Medworth Energy from Waste
Combined Heat and Power Facility

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Applicant's response to the ExA's Written Questions (ExQ2)

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Contents

1. Introduction

1.1 Background

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

1.1.2 This document, submitted for Deadline 5 (16 June 2023) of the Examination contains the Applicant's responses to the Examining Authority's (ExA) Second Written Questions (ExQ2) issued by the ExA on 5 June 2023.

1.1.3 The Applicant's response to ExQ2 are presented in the following tables:

- Table 2.1 General and Cross-Topic Questions;
- Table 2.2 Principle and Nature of Development (including waste recovery capacity and management of waste hierarchy);
- Table 2.3 Air Quality and Human Health;
- Table 2.4 Biodiversity, Ecology and the Natural Environment;
- Table 2.5 Climate Change;
- Table 2.6 Compulsory Acquisition/Temporary Possession;
- Table 2.7 Cumulative Effects;
- Table 2.8 Draft Development Consent Order;
- Table 2.9 Landscape and Visual;
- Table 2.10 Noise and Vibration;
- Table 2.11 Planning Policy;
- Table 2.12 Socio-Economic and Population; and
- Table 2.13 Traffic and Transport.

Table 2.1 General and Cross-Topic Questions

ExQ2	Question to	Question	Applicant Response
GCT.2.1	Applicant	The implementation of any Carbon Capture will require further works. Can the Applicant please confirm how it seeks to achieve these?	Submitted at Deadline 5, the Applicant directs the ExA to Section 3.0 of the **Technical Note Combined Heat and Power and Carbon Capture Delivery Readiness (Volume 14.7)** summarises the 3 steps to ensure the EfW CHP Facility is implemented to enable carbon capture.

GCT.2.2	Applicant HLAs	Can the Applicant and HLAs provide an update on any S.106 Agreements and how these have been progressed? Can the LHAs also clarify, in relation to any outstanding issues proposed to be covered in a S.106 Agreement, how likely are these to be resolved before the end of the Examination and, if not, would these result in an objection to the Proposed Development?	The Applicant and representatives from HLAs met on 07 June 2023. At this meeting the HLAs presented proposals to secure a s106 obligation to ensure the Proposed Development complied with a number of local planning policies
			
			The Applicant and the HLAs have agreed to prepare a draft s106 agreement, to include the following commitments:
			• **Public Rights of Way Improvements Contribution** – The Applicant has agreed to fund a package of mitigation and improvement works to the public rights of way network within Wisbech, Wisbech St Mary, Elm and Emneth.
			• **Community Trust Fund** – for the lifetime of the Proposed Development establish a fund, managed by the Applicant or other organisation (to be agreed), to provide local mitigation and improvement works relating to
			  ○ Biodiversity and ecology
			  ○ Health and wellbeing
			  ○ Non-motorised users
			
			The Applicant is confident that the s106 agreement can be completed prior to the end of the Examination.

ExQ2	Question to	Question	Applicant Response
GCT.2.3	Applicant HLAs Statutory Undertakers	A significant number of issues remain unresolved on a significant number of the SoCGs [REP4-012] and [REP4-017]. Can the Applicant, HLAs and Statutory Undertakers please provide an update on how likely are outstanding issues and areas of disagreement to be resolved before the end of the Examination and, if not, would these result in an objection to the Proposed Development?	The Applicant continues to hold regular meetings with the HLAs to discuss unresolved issues and is working with them to agree ways in which they can be addressed. The Applicant is confident that matters such as climate, waste availability, biodiversity, traffic and transport can be resolved by Deadline 6. The Applicant refers to the **Applicant's Statement of Commonality of Statements of Common Ground Rev 5 (Volume 9.16)** submitted at Deadline 5. This document summarises the current position with each organisation as well as to the updated **Statement of Common Ground between Medworth CHP Ltd and the Host Authorities Rev 2 (Volume 9.4),** also submitted at Deadline 5.
GCT.2.6	Applicant	In response to GCT.1.10 (sic), the Applicant has stated that "whilst the Applicant did not seek an independent design review outside of the consultation process, it has evidenced and explained the design for the EfW CHP Facility within the accompanying Design and Access Statement (DAS) [APP-096]." Nevertheless, as recognised by the Applicant in its response, PS EN-1 paragraph 4.5.5 states that Applicants and the IPC (now Secretary of State) should consider taking independent professional advice on the design aspects of a proposal? How does the Applicant consider that it has taken independent professional advice on the design aspects of the proposal?	The Applicant has taken professional advice on the design aspects of the Proposed Development and notes that the Applicant's qualified and registered architect, David Hulme (an Associate Director at WSP), attended ISH3 specifically to answer any questions relating to design. In light of this professional advice, the Applicant did not consider it necessary to seek additional independent advice or consult the Design Council. The Applicant established design principles to guide the development of the Proposed Development (as set out in revised draft EN-1 paragraph 4.6.5). These principles took account of design guidance developed by the local planning authority (as set out in revised draft EN-1 paragraph 4.6.8). The Applicant demonstrated in its application documents (**Design and Access Statement [APP-096]** and **ES Chapter 2 Alternatives [APP-048])** how the design process was conducted and how the proposed design evolved. It has also set out the reasons why the preferred option has been selected (as set out in revised draft EN-1 paragraph 4.6.7). The Applicant is of the opinion that the steps which it took to ensure that the design of the Proposed Development represents 'good design' are sufficient and in accordance with national policy. The Design and Access Statement is a certified document within the **draft DCO (Volume 3.1)**, Revision 4 provided at Deadline 5. Requirement 2 in Schedule 2 of the draft DCO ensures that the design of the Proposed

