set out in paragraph 9.4.17 of the LIR **[REP1-074]**, CCC and FDC dispute the assumption that in the ‘without development’ scenario, all the waste will definitely go to landfill for the entire 40 years of operation.

**Applicant position:** The Applicant has provided a response to paragraph 9.4.17 of the CCC and FDC LIR **[REP2-020]** to justify why use of the without development scenario is appropriate based on the findings of the **Waste Fuel Availability Assessment (Volume 7.3)**.

The Applicant and CCC have met to discuss preparing further sensitivity scenarios and therefore both parties aim to submit comments to the ExA at Deadline 6.

Waste composition data:

**CCC & FDC position:** As set out in paragraphs 9.4.4 – 9.4.12 of the LIR **[REP1-074]**, CCC and FDC highlight the uncertainty in waste composition and the impact of this on the GHG assessment.

**Applicant position:** The Applicant has provided a response to paragraphs 9.4.4 – 9.4.12 of the CCC / FDC LIR in **[REP2-020]** to confirm the waste composition assumptions used within the assessment and the sensitivity analysis completed, acknowledging the uncertainty on future waste composition.

			<p><u>Avoided emissions:</u></p> <p><b>CCC &amp; FDC position:</b> As set out in paragraphs 9.4.13 – 9.4.16 of the LIR [REP1-074], CCC and FDC dispute the assessment of avoided emissions in <b>Chapter 14 Climate Change (Volume 6.2) [APP-041]</b> which did not consider the forecast gradual decarbonisation of the grid.</p> <p><b>Applicant position:</b> The Applicant has provided a response to paragraphs 9.4.13 – 9.4.16 of the CCC / FDC LIR in [REP2-020] to confirm the assumptions used within the assessment and the additional sensitivity analysis completed considering the gradual decarbonisation of the grid.</p> <p><b>BCKLWN:</b> Whilst it is recognised this is a key topic to be discussed in detail at the Examination, no separate comments have been made on this issue by BCKLWN officers, so it is described as N/A in the rating.</p>
<p><b>14.3.4</b> <u>Embedded environmental measures: GHG emissions</u></p> <p>The embedded environmental measures described in <b>Section 14.7 of ES Chapter 14: Climate (Volume 6.2) [APP-041]</b> are appropriate to manage the likely significant effects of the Proposed Development.</p> <p>The Proposed Development does not include for the construction and operation of carbon capture technology but is capable of carbon capture retrofit at a later date.</p>	Amber	n/a	<p><b>CCC &amp; FDC: Discussions ongoing</b></p> <p><b>Construction: Agreed.</b></p> <p>CCC and FDC specified mitigations within their LIR [REP1-074] in relation to mitigations that should be applied during the construction phase (paragraph 9.3.4). Within the <b>Applicant’s response to the LIR (Volume 10.3) [REP2-020]</b>, the Applicant signposted to where in <b>ES Chapter 14 Climate (Volume 6.2) [APP-041]</b> these measures had been taken into account and provided additional details.</p> <p><b>Operation: Not agreed.</b></p> <p>CCC and FDC consider that the Proposed Development should install and operate CCS from day one of operation (<b>LIR paragraph 9.4.20 and 9.2.24) [REP1-074]</b>. They consider that setting aside an area for future development of CCS is insufficient as it does not guarantee when or if CCS will become operational.</p>

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			<p><b>Applicant's position:</b> The Applicant has set aside land within the Order Limits for a carbon capture and export readiness reserve space secured in Requirement 22 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b>.</p> <p>In addition, Requirement 23 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> secures 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.</p> <p>It is not an NPS policy requirement for EfW facilities to include or safeguard for CCS infrastructure.</p>
<p><b>14.3.5</b> <u>Assessment conclusion: GHG emissions assessment</u></p> <p>The GHG emissions assessment conclusions are set out in <b>Section 14.9</b> and <b>14.12</b> of ES <b>Chapter 14: Climate (Volume 6.2) [APP-041]</b> <del>are agreed.</del></p>	<p>Red</p>	<p>N/A</p>	<p><b>CCC &amp; FDC</b></p> <p><b>Construction: Not agreed.</b></p> <p><b>Operation: Not agreed.</b></p> <p>As set out in paragraphs 9.4.22 – 9.4.23 of the <b>LIR [REP1-074]</b>, CCC and FDC dispute the application of the IEMA guidance for evaluating significance and the conclusion of a beneficial significant effect. In addition, the areas of disagreement on the GHG emissions methodology outlined above in row 14.3.3 will mean that different conclusions are drawn.</p> <p><b>Applicant's position:</b> The Applicant has provided a response to paragraphs 9.4.22 – 9.4.23 of the CCC and FDC LIR <b>[REP2-020]</b> to justify the approach to the application of the IEMA guidance in the assessment conclusions. Based on IEMA's core definition of beneficial significance and the assessment outcomes in <b>ES Chapter 14 Climate Change (Volume 6.2) [APP-041]</b>, it is considered that compared to the without-project baseline, the EfW CHP Facility would have a beneficial significant effect.</p> <p><b>BCKLWN:</b> Whilst it is recognised this is a key topic to be discussed in detail at the Examination, no separate comments have been made</p>



on this issue by BCKLWN officers, so it is described as N/A in the rating.