ExQ2	Question to	Question	Applicant Response
			Development is in accordance with the principles set out in the Design and Access Statement.
GCT.2.7	Host local authorities	In response to GCT.1.12, the applicant stated that its approach to 'hard to reach groups' was agreed with the relevant host authorities and undertaken consistent with its Statement of Community Consultation. It included making consultation documents available in large copy print, audio, or Braille on request. A translation service was also available on request. Can the HLAs please confirm that they are happy with this approach and believe it is proportionate and adequate?	The Applicant produced a draft Statement of Community Consultation (SoCC), which was shared with the HLAs on 26 February 2021. Comments were received, between 26 March and 7 April 2021, from the Borough Council of King's Lynn and West Norfolk (BCKLWN), Cambridgeshire County Council (CCC), Fenland District Council (FDC), and Norfolk County Council. These can be found at **Appendix E** to **Volume 5.1: Consultation Report [APP-020]**, along with the Applicant's response indicating whether a change to the SoCC was made. The SoCC was published online for public inspection on 24 June 2021. To ensure the consultation was as inclusive as possible, the Applicant offered documents in large copy print, audio, or Braille on request. A translation service was also available on request. The Applicant arranged public exhibition events at the Rosmini Centre, which provides support for various 'hard to reach' groups; the venue was included both for Non-Statutory and Statutory Consultation based on comments received from Fenland District Council in response to the Applicants approach to non-statutory consultation. See **Appendix A** to the **Stage 1 Consultation Feedback Report**, which was submitted as **Appendix B** to **Volume 5.1: Consultation Report Appendices A-B [APP-019]**. CCC's support for events being held at the Rosmini Centre is expressed in **Appendix E** to **Volume 5.1: Consultation Report [APP-020]**. The HLAs responses to Adequacy of Consultation [**AoC-001 through to AoC-015**] clearly state that the Applicant has fulfilled its legal duties and even exceeded minimum requirements in a number of areas. Only one HLA queried the adequacy of consultation [**AoC-009**] and this was on the grounds of geographical area, not in relation to the availability of consultation materials or 'hard to reach' groups.

ExQ2	Question to	Question	Applicant Response
GCT.2.9	Applicant	The ExA has requested the Applicant, in Action CA2-5 to consider and provide an update as to whether there are any other appropriate steps that could be taken to engage with those businesses that rely on access via Algores Way (particularly those that are directly affected by the Applicant's proposals for plots 13/4c(ii), 13/4d and 14/4a as set out in the Land Plan (Rev 4) [REP3-003]). Can the Applicant please provide an update.	The Applicant has been liaising with one of the Algores Way business owners to set up a meeting with as many business owners as possible and is hopeful that meeting(s) can be held on 28 and/or 29 June 2023.

Table 2.2 Principle and Nature of Development (Inc. waste recovery capacity and management waste hierarchy)

ExQ2	Question to	Question	Applicant Response
PND.2.2	Applicant	The Applicant's response to the ExA's Written Questions (ExQ1) – Appendix 10.2B Technical Note: IBA and APCr Sites and Capacity [REP2-019] sets out the Applicant's consideration of potential locations for (including capacity) IBA and APCr treatment/disposal facilities. Can the Applicant please clarify if the permitted capacity included in Table 2.1 Summary of IBA (Incinerator Bottom Ash) treatment facilities and capacity is the overall capacity of the facilities listed, or it is capacity that is not being used at this point in time? Can the Applicant also confirm how confident it is, and why, that those facilities listed will have capacity to treat the IBA created by the Proposed Development? Can the Applicant please clarify if the permitted capacity included in Table 3.1 Summary of APCr (Air Pollution Control residues) treatment/disposal facilities and capacity is the overall capacity of the facilities listed, or it is capacity that is not being used at this point in time? Can the Applicant also confirm how confident	The capacity figures of the published facilities in Table 2.1 Incinerator Bottom Ash treatment facilities, are the total maximum permitted annual throughput figures. The Applicant has engaged with several re-processing operators who have confirmed they would be able to treat the IBA produced by the Proposed Development. The Applicant is therefore confident that the facilities have capacity to treat the IBA created by the Proposed Development. The capacity figures of the published facilities in Table 3.1 Air Pollution Control residues (**Applicant's response to the ExA's Written Questions (ExQ1) [REP2-019]**, are the total maximum permitted annual throughput figures. The Applicant has engaged with several re-processing operators who have confirmed that they would be able to treat the APCr produced by the Proposed Development. The Applicant is therefore confident that the facilities have the capacity to treat the APCr created by the Proposed Development.