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# 15. Socio-Economics, Tourism, Recreation and Land Use

## 15.1 Introduction

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

15.1.2 The assessment is supported by further strategies:

- **Outline Employment and Skills Strategy (Volume 7.8) [APP-099]**; and
- **Outline Community Benefits Strategy (Volume 7.14) [APP-105]**.

## 15.2 Remit of the Host Authorities

15.2.1 NCC and FDC have both engaged in this topic.

15.2.2 BCKLWN confirmed in their relevant representation [RR-001] that NCC are leading on this topic on their behalf.

## 15.3 Summary of consultation and engagement

15.3.1 A summary of the pre-application consultation with the Host Authorities in relation to socio-economics, tourism, recreation and land use is set out in **Table 15.1** below. This is also summarised in **Section 15.2 of ES Chapter 15: Socio-economics, tourism, recreation and land use (Volume 6.2) [APP-042]**.

15.3.2 A summary of consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 15.2**.

**Table 15.1: Summary of pre-application submission consultation and engagement with the Host Authorities – socio-economics, tourism, recreation and land use**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC NCC	EIA scoping opinion	Statutory	EIA scoping response on socio-economics, tourism, recreation and land use.
08/2021	FDC	PEIR responses	Statutory	PEIR responses on socio-economics, tourism, recreation and land use.

**Table 15.2: Summary of post-application submission consultation and engagement with the Host Authorities – socio-economics, tourism, recreation and land use**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
26/10/2022	CCC FDC	MS Teams meeting	Non-statutory	To explain Environmental Statement (ES) Chapter 15 plus the outline Community Benefits and Employment and Skills Strategies. Applicant to answer questions from CCC and FDC ahead of their preparation of relevant representations.
04/11/2022	CCC FDC	Email	Non-statutory	Meeting minutes from 26/10/2022 were issued.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the assessment of socio-economics, tourism, recreation and land use.

## 15.4 Summary of agreement

15.4.1

**Table 15.3** below sets out the matters agreed in relation to socio-economics, tourism, recreation and land use.

Table 15.3: Agreement Log: socio-economics, tourism, recreation and land use

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
15.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 15: Socio-economics, tourism, recreation and land use (Volume 6.2) [APP-042]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>
15.3.2	<p><u>Assessment conclusion</u></p> <p>There would be no significant adverse effects on socio-economics, tourism, recreation and land use. Significant beneficial effects would occur due to direct and indirect employment opportunities, and benefits to local suppliers, taking into account the implementation of the <b>Outline Employment and Skills Strategy (Section 15.9 of the ES (Volume 6.2) [APP-042])</b>.</p>	Amber	Green	<p><b>CCC &amp; FDC: Discussions ongoing. Updated before Deadline 5 submission required.</b></p> <p>CCC and FDC consider that there would be perceived economic harm due to, disruption to the local road network affecting existing businesses which would also discourage new businesses from the area. Also, in the opinion of CCC and FDC, the appearance of the building on the approach to Wisbech will impact on the perception of the town to tourists and visitors to the detriment of trade and vitality.</p> <p>CCC &amp; FDC agree that beneficial effects would occur due to direct and indirect employment opportunities, and benefits to local suppliers (<b>LIR paragraph 10.2.1 and 10.3.1 [REP1-074]</b>), but they consider the scale of the potential benefits to be uncertain (paragraph 10.2.2 and 10.3.2).</p> <p>To address the concerns raised by CCC and FDC the heads of terms for a s106 agreement are being prepared.</p>

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			NCC & BCKLWN: Agreed.
15.3.3 <u>Assessment conclusion</u>	Green	N/A	CCC & FDC: Agreed.
The proposed reopening of the disused March to Wisbech Railway considered to provide future contributions to the Wisbech economy will not be affected by the Proposed Development.			
15.3.4 <u>Outline Employment and Skills Strategy</u>	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed.
The <b>Outline Employment and Skills Strategy [APP-099]</b> secured in Requirement 21 of the <b>Draft DCO (Volume 3.1) [APP-013]</b> includes the necessary measures to develop employment and skills in the local area as a result of the Proposed Development.			