ExQ2	Question to	Question	Applicant Response
		it is, and why, that those facilities listed will have capacity to treat/dispose of the APCr created by the Proposed Development?	
PND.2.3	Applicant	The ExA notes that a further update on the Waste Fuel Availability Assessment (Rev.2.0) [REP2-009] is expected at Deadline 5. Nevertheless, the latest version of the WFAA [REP2-009] includes, in Appendix C Energy from Waste Capacity Data, a series of tables that include other EfW facilities that the Applicant believes are relevant to assess local and national fuel availability. In relation to local fuel availability, can the Applicant confirm if the East of England region and the East Midlands region correspond to the to the East of England Waste Planning Authorities (WPAs) and the East Midlands (WPAs) deemed "in-scope" as set out in several other tables in the report, as for example Table 4.2 HIC arising for the defined LoW codes 2021 (tonnes)? And if not would the Applicant be able to provide this information in relation to consented and operational capacity, consented and under construction capacity, consented and not built capacity, and "in Planning capacity"?	It can be confirmed that the East of England region in Appendix C of **the Waste Fuel Availability Assessment (Rev.2.0) [REP2-009]** and its Rev.3.0 update, corresponds to the East of England Waste Planning Authorities (WPAs) deemed "in-scope" as set out in several other tables in the WFAA. The East Midlands region in Appendix C of the **Waste Fuel Availability Assessment (Rev.2.0) [REP2-009]** and its Rev.3.0 update, however, does not correspond to those WPA's referenced in the tables of the main body of the WFAA. Instead, Appendix C takes a worst-case scenario and details all capacity in the former East Midlands planning region. However, the Study Area used in the WFAA to identify the availability of residual waste only considers the following x6 WPAs in the East Midlands: • Leicestershire • Leicester City • Lincolnshire • Northamptonshire • Rutland Specifically, the excluded WPAs are Derby City Council; Derbyshire County Council; Nottinghamshire City Council; and Nottinghamshire County Council). On this basis, the total capacities reported in Appendix C of the **WFAA (Rev 3.0)** for the East Midlands (see the middle column in the table below) need to be refined when considering capacity in the 'in-scope' areas considered by the assessment. The final column of the table below sets out the 'in scope' East Midlands capacity: **Type of Capacity** | **Total East Midlands Capacity ('000 tonnes per annum)** | **'In-scope' East Midlands Capacity**

ExQ2	Question to	Question	Applicant Response

	reported in Appendix C of the WFAA	('000 tonnes per annum)
Consented and operational capacity	446	246
Consented and under construction capacity	520	350
Consented and not built capacity	1,099	154
In planning capacity	1,000	1,000

PND.2.4 Applicant

The Applicant states that Table 4.4 Household, Industrial and Commercial (HIC) waste from Study Area disposed to non-hazardous landfill (tonnes) show that over 2.4 million tonnes of suitable HIC waste generated within the WPAs within the spatial scope were sent to non-hazardous landfill in 2021. Most notably, Essex sent over 1 million tonnes of waste to landfill. Considering that the vast majority of Essex County Council is outside of the "study area", why does the Applicant believe that counting the totality of waste generated within Essex County Council would fit in with the spatial scope as defined by the Applicant?

Due to the fluid nature of waste contracts and movements around the country, the 2-hour drive time has been used as an *indicator* (and not a limiter) to inform which WPAs should be included within the Study Area for the WFAA. As Graphic 2 in the updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) indicates, except for Cambridgeshire, Peterborough and Rutland, there are no other WPAs out of the 16 which form the Study Area that are wholly within a 2-hour drive time distance.

However, as waste arisings and disposal data for HIC waste are presented on a WPA basis only, the **whole WPA** must be included in the WFAA Study Area. Future waste needs are also planned for at this level, and for the WFAA to be robust and realistic, the entire WPAs have therefore been considered.

A number of IPs have suggested that waste data is available at a more granular level i.e., at the District Council level, and a such the WFAA should reflect this. However, whilst this is true for local authority collected waste, waste from industrial and commercial sources – the much larger portion of the HIC waste stream and a significant market for the Proposed Development – is not

ExQ2	Question to	Question	Applicant Response
			available at this level. For this reason, the WFAA has identified a study area based at the WPA level and consisting of all WPAs that fall within a 2 -hour drive time of the Proposed Development.
PND.2.5	Applicant	Appendix C Energy from Waste Capacity Data of the WFAA [REP2-009] states that the consented and under construction capacity identified in East of England is 595 million tonnes and in the East Midlands in 530 million tonnes, therefore capacity of 1,125 million Tonnes with a high likelihood of being materialised within the study area. How confident is the Applicant that there will be a suitable amount of HIC waste within the study area to support the Proposed Development?	The consented and under construction capacity in the East of England of 595,000 tonnes (not million tonnes) relates to the development of Rivenhall EfW. The updated (Rev 3.0) version of the WFAA submitted at Deadline 5 includes full consideration of this capacity in that it is taken account of in the 17.9 million tonnes of operational or in commissioning capacity available in England. The updated **WFAA (Volume 7.3)** (Rev 3.) provided at Deadline 5) concludes that even with the capacity offered by Rivenhall, there remains a clear shortfall in non-landfill residual waste treatment capacity. The consented and under construction capacity in the East Midlands of 530,000 tonnes (not million tonnes), which has since been updated to 520,000 tonnes in Rev 3.0 of the WFAA submitted at Deadline 5, relates to the development of a 350,000tpa facility in Leicestershire (Newhurst EfW) and a 170,000tpa facility located in Derbyshire (Drakelow). The latter of these sits outside the WFAA Study Area and as such, is highly unlikely to be competing for the same residual waste as the Proposed Development. In terms of Newhurst EfW, the updated (Rev 3.0 submitted at Deadline 5) version of the WFAA includes full consideration of this capacity in that it is taken account of in the 17.9 million tonnes of operational or in commissioning capacity available in England. The updated **WFAA (Volume 7.3)** (Rev 3.) submitted at Deadline 5) concludes that even with the capacity offered by Newhurst EfW, there remains a clear shortfall in non-landfill residual waste treatment capacity. The Applicant is therefore confident that there is sufficient suitable HIC waste within the Study Area to supply the Proposed Development.
PND.2.6	Applicant	Appendix C Energy from Waste Capacity Data of the WFAA [REP2-009] states that the consented and not built capacity identified in East of England is 595 million tonnes and in the East Midlands in 1,099 million	The 'consented and not built capacity' in the East of England of 595,000 tonnes per annum (not million tonnes) relates entirely to the Peterborough Renewable Energy Facility. As outlined in the updated **WFAA (Volume 7.3) (Rev 3.0)** –

ExQ2	Question to	Question	Applicant Response
		tonnes, therefore a capacity of 1,694 within the study area. How confident is the Applicant that there will be a suitable amount of HIC waste within the study area to support the Proposed Development if the already consented EfW facilities are built?	Tables 4.6, 4.7 and paragraph 4.2.14 - the Applicant is of the view that this facility will not be developed because: • Planning permission was granted in 2009 and has not been built yet. • The facility uses Advanced Combustion Technology; the UK funding market is reluctant to fund this type of technology. In this regard, it is considered that the Proposed Development would not be competing with this facility for residual waste. The 'consented and not built' capacity in the East of England of 1,099,000 tonnes per annum capacity (just under 1.1 million tonnes not 1,099 million tonnes) for the East Midlands relates to x4 facilities. However, only one of these sits within the WFAA Study Area – this is Gretton Brock Road in Northamptonshire, which has a capacity of 154,000 tonnes per annum. It is understood that a planning approval to vary condition 2 of planning permission ref. 20/00023/WASVOC to increase the stack height from 25m to 35m was granted in November 2021. However, to date, this facility remains unbuilt. Should this facility be built however, due to the small scale of the facility, there would still be more than sufficient residual waste requiring treatment further up the waste hierarchy in the Study Area to sustain both the Proposed Development and this facility. The remaining 945,000 tonnes per annum of 'in planning' capacity in the East Midlands are at sites outside the WFAA Study Area and as such, it is highly unlikely that these sites would be competing for the same residual waste as the Proposed Development.
PND.2.7	Applicant	Appendix C Energy from Waste Capacity Data of the WFAA [REP2-009] states that the 'in planning' capacity identified in East of England is 150 million tonnes and in the East Midlands in 1,650 million tonnes, therefore a capacity of 1,800 within the study area. How confident is the Applicant that there will be a suitable amount of HIC waste within the study area	In terms of the 'in planning' capacity offered by the facilities set out in Appendix C of updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) as these developments are currently at the same stage in the consenting process as the Proposed Development, the Applicant considers that the capacity they offer does not represent a confirmed alternative and should not therefore be taken into account when determining whether the Proposed Development will result in over-capacity of EfW waste treatment at a national or local level.

ExQ2	Question to	Question	Applicant Response
		to support the Proposed Development if the already consented EfW facilities are built?	Notwithstanding this, the 'in planning' capacity in the East of England of 150,000 tonnes per annum capacity (not 150 million tonnes) relates to Archer's Field Energy Recovery facility in Essex. Should this facility be consented and built, due to its small scale, there would still be more than sufficient residual waste requiring treatment further up the waste hierarchy in the Study Area to sustain both the Proposed Development and this facility. In terms of the 'in planning' capacity in the East Midlands of 1.65 million tonnes per annum capacity (not 1,650 million tonnes), this relates to two separate DCO applications in the Lincolnshire area: North Lincolnshire Green Energy Park at Flixborough, near Scunthorpe (at 650,000 tonnes per annum); and Boston Alternative Energy Facility (at 1.2 million tonnes per annum). The Flixborough facility is within the Yorkshire and Humberside region and so has been discounted from further consideration as this sits outside the Study Area of the WFAA (and Rev.3.0 of the WFAA, Appendix C has been updated to reflect this). The Boston facility, however, is in the East of England region and would be one of the UK`s largest EfW facilities planned to generate approximately 80MW of renewable energy to the grid. The facility would utilise Advanced Thermal Conversion technology to process Refuse Derived Fuel (RDF). The Applicant has considered the Boston facility within the updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5), but does not consider that this project represents an alternative for the management of the residual waste assessed in the study area as being available for the Proposed Development due to the following: • the Boston facility requires RDF fuel to arrive at the facility via boat at a purpose-built dock; no waste or RDF may be transported to the facility by road. • The RDF fuel base this project is looking to capture is UK-based material currently being exported to Europe. • Only ~160,000 tonnes of RDF is identified as coming from the Study Area.

ExQ2	Question to	Question	Applicant Response
			Importantly, it is noted that the May 2023 version of the Tolvik report **does not** report on capacity that is either consented and unbuilt or in the planning system. Instead, the Tolvik 2023 report provides a view on the level of capacity that will be available by 2027 (based upon existing and committed projects). In this regard, the WFAA has considered it appropriate and more robust to draw upon the more certain Tolvik 2023 definition of capacity when evaluating compliance with the provisions of the Revised Draft NPS EN-3 i.e. that which is operational or under construction
PND.2.8	Applicant	Action ISH1-AP4 [EV-015] requested for the Applicant to submit a written response on how the revised WFAA has taken into account the Government's target for Residual Waste reduction, particularly the 2027 and 2042 targets, the baseline year calculations and forecast of available residual levels of waste, as well as the Government's Net Zero Strategy. Can the Applicant please confirm where it has addressed these issues or, if these have not been addressed in the most recent version of the WFAA [REP2-009], can the Applicant please confirm these will be addressed in the next iteration of the WFAA expected in Deadline 5.	The updated version of the **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) explicitly considers the extent to which there will be a need for the Proposed Development if current, aspirational Government residual waste reduction targets are met as set out in the Government's May 2023 Environmental Improvement Plan (EIP) – see paragraphs 5.2.21 to 5.2.25. Specifically, Rev 3.0 of the WFAA has considered: • The implications of achieving the EIP's interim target (2) of reducing the total mass of residual waste to a level not exceeding 25.5 million tonnes by the beginning of 2028; and • The implications of achieving the EIPs longer term 'stretch' target of halving residual waste produced per person by 2042 (equating to no more than 287kg per capita). In respect of the first bullet point, the updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) concludes that should the Government's EIP interim target (2) be achieved, by 2028 there would be a shortfall in residual waste management capacity in England of 3.5 million tonnes. Looking ahead to 2042 – it is concluded that should Government residual waste reduction targets be achieved; it is anticipated that there will be around 17.7 million tonnes of residual waste in England that requires management. **Current** predictions are that there are 17.9 million tonnes of available capacity in England. However, by 2042, it is inevitable that a large proportion of the existing capacity will be decommissioned and/or require upgrading – particularly the older/ smaller non-R1 compliant facilities (see paragraphs 5.2.24 to 5.2.26 in the updated WFAA). With this in mind, it is considered that