# 16. Health

## 16.1 Introduction

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

## 16.2 Remit of the Host Authorities

16.2.1 CCC and FDC are both engaged in this topic.

16.2.2 BCKLWN confirmed in their relevant representation [RR-001] that NCC are leading on this topic on their behalf.

## 16.3 Summary of consultation and engagement

16.3.1 A summary of the pre-application consultation with the Host Authorities in relation to health is set out in **Table 16.1** below. This is also summarised in **Appendix 16A Summary of Consultation Responses [APP-089]**.

16.3.2 A summary of consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 16.2**.

**Table 16.1: Summary of pre-application submission consultation and engagement with the Host Authorities – health**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC NCC BCKLWN	EIA scoping opinion	Statutory	EIA scoping responses on health.
09/2020	CCC FDC NCC BCKLWN	Email– Technical Note	Non-statutory	The Applicant issued a Technical Note setting out the proposed health assessment methodology to the local authorities for comment.
09/2020	CCC	Email	Non-statutory	Provided comments on the proposed health assessment methodology.
09/2020	BCKLWN	Email	Non-statutory	Provided comments on the proposed health assessment methodology.
04/2021	CCC FDC NCC BCKLWN	Email	Non-statutory	Applicant issued revised Technical Note.

04/2021	CCC	Email	Non-statutory	Provided comments on the updated health assessment methodology.
04/2021	NCC	Email	Non-statutory	Provided comments on the updated health assessment methodology.
08/2021	CCC BCKLWN	PEIR responses	Statutory	PEIR responses on health.

**Table 16.2: Summary of post-application submission consultation and engagement with the Host Authorities – health**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
20/10/2022	CCC BCKLWN FDC	MS Teams meeting	Non-statutory	Meeting to discuss assessment approach and presentation, data usage, the impact of the development on health and mitigation.
10/11/2022	CCC BCKLWN FDC	Email	Non-statutory	Meeting minutes from 20/11/2022 were issued.
10/11/2022	CCC BCKLWN FDC	Technical note	Non-statutory	Technical note issued by the Applicant addressing CCC's draft relevant representation comments as discussed at the meeting on 20/10/2022.
21/10/2022	CCC FDC	MS Teams meeting	Non-statutory	Meeting with CCC, FDC, the UK Health Security Agency and Office for Health Improvement and Disparities – Health to discuss initial comments on the health assessment.
07/02/2022	CCC FDC	Email	Non-statutory	Meeting minutes from 21/11/2022 were issued.
01/12/2022	CCC FDC NCC BCKLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the health assessment.

## 16.4 Summary of agreement

16.4.1 **Table 16.3** below sets out the matters agreed in relation to health.

Table 16.3: Agreement Log: Health

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
16.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in <b>ES Chapter 16: Health (Volume 6.2) [APP-043]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
16.3.2	<p><u>Assessment conclusion</u></p> <p>The proposed development should not result in any significant adverse impacts on public health during construction, operation or decommissioning taking account of the embedded mitigation measures (<b>Section 16.9</b> of the <b>ES (Volume 6.2) [APP-043]</b>).</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
16.3.3	<p><u>Outline Employment and Skills Strategy</u></p> <p>The <b>Outline Employment and Skills Strategy (Volume 7.8) [APP-099]</b> secured in Requirement 21 of the <b>Draft DCO (Volume 3.1) [APP-013]</b> includes the necessary measures to help support health impacts associated with employment in the local area.</p>	Green	N/A	CCC & FDC: Agreed.
16.3.4	<p><u>Outline Community Benefits Strategy</u></p> <p>The <b>Outline Community Benefits Strategy (Volume 7.14) [APP-105]</b> includes appropriate measures to support wellbeing in the local area.</p>	Green	N/A	CCC & FDC: Agreed.
16.3.5	<p><u>Outline Construction Traffic Management Plan</u></p>	Green	Green	CCC & FDC: Agreed

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<p>The <b>Outline Construction Traffic Management Plan (Volume 6.4) [REP4-006]</b> secured in Requirement 11 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> includes appropriate measures to minimise the impacts of construction traffic on human health.</p>			<p><b>NCC &amp; BCKLWN: Agreed.</b></p>
<p><b>16.3.6</b> <u>Community Liaison Manager</u></p> <p>The provision of a Community Liaison Manager secured in Requirement 24 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> will support the local community in the management of the construction and operation of the Proposed Development</p>	<p>Green</p>	<p>Green</p>	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>

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## 17. Major Accidents and Disasters

### 17.1 Introduction

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

### 17.2 Remit of the Host Authorities

17.2.1 CCC and FDC are both engaged in this topic.

17.2.2 BCKLWN confirmed in their relevant representation [RR-001] that NCC are leading on this topic on their behalf.

### 17.3 Summary of Consultation and engagement

17.3.1 A summary of the pre-application consultation with the Host Authorities in relation to major accidents and disasters is set out in **Table 17.1** below. This is also summarised in **Section 17.2 of ES Chapter 17: Major Accidents and Disasters (Volume 6.2) [APP-044]**.