ExQ2	Question to	Question	Applicant Response
			even in the event of the EIP stretch target of halving residual waste by 2042 being achieved, there remains a clear need for the modern, CHP enabled, and carbon capture facilitated capacity offered by the Proposed Development.
PND.2.9	Applicant LHAs	Under Revised Draft NPS EN-3: 2.5.64 - 2.5.70 of the National Policy Statement Tracker [REP3-031], states that an Applicant's assessment should examine the conformity of the proposed development with the waste hierarchy and set out the effect of the scheme on the relevant waste plan and the extent to which the generating station contributes to the recovery targets in relevant strategies and plans. Can the Applicant please provide an update on how the Proposed Development meets the requirements of the policy, particularly in relation to effect of the scheme on the relevant waste plan?	In considering the availability of waste at the local (and national) level, the updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) has focussed on the availability of suitable residual household, industrial and commercial (HIC) waste that is currently managed at the bottom of the waste hierarchy i.e., landfilled. The updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) also considers the local need for residual waste management, as set out in extant local planning policies – these are policies which have full cognisance of the need to achieve enhanced waste prevention, recycling and recovery levels. In this way, the local assessment set out in the updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5), which concludes a minimum 1.3 million tonnes shortfall in residual waste management capacity in the Study Area, has full regard to the need to treat the management of residual HIC waste further up the waste management hierarchy. In addition, Requirement 14 of Schedule 2 of the **draft DCO (Volume 3.1),** Revision 4 submitted at Deadline 5, imposes a binding obligation on the Applicant to comply with the waste hierarchy.

Table 2.3 Air Quality and Human Health

ExQ2	Question to	Question	Applicant Response
AQHH.2.1	Applicant	The Applicant has stated, in response to TT.1.4 of the ExA's Written Questions (ExQ1) [REP2-019] that in the event of a waste delivery being received outside of the normal operating hours, the circumstances will be logged by the control room operators and the vehicle parked up onsite. The vehicle will not be weighed and unloaded	As detailed in **7.11 Outline Odour Management Plan (Clean) - Rev 2 [REP1-021]**, "where HGVs are not fully sealed in their construction, they will be fully sheeted." As such, deliveries will be in sealed HGVs and no odour emissions are anticipated.

ExQ2	Question to	Question	Applicant Response
		until normal operational hours for the acceptance of waste resume. Since the vehicle won't be unloaded, can the Applicant please explain how it has taken into consideration the odour implications of this approach?	
AQHH.2.2	Applicant Fenland DC	The Applicant's Outline Local Air Quality Monitoring Strategy (LAQMS) [REP3-034] and [REP3-035] states that in para 2.1.4 that the data collected will be published quarterly on the Applicant's website and, if requested, issued to the relevant planning authority. In goes on to say, in para. 2.1.5 that the Applicant agrees to share by remote secure access the information collected by the LAQMS. Does Fenland DC agree with the wording included here?	Since Deadline 4, the Applicant has engaged with and received confirmation from CCC and FDC that matters concerning the **Outline Local Air Quality Monitoring Strategy Rev 4 [REP4-016]** are resolved. This agreement is reflected in the draft Statement of Common Ground at ID 8.3.4, Table 8.3, **Statement of Common Ground between the Applicant and the Host Authorities (DRAFT) Rev 2.1 (Volume 9.5).**

Table 2.4 Biodiversity, Ecology and the Natural Environment

ExQ2	Question to	Question	Applicant Response
BIO.2.1	Applicant	Can the Applicant provide the ExA with a copy of: Appendix 10.2C Biodiversity net gain - next steps which includes a record of stakeholder engagement as mentioned in para 4.2.11 of ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain Assessment REP3-017?	A copy of the Appendix 10.2C Biodiversity Net Gain – Next Steps was attached to the **Applicant's response to the ExA's Written Questions (ExQ1) [REP2-019].** A correspondence log, forming the record of stakeholder engagement, is provided on page A1 of that document. Subsequent to the submission of that document to the examination, the Applicant has continued to meet with the relevant host authorities to conclude discussions on BNG to the satisfaction of all parties. For further details, see the Applicant's response to BIO.2.2.