17.3.2 A summary of the major accidents and disasters consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 17.2**.

**Table 17.1: Summary of pre-application submission consultation and engagement with the Host Authorities – major accidents and disasters**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC FDC	EIA scoping opinion	Statutory	EIA scoping responses on major accidents and disasters.
08/2021	CCC	PEIR responses	Statutory	Summary of PEIR responses on major accidents and disasters.

**Table 17.2: Summary of post-application submission consultation and engagement with the Host Authorities – major accidents and disasters**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
11/10/2022	CCC BCKLWN	MS Teams meeting	Non-statutory	Meeting to discuss the assessment including the nature of the Proposed Development and mitigation.

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11/10/2022	CCC BCKLWN	Email	Non-statutory	Meeting minutes from 11/11/2022 and accompanying powerpoint presentation were issued.
01/12/2022	CCC FDC NCC BCLWN	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the health assessment.

## 17.4 Summary of agreement

17.4.1

**Table 17.3** below sets out the matters agreed in relation to the assessment of major accidents and disasters.

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Table 17.3: Agreement Log: Major accidents and disasters

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
17.3.1	<p><u>Assessment approach</u></p> <p>The assessment presented in of <b>ES Chapter 17: Major Accidents and Disasters (Volume 6.2) [APP-044]</b> including the data gathering methodology, baseline, scope of the assessment, embedded environmental measures and the assessment methodology set out is appropriate.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
17.3.2	<p><u>Assessment conclusion</u></p> <p>There will be no likely significant effects due to major accidents and disasters during the construction, operation or decommissioning of the proposed development taking account of the embedded mitigation measures (<b>Section 17.9</b> of the <b>ES Chapter 17: Major Accidents and Disasters (Volume 6.2) [APP-044]</b>).</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
17.4.3	<p><u>Flood Emergency Management Plan</u></p> <p>The provision of a Flood Emergency Management Plan to manage any residual risk of tidal flooding is supported.</p> <p>The content of the <b>Outline Flood Emergency Management Plan (Volume 7.9) [REP1-019]</b>, secured in Requirement 13 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
17.4.4	<p><u>Fire Prevention Plan</u></p> <p>The provision of a Fire Prevention Plan to manage the risk of any fires at the EfW CHP Facility is supported.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	The content of the <b>Outline Fire Prevention Plan (Volume 7.10) [REP2-011]</b> , secured in Requirement 17 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.			
<b>17.5.5</b>	<p><u>Fire Risk Assessment</u></p> <p>Separately to the DCO process, there is a legal requirement to carry out a fire risk assessment in line with the requirements of the Regulatory Reform (Fire Safety) Order 2005. The final design of the Proposed Development will accord with the outcomes of the assessment, including for example, the need for any additional hydrant provision.</p>	Green	Green	<p><b>CCC &amp; FDC: Agreed.</b></p> <p><b>NCC &amp; BCKLWN: Agreed.</b></p>



## 18. Cumulative Effects

### 18.1 Introduction

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

### 18.2 Remit of the Host Authorities

18.2.1 CCC have engaged in consultation regarding cumulative effects.

18.2.2 BCKLWN and NCC have raised no issues with regard to cumulative effects [RR-001] and [RR-004].

### 18.3 Summary of consultation and engagement

18.3.1 No specific meetings have been held with the Host Authorities in relation to the cumulative effects assessment. A summary of the comments received from the Host Authorities during the EIA scoping stage and in response to the PEIR are set out in **Table 18.1 and 18.2 of ES Chapter 18: Cumulative Effects (Volume 6.2) [APP-045]**.

### 18.4 Summary of agreement

18.4.1 **Table 18.1** below sets out the matters agreed in relation to the assessment of cumulative effects.

Table 18.1: Agreement Log: Cumulative effects

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
18.1.1	The methodology adopted for the cumulative effects assessment set out <b>ES Chapter 18: Cumulative Effects (Volume 6.2) [APP-045]</b> is agreed.	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed.
18.2.2	All relevant plans and projects have been identified for inclusion in the cumulative effects assessment ( <b>ES Chapter 18 Cumulative Effects Assessment Appendices, Volume 6.4, [APP-090]</b> ).	Green	Green	CCC & FDC: Agreed. NCC & BCKLWN: Agreed.
18.3.3	No significant interrelated cumulative effects would occur as a result of the Proposed Development, taking account of the mitigation measures proposed within the topic-based assessments presented in <b>Chapters 6-17 of the ES (Volume 6.2)</b> (Section 18.7 of the <b>ES [APP-045]</b> ).	Green	Green	CCC & FDC agreed. NCC & BCKLWN: Agreed
18.4.4	No significant inter project effects would occur as a result of the Proposed Development ( <b>Section 18.8 of the ES [APP-045]</b> ).	Green	Green	CCC & FDC: Agreed. NCC & BCKWN: Agreed.

## 19. Statement of Statutory Nuisance

### 19.1 Introduction

19.1.1 A **Statement of Statutory Nuisance (Volume 5.2) [APP-024]** was submitted with the DCO Application.

### 19.2 Remit of the Host Authorities

19.2.1 CCC/FDC have provided comments on statutory nuisances within their relevant representation [RR-002 and RR-003].

19.2.2 NCC confirmed in their relevant representation [RR-004] that statutory nuisance falls under the remit of the BCKLWN.

### 19.3 Summary of Consultation and engagement

19.3.1 Consultation and engagement regarding statutory nuisances have been captured on an environmental topic basis.

### 19.4 Summary of agreement

19.4.1 **Table 19.1** below sets out the matters agreed in relation to statutory nuisances.

Table 19.1: Agreement Log: Statutory nuisances

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
19.1.1	<p>The only nuisances under Section 79(1) of the Environmental Protection Act 1990 potentially applicable to the Proposed Development are:</p> <p>b) smoke;</p> <p>c) fumes and gases;</p> <p>d) dust or other effluvia;</p> <p>f) b) artificial light;</p> <p>g) noise from premises; and;</p> <p>g) a) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN: Agreed.</p>
19.1.2	<p>It is agreed that when taking account of the mitigation measures outlined in the Statement of Statutory Nuisance and set out in the <b>Outline CEMP (Volume 7.12) [REP3-007]</b>, the <b>Outline Odour Management Plan (Volume 7.11) [REP1-021]</b> and the <b>Outline Lighting Strategy (Volume 6.4) [REP3-013]</b>, there is not expected to be a breach of Section 79(1) of the Environmental Protection Act 1990.</p>	Green	Green	<p>CCC &amp; FDC: Agreed.</p> <p>NCC &amp; BCKLWN Agreed.</p>
19.1.3	<p>Should FDC receive any complaints regarding statutory nuisances, they would still have a duty to investigate and take enforcement action and consider taking enforcement action. The <b>Draft DCO (Volume 3.1) [REP3-007]</b> would not preclude</p>	Green	N/A	<p>CCC &amp; FDC: Agreed.</p>

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ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
	the ability for FDC to perform this function. Article 39 of the Draft DCO provides a defence against any such enforcement action in certain circumstances.			

## 20. Planning Policy

### 20.1 Introduction

20.1.1 A **Planning Statement (Volume 7.1) [APP-091]** was submitted with the DCO Application and sets out the degree of compliance with relevant NPS policies and other pertinent legislation and policy, including local policy.

20.1.2 **Table 20.1** below sets out the matters agreed in relation to planning policy and takes account of the Host Authorities LIRs submitted at Deadline 1.

20.1.3 Specific consideration of Waste Need is considered in **Section 21** of the SoCG.

### 20.2 Summary of agreement

20.2.1 **Table 20.1** below sets out the matters agreed in relation to planning policy.

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Table 20.1: Agreement Log: Planning Statement

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
20.1.1	<p>The relevant national policy statements for the Proposed Development are:</p> <ul style="list-style-type: none"> <li>Overarching National Policy Statement for Energy (EN-1);</li> <li>National Policy Statement for Renewable Energy Infrastructure (EN-3);</li> </ul> <p>National Policy Statement for Electricity Networks Infrastructure (EN-5).</p>	Green	Green	<p>CCC and FDC: Agreed.</p> <p>NCC and BCKLWN: Agreed.</p>
20.1.2	<p>The revised Draft NPS published on 31 March 2023 which may also be important and relevant include:</p> <ul style="list-style-type: none"> <li>Revised draft Overarching National Policy Statement for Energy (EN-1);</li> <li>Revised draft National Policy Statement for Renewable Energy Infrastructure (EN-3); and</li> <li>Draft National Policy Statement for Electricity Networks Infrastructure (EN-5).</li> </ul>	Green	Green	<p>CCC and FDC: Agreed.</p> <p>NCC and BCKLWN: Agreed.</p>