ExQ2	Question to	Question	Applicant Response

BIO.2.2	Applicant	Can the Applicant also update on progress of discussions regarding the delivery strategy for BNG?	Since Deadline 4, the Applicant met representatives from the host authorities to address outstanding BNG matters. The conclusion of these discussions is that is has been agreed that, at Deadline 5, the Applicant will submit the following:
			
			• Updated wording for draft DCO Requirement 6 (BNG) – to include specific reference to delivering a minimum 10% BNG see **draft DCO (Volume 3.1) Rev 4**.
			• Updates to the **ES Chapter 11 Biodiversity Appendix 11M Biodiversity Net Gain Assessment Rev 4 (Volume 6.4)** including:
			  ○ Update the Executive summary – acknowledging comments from CCC and the Middle Level Commissioners (MLC) and highlighting that off-site River units will be targeted at enhancing local water vole habitats.
			  ○ Para 3.3.7 River unit Modelling – new sentence to acknowledge comments from CCC and the MLC and highlighting that off-site River units will be targeted at enhancing local water vole habitats.
			  ○ Section 4.2 Next Steps and Recommendation – additional bullet point to confirm River units will be targeted at local water vole habitat enhancement.
			  ○ Annex C Outline BNG Strategy – acknowledging consultation to develop the strategy will involve the four host authorities and Middle Level Commissioners
			  ○ Annex C Outline BNG Strategy Delivery of BNG – re-ordered the hierarchy to lift local sites above others.
			
			In addition to BNG, the Applicant understands that the proposed updates address CCC's other remaining concerns linked to water voles, including mitigation and enhancement.

BIO.2.4	Applicant	Can the Applicant and Cambs CC and Fenland DC please comment on how proposed requirement 6 would work in practice, in securing a minimum 10% biodiversity	For context, the Applicant refers the ExA to BIO.2.3. The agreed wording for Requirement 6 is (updates highlighted):

ExQ2	Question to	Question	Applicant Response
	Cambs CC and Fenland DC	net gain. I would like to draw particular attention to documents RR-002, RR-003, REP1-074 and REP4-031 Table 3.1 which seek the rewording of Requirement 6 to capture the requirement for off-site compensation for loss of biodiversity value along with the implementation of the scheme and management/monitoring until habitats have reached their target condition. Can all parties provide suggested wording for how the requirement could address these issues?	Biodiversity net gain (1) No part of the authorised development may commence until a biodiversity net gain strategy has been submitted to and approved by the relevant planning authority, in consultation with the relevant statutory nature conservation body. (2) The biodiversity net gain strategy must include details of how the strategy will secure a minimum of 10% biodiversity net gain, calculated using the biodiversity metric 3.0 published by Natural England in July 2021 or such other biodiversity metric approved by the relevant planning authority in consultation with the relevant statutory nature conservation body, during the operation of the authorised development including onsite and offsite measures and be substantially in accordance with the outline biodiversity net gain strategy. (3) The biodiversity net gain strategy must be implemented as approved under sub-paragraph (1). In respect of the other matters raised by CCC and FDC in the listed representations, the BNG Strategy (**Annex C to ES Appendix 11M – Biodiversity Net Gain Assessment – Volume 6.4, Rev3, [REP3-017]**) includes that the BNG would be subject to monitoring and management for the operational lifetime of the Proposed Development – a period in excess of 30 years (paragraph 4.2.15), and that the Applicant would comply with any mandatory requirements as to the sharing of monitoring data with planning authorities and statutory nature conservation bodies. Compliance with the BNG Strategy is secured in sub-paragraph (3) of the BNG Requirement. The Secretary of State can be confident that these measures will be implemented as a failure to do so automatically constitutes an offence under Part 8 of the Planning Act 2008. Accordingly, all parts of the approved BNG strategy have a legislative footing; the inclusion of measures within the strategy simply means that the precise method of implementation must be approved by the relevant planning authority once the detailed design of the Proposed Development has been finalised (which will be after the DCO has been made).

ExQ2	Question to	Question	Applicant Response
			Since Deadline 4, the Applicant has engaged with and received confirmation from CCC and FDC that matters concerning the BNG Strategy (**Annex C to ES Appendix 11M – Biodiversity Net Gain Assessment – Volume 6.4, Rev4,** are resolved. Submitted at Deadline 5, this agreement is reflected in Table 11.4, **Statement of Common Ground between the Applicant and the Host Authorities (DRAFT) Rev 2.1 (Volume 9.5).**
BIO.2.6	Applicant	Can the Applicant provide a worst-case assessment of effects to water vole from the ditches not able to be surveyed with a clear identification of the assumptions made?	A worst-case assessment is that the Proposed Development will result in minor disturbance to activity patterns of water voles along the ditches that it was not possible to survey during construction, that is, that these ditches are better than sub-optimal and water voles are present. With these worse-case assumptions in place the fact remains that the Proposed Development, and in this case the construction of the Grid Connection, would not encroach into the ditches. Furthermore, given the proximity to the A47, voles are likely to be habituated to increased levels of noise and vibration whilst the works themselves will only occur in short lengths at any one time. The mitigation measures set out within ES Chapter 11 Biodiversity, most notably those contained within the **Outline CEMP (Volume 7.12) [REP4-008]** and a commitment to pre-construction surveys means that the assessment conclusion would remain as not significant. During operation the Proposed Development the un-surveyed ditches (worse case; better than sub-optimal and with water voles present) would not be disturbed by the Grid Connection which would have been placed in ducts underground. Any disturbance to vegetation within 3-5m from the toe of the ditch during construction would have been reinstated. Accordingly, under a worst-case assessment, there would be no significant effects to water vole during operation; decommissioning effects are considered to be no greater than those assessed for construction. The Applicant has discussed the matter of water voles with CCC (Meeting 07/06/23) (see BIO.2.2) and agreed that the **Biodiversity Appendix 11M Biodiversity Net Gain Assessment (Clean) – Rev 3 Annex C Outline BNG Strategy [REP3-017]** is updated at Deadline 5 to include for river units to be targeted for local water vole habitat enhancement in the host authority