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20.1.3	<p>The relevant adopted local policy comprises of:</p> <ul style="list-style-type: none"> <li>• The Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036 (adopted July 2021);</li> <li>• Fenland Local Plan (adopted May 2014);</li> <li>• [NCC] Norfolk Minerals and Waste Development Framework: Core Strategy and Minerals and Waste Development Management Policies Development Plan Document 2010 – 2026 (adopted 2011);</li> <li>• [NCC] Waste Site Specific Allocations Development Plan Document (adopted 2013);</li> <li>• [NCC] Minerals Site Specific Allocations Development Plan Document (adopted 2013) (and amendment adopted 2017)</li> <li>• [NCC] Revised PDF policies map and the revised interactive policies map;</li> <li>• [BCKLWN] Local Development Framework Core Strategy (adopted in 2011); and</li> <li>• [BCKLWN] Local Development Framework Site Allocations and Development Management Policies Plan (adopted 2016).</li> </ul>	Amber	Green	<p><b>CCC &amp; FDC: Discussions ongoing,*</b></p> <p>* Under the heading of Net self-sufficiency in the Councils’ Relevant Representation at paragraph 14.13, the effect of the proposal on the deliverability of waste management provision in other plan areas was raised, as was the adjoining Waste Local Plans and their policies which may have relevance. This remains is an unresolved issue, and agreement here does not signify agreement on that topic.</p> <p>The CCC / FDC LIR [REP1-074] identifies the Statutory Development Plans they consider relevant to the Proposed Development. At the ISH3 CCC commented that because the Proposed Development will provide a significant increase in waste management capacity, it is proposing a use which is compatible with the WMAs safeguarded status (C&amp;P Minerals and Waste Local Plan Policy 16). It was also stated that the Proposed development meets the ‘spirit’ of Policy 4 (CCC and FDC D4 Submission – Post hearing submissions including written submissions of oral cases [REP4-029]. At the same ISH FDC commented that the Proposed Development was not wholly incompatible with the Local Plan. To be submitted at Deadline 5, the Applicant waits for any further comments from CCC and FDC on the updated WFAA.</p> <p><b>NCC and BCKLWN: Agreed.</b></p>
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<p><del>Supplementary planning documents and other relevant strategies are identified in Section 5 of the Planning Statement.</del></p> <p><b>20.1.4</b> The relevant emerging local policy comprises of:</p> <ul style="list-style-type: none"> <li>Emerging Fenland Local Plan (Consultation on the Draft version took place between 25 August 2022 and 19 October 2022).</li> <li>Borough Council of King's Lynn and West Norfolk Local Plan Review. Currently at Examination. Hearings to reconvene likely end of 2023.</li> <li>Norfolk Minerals and Waste Local Plan: Pre-Submission Publication, 2022</li> </ul>	Green	NCC N/A	<p><b>BCKLWN</b> Green</p> <p><b>CCC and FDC: Agreed.</b> <b>BCKLWN: Agreed.</b></p>
<p><b>20.1.5</b> Other relevant local Policy, supplementary planning documents and other relevant strategies are identified in Section 5 of the Planning Statement (Volume 7.1) [APP-091] and within Section 1 of the <b>CCC / FDC LIR [REP1-074]</b> and <b>section 5 of the NCC/BCKLWN LIR [REP1-064]</b>.</p>	Green	Green	<p><b>CCC and FDC: Agreed.</b> <b>NCC and BCKLWN: Agreed.</b></p>
<p><b>20.1.6</b> Relevant topic specific plans and strategies are set out in the Policy and Legislation sections of the ES topic chapters (<b>Volume 6.2</b>), and within the</p>	Green	Green	<p><b>CCC and FDC: Agreed</b> <b>NCC and BCKLWN: Agreed.</b> Paragraph 5.18 of the Joint LIR [REP1-064] references BCKLWN's Landscape Character Assessment (2007) as a material consideration.</p>

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<p>LIR's [REP1-064] and [REP1-074] provided by the Host Authorities</p>			<p><b>Applicant:</b> The BCKLWN's Landscape Character Assessment is taken into account in <b>ES Chapter 9: Landscape and Visual (Volume 6.2) [APP-036]</b>.</p>
<p><b>20.1.7</b> <u>Policy Compliance – NPS and revised draft NPS</u></p> <p>The Proposed Development accords with the relevant adopted and revised draft NPS's as set out in the Planning Statement (Volume 7.1) [APP-091] and the <b>Draft NPS tracker (Rev 2) (Volume 9.18) [REP3-031]</b>.</p>	<p>Green</p>	<p>N/A</p>	<p><b>CCC and FDC: Agreed.</b></p> <p><b>NCC and BCKLWN: NCC has not assessed the development in Norfolk in the NPSs.</b></p>
<p><b>20.1.8</b> <u>Policy Compliance – Local Policy</u></p> <p>The Proposed Development accords with the relevant adopted and emerging local policy as set out in <b>the Planning Statement (Volume 7.1) [APP-091]</b> and the Applicant's response to the <b>CCC/FDC LIR [REP2-020]</b>.</p>	<p>Amber</p>	<p>Green</p>	<p><b>CCC and FDC: To confirm on a by exception basis, which policy requirements it does not consider have been met.</b></p> <p>[to add reference to ISH representation]</p> <p>*waste policy compliance is considered separately in Table 3.45.</p> <p><b>NCC and BCKLWN: Agreed.</b></p>