ExQ2	Question to	Question	Applicant Response
			areas. It is understood that CCC is in agreement and that, on this basis, it no longer objects on the matter of water voles. Furthermore, Natural England has confirmed (**SOCG between Medworth CHP and Natural England Volume 9.9 REP4-011**) that the Proposed Development will not result in direct impacts to protected species (including water voles).
BIO.2.7	Applicant	Can the Applicant provide an update on discussions with the Middle Level Commissioners regarding potential enhancement of on-site IDB ditches and off-site compensation for water vole? Can they also confirm whether detailed water vole mitigation will be included within a revised LEMP?	The Applicant understands that CCC is seeking to engage with the Middle Level Commissioners in order to understand the extent to which potential enhancement can be delivered consistent with the IDB's need to regularly manage the ditches to ensure the free flow of water. As recorded in BIO.2.6 above however, the Applicant has agreed to include within the BNG strategy specific reference to the creation of water vole habitat and this will be secured via **draft DCO (Volume 3.1)** Requirement 6. Both documents are submitted at Deadline 5. The Applicant does not propose to update the Outline Landscape and Ecological Management Plan (LEMP) because the measures are not mitigation and can be secured and can be delivered via the BNG Strategy. The Applicant understands that CCC is in agreement with this approach whilst noting also, that the Natural England **SOCG [REP4-011]** records that it is satisfied with the parameters of the Landscape and Ecology Management Plan as submitted.
BIO.2.8	Applicant	Further to REP4-031 Table 3.1 – Can the Applicant explain why Requirement 5 specifies the landscape and ecology management plan for Work No. 1, 1A, 1B, 2A, 2B and 9 only?	The **Outline Landscape and Ecology Management Plan (LEMP) [REP3-020]** sets out the design principles and mitigation required in respect of the EfW CHP Facility site, on which Works 1, 1A, 1B, 2A and 2B are located. It also includes native tree and hedgerow planting in respect of the Walsoken Substation (Work No.9) (see LEMP paragraph 2.1.32). In respect of the remaining works comprising the Proposed Development, including the Grid Connection, Water Connection, CHP Connection,

ExQ2	Question to	Question	Applicant Response
			Temporary Construction Compound, Access Improvements and other associated development, any temporary habitat loss would be reinstated on a like-for-like basis and these mitigation measures are set out in the **Outline Construction Management Plan [REP3-022)** (for example, section 5.8 deals with the protection of landscape features and Appendix D is the Outline Ecological Mitigation Strategy) which is secured via Requirement 10 of the draft DCO.

Table 2.5 Climate Change

ExQ2	Question to	Question	Applicant Response
CE.2.1	Applicant	Can the Applicant confirm its understanding of the position in respect of how this scheme complies with the latest Climate Change obligations?	**Deadline 4 Submission – 12.2b Written Summary of the Applicant's Oral Submissions at ISH4 – Rev 1 [REP4-020]** summarises how the Proposed Development is compliant with the net zero pathway and the consideration of revised draft NPS EN-3. **ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** provides full details of the Applicant's climate change assessment, including relevant policies and obligations. The **Planning Statement (Volume 7.1) [APP-091]** sets out in detail how the Proposed Development complies with the Climate Change Act 2008, the policy requirements contained in the adopted NPS EN-1 and EN-3, the 25 Year Environment Plan, CCC's Climate Change and Environment Strategy 2020-2025, by providing urgently needed renewable energy generation. Additionally, the **NPS Tracker (Volume 9.18, Rev 2) [REP2-031]** sets out how the Proposed Development complies with the additional requirements set out in the revised draft NPS EN-1 and EN-3.

ExQ2	Question to	Question	Applicant Response
CE.2.2	Applicant	The basis of the GHG assessment appears to be an assumed composition of the waste fuel – what would be a maximum adverse case composition and how does that affect the assessment?	In terms of operation of the EfW CHP facility, the maximum adverse case for waste fuel composition would be where the calorific value (i.e. carbon content) of the waste is at the lower end of the operating capacity limit for the facility. Based on the Medworth EfW Firing Capacity Diagram this would be waste with a net calorific value approaching 8.0 MJ/kg, which could either be achieved by reducing non-recyclable plastics by around 65%, or by reducing non-recyclable paper/card, plastics and food by just over 90% (based on the WRAP 2017 residual waste composition data). This waste composition would tend to increase the GHG emissions for the landfill future baseline case relative to the EfW CHP facility as the proportion of biogenic carbon in the waste would increase (resulting in greater release of methane from the decomposition of organic material). In terms of a maximum adverse case composition where the GHG emissions for landfill would be less than for the EfW CHP Facility, this would be where 100% of organic material is removed (i.e., paper/card, food, garden material and wood) and there is no reduction in plastics in residual waste. This would result in material with a higher calorific value and less biogenic carbon material decomposing in landfill. This may result in the net GHG emissions for the EfW CHP Facility being greater than that for the landfill future baseline case but is only one of many possible scenarios. The Applicant has been in discussion with CCC (see below) concerning additional scenarios (sensitivity analysis) and is confident that a set of scenarios agreed between the Applicant and CCC will be submitted at Deadline 6. As described in the Environmental Improvement Plan 2023[1], a reduction in biodegradable material and plastics in residual waste are both in-line with developing UK Government policy in seeking to achieve net zero for the waste sector. However, the Applicant does not consider it likely that wholesale changes in the composition of waste, such as those described above, will occur, for the reasons set out in the Applicant's response to CE.2.3, below.