## 21. Waste Matters

### 21.1 Introduction

21.1.1 An updated **Waste Fuel Availability Assessment (WFAA) (Rev 2) (Volume 7.3) [REP2-009]** was submitted at Deadline 2.

### 21.2 Remit of the Host Authorities

21.2.1 CCC and NCC are the relevant waste planning authorities in respect to the DCO application. CCC has submitted representations jointly with FDC and whilst the Summary of Agreement set out in Table 3.47 refers to the position as regards both authorities, in practice FDC has deferred to CCC on waste matters.

21.2.2 As for NCC and BCKLWN, paragraphs 20.2 – 20.4 of the NCC and BCKLWN Joint Local Impact Report **[REP1-064]**, confirm that NCC does not raise any issues in relation to this topic as the proposed EfW facility is to be located outside of the area for which it has planning responsibility. BCKLWN confirms that it has no additional comments in relation to waste. The status of agreement on waste matters presented in Table 3.47 below therefore relates only to the level of agreement between the Applicant and CCC/FDC as joint respondents.

### 21.3 Summary of consultation and engagement

21.3.1 A summary of the pre-application consultation with the Host Authorities in relation to waste is set out in **Table 21.1** below. A summary of the waste consultation carried out following the submission of the DCO Application on 7 July 2022 is set out in **Table 21.2**.

**Table 21.1: Summary of pre-application submission consultation with the Host Authorities – waste**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
13/01/2020	CCC	EIA scoping opinion	Statutory	EIA scoping responses on waste matters.
TBC	CCC	Statutory consultation (draft WFAA)	Statutory	Comments on the draft WFAA.

**Table 21.2: Summary of post-application submission consultation with the Host Authorities – waste matters**

Date	Host Authority	Form of consultation	Statutory/Non-Statutory	Summary
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01/12/2022	CCC FDC NCC	Relevant representation	Statutory	Relevant representations from the Host Authorities were published. These included comments on the WFAA and waste need in general.
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## 21.4 Summary of agreement

21.4.1 **Table 21.3** below sets out the extent to which waste matters have been agreed with CCC/ FDC as joint respondents.

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Table 21.3: Agreement Log: waste matters

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
21.1.1	The Cambridgeshire and Peterborough Minerals and Waste Local Plan (MWLP) 2036 (adopted July 2021) is relevant to the Application.	Green	N/A	CCC & FDC: Agreed.
21.1.2	<u>Construction</u> The content of the <b>Outline Construction Environmental Management Plan (Rev 3) (Volume 7.12) [REP3-023]</b> , secured in Requirement 10 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed in respect to measures to manage construction waste.	Green	N/A	CCC & FDC: Agreed.
21.1.3	<u>R1 Status</u> The Proposed Development is demonstrated to be an R1 class and is therefore considered a recovery facility.	Green	N/A	CCC & FDC: Agreed.

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<p><b>21.1.4</b> <u>Impact of the Proposed Development other Waste Planning Authority Areas.</u></p> <p>The Proposed Development would not affect the deliverability of recovery capacity established in Waste Local Plans for areas outside of Cambridgeshire.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>Waste Fuel Availability Assessment – CCC and the Applicant have met to discuss outstanding comments. Submitted at Deadline 5, the updated WFAA seeks to address CCC’s concerns.</li> </ul> <p>The Applicant and CCC are confident these matters can be concluded within the Examination.</p>
<p><b>21.1.5</b> <u>Waste hierarchy</u></p> <p>The <b>WFAA (Volume 7.3) [REP2-009]</b> demonstrates that the Proposed Development is compliant with the waste hierarchy.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>Compliance with the waste hierarchy and suitable wording for a DCO Requirement. CCC and the Applicant have met to discuss outstanding comments. Submitted at Deadline 5, the updated WFAA seeks to address CCC’s concerns. Furthermore the draft wording for a 1) waste catchment and 2) waste hierarchy DCO requirement has been subject to discussion and agreement.</li> </ul> <p>The Applicant and CCC are confident these matters can be concluded within the Examination.</p>
<p><b>21.1.6</b> <u>Spatial distribution of waste</u></p> <p>The <b>WFAA (Volume 7.3) [REP2-009]</b> demonstrates that there are sufficient sources of waste within a 2-hour drive time of the Proposed Development.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"> <li>WFAA - CCC and the Applicant have met to discuss outstanding comments. Submitted at Deadline 5, the updated WFAA seeks to address CCC’s concerns.</li> </ul> <p>The Applicant and CCC are confident these matters can be concluded within the Examination.</p>

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<p><b>21.1.7</b> <u>Impact on other Recovery facilities</u></p> <p>The <b>WFAA (Volume 7.3) [REP2-009]</b> demonstrates that the Proposed Development would not affect the viability and operation of other Recovery facilities.</p>	Amber	N/A	<p><b>CCC &amp; FDC: Discussions ongoing.</b></p> <p>Outstanding matters:</p> <ul style="list-style-type: none"><li>WFAA - CCC and the Applicant have met to discuss outstanding comments. Submitted at Deadline 5, the updated WFAA seeks to address CCC's concerns.</li></ul> <p>The Applicant and CCC are confident these matters can be concluded within the Examination.</p>
<p><b>21.1.8</b> Proximity Principle</p>		N/A	<p>The Applicant and CCC have agreed a suitable draft DCO Requirement to address the Council's concerns. Submitted at deadline 5, the agreed wording is included in the draft DCO Rev 4 (Volume 3.1).</p> <p>The Applicant and CCC are confident these matters can be concluded within the Examination.</p>

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## 22. Decommissioning

### 22.1 Introduction

22.1.1 The assessment of decommissioning is set out in the individual topic chapters of the ES (Volume 6.2). Section 3.11 of **ES Chapter 3 Description of the Proposed Development (Volume 6.2) [APP-030]** confirms that the environmental effects associated with the decommissioning phase would be of a similar level to those reported for the construction phase works, albeit with a lesser duration of one year.

### 22.2 Remit of the Host Authorities

22.2.1 Decommissioning is relevant to all four Host Authorities.

### 22.3 Summary of consultation and engagement

22.3.1 No specific consultation and engagement has been carried out with the Host Authorities in relation to decommissioning, but submissions to the DCO examination have raised matters relating to decommissioning, particularly within the LIRS [REP1-064 and REP1-074].

### 22.4 Summary of agreement

**Table 22.1** below sets out the matters agreed in relation to decommissioning.



Table 22.2: Agreement Log: Decommissioning

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
22.2.1	Requirement 28 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> provides an appropriate mechanism for agreeing how decommissioning of the Proposed Development will be carried out, including a timetable for the implementation of agreed measures.	Green	Green	<p><b>CCC &amp; FDC:</b> Agreed, subject to final check in advance of Deadline 5.</p> <p>[CCC to review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area</p> <p><b>NCC and BCKLWN:</b> Agreed, subject to final check in advance of Deadline 5.</p> <p>To review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area</p>
22.2.2	The content of the <b>Outline Decommissioning Plan, (Volume 12.4) [REP4-024]</b> , to be secured in Requirement 28 of the <b>Draft DCO (Volume 3.1) [REP3-007]</b> is agreed.	Green	Green	<p><b>CCC &amp; FDC:</b> Agreed, subject to final check in advance of Deadline 5.</p> <p>[CCC to review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area</p> <p><b>NCC and BCKLWN:</b> Agreed, subject to final check in advance of Deadline 5.</p>

ID	Statement on which agreement is sought	Position (RAG)		Commentary
		CCC & FDC	NCC & BCKLWN	
				To review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area
22.2.3	The assumption in the Environmental Statement relating to the significance of effects during decommissioning, as set out in paragraph 2.1.12 of the <b>Non-Technical Summary (Volume 6.1) [APP-027]</b> and paragraph 4.7.8 of <b>Chapter 4 of the ES: Approach to the EIA (Volume 6.2) [APP-031]</b> is reasonable and appropriate.	Green	Green	<p><b>CCC &amp; FDC:</b> Agreed, subject to final check in advance of Deadline 5.</p> <p>[CCC to review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area</p> <p><b>NCC and BCKLWN:</b> Agreed, subject to final check in advance of Deadline 5.</p> <p>To review the Outline DEMP [REP4-024] and confirm if there are any outstanding issues for works within their administrative area</p>

## 23. Summary

- 23.1.1 This SoCG has outlined the consultation and engagement that has taken place between the Applicant and the Host Authorities during the pre-application and examination phases of the DCO process. The agreement presents the current position reached by Deadline 5 (16 June 2023).
- 23.1.2 This SoCG will continue to be updated as discussions progress and made available to the Examining Authority at the requested examination deadlines.