[1] HM Government (2023). Environmental Improvement Plan 2023

ExQ2	Question to	Question	Applicant Response
			In response to **ISH 4, action point No.7 [EV-059]**, the Applicant is in discussion with CCC to agree appropriate waste composition scenarios for further sensitivity analysis, with the aim of submitting this analysis at Deadline 6. This will include further commentary regarding the effect of waste composition on the assessment of GHG emissions for the Proposed Development.
CE.2.3	Applicant	In light of question CE.2.2. To what extent can the composition of waste fuel as assumed in the Applicant's assessment be sourced from within the study area considering both now and in the future?	The updated **WFAA (Volume 7.3) (Rev 3.)** provided at Deadline 5) concludes that in 2021, almost 2.4 million tonnes of 'in-scope' HIC waste was sent to landfill in the Study Area. A further ~160,000 tonnes of HIC waste was exported from the Study Area as RDF. It has therefore been concluded that based upon the current pattern of waste arisings and management across the spatial scope of this assessment, there is potential for around over 2.56 million tonnes of material to be managed further up the waste hierarchy and/or at a location that is more proximate to the point of arising. The updated **WFAA (Volume 7.3) (Rev 3.)** submitted at Deadline 5 has also looked at how the composition of this waste may alter in future and has concluded that given that a large percentage of Waste Collection Authorities within the Study Area of the WFAA already engage in the separate collection of food waste, it is unlikely that wholesale changes in the composition of the areas residual waste are likely to be experienced. The Applicant has included new Requirement 28 in the **draft DCO (Volume 3.1) Rev 4** provided at Deadline 5, that ensures that at least 80% of the waste accepted by the Proposed Development must originate from within the Study Area. In addition, 17.5% of the waste must originate from within a 75km radius of the Proposed Development.
CE.2.4	Applicant	Considering REP4-037 UKWIN's D4 comments on REP3-040 – Can the Applicant set out clearly the assumptions that have been used to ascertain both their gross and net GHG calculations for the lifetime of the proposed development, for example, all waste diverted	The assumptions used to determine gross and net GHG calculations for the EfW CHP Facility, along with those used for the sensitivity analysis in the ES, are set out in the table below. Commentary regarding the reasoning for the assumptions is also provided. Reference is made to detailed descriptions for the assumptions used in the GHG assessment and the

ExQ2	Question to	Question	Applicant Response
		from landfill for the full 40 years, composition of such waste materials and displacement of energy generated for the grid. To what extent is the Applicant confident that the assumptions are reasonable?	sensitivity analysis in **Sections 14.8 and 14.9** of **ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** and **ES Appendix 14B and 14C (Volume 6.4) [APP-088]**.

Parameter	Assumption	Reasoning
ES Core Case – gross emissions for EfW CHP Facility		
Waste Composition	Based on the composition of residual waste reported in the WRAP 2017 survey[2]	In the absence of detailed information on residual waste composition for the various sources available for the EfW CHP facility, this is an appropriate source to determine the average composition of residual waste (as referenced in the UK Government's consultation on Developing the UK Emissions Trading Scheme (UK ETS)[3]).
Waste NCV value and carbon content	Calculated using WRATE model[4] (based on WRAP 2017 composition)	The WRATE model was originally developed by the Environment Agency to enable those involved with waste management planning to model the potential effects of waste services on the environment, and is now owned and maintained by independent consultants. WRATE includes a facility to determine waste carbon content based on waste composition. As identified in **Section 14.8 of the ES Chapter 14 Climate Change**

[2] WRAP (2020). National Municipal Waste Composition, England 2017, Table 3.
[3] HM Government (2022). Developing the UK Emissions Trading Scheme (UK ETS)
[4] WRATE (2011), Greenhouse Gas Calculator for Municipal Waste. WRATE v2.

ExQ2	Question to	Question	Applicant Response

		(Volume 6.2) [APP-041], a sense-check indicates that outputs on carbon content are comparable with the residual waste profiles for alternative studies.
Waste Quantity	The maximum quantity of waste would be treated i.e. 625,600 tonnes/yr.	The assumption uses the worst-case of the maximum allowable tonnage of waste being treated each year. The actual volume of waste treated at the EfW CHP Facility each year will vary depending on the NCV..
EfW CHP facility emissions Factors and Global Warming Potential for N20 and CH4, associated with Stationary Combustion Processes	IPCC Guidelines for Greenhouse Gas Inventories, Vol 2, Table 2.2 Default Emissions Factors for Stationary Combustion in the Energy Industries[5] and IPCC factors for Global Warming Potential[6].	These IPCC guidelines provide internationally recognised methodologies for estimating emissions from stationary combustion processes. These are considered to be appropriate for the EfW CHP facility process and the reporting of equivalent GHG emissions for N20 and CH4.
EfW CHP facility biogenic carbon	Biogenic carbon combusted is excluded from emissions for the EfW CHP facility	A distinction is made between GHG emissions from sources of fossil carbon (e.g. plastics) and biogenic carbon (e.g. food, paper/card, wood). The exclusion of biogenic carbon from GHG emissions for the EfW CHP facility is in line with standard climate modelling, where biogenic carbon

[5] IPCC (2006). IPCC Guidelines for Greenhouse Gas Inventories, Vol 2, table 2.2 Default Emissions Factors for Stationary Combustion in the Energy Industries
[6] IPCC (2014). IPCC 5th Assessment Report (AR5)

ExQ2	Question to	Question	Applicant Response

		emissions are treated as climate neutral[7].
EfW CHP facility auxiliary burners fuel use	The auxiliary fuel use is based on MVV's operational design information	This is considered to be reasonable based on MVV's experience of operating similar facilities
ES Core Case – net emissions for EfW CHP Facility		
EfW CHP facility operational hours	The EfW CHP Facility would operate for a minimum of 8,000 hrs per year.	The minimum operational hours are considered to be reasonable based on MVV's experience of operating similar facilities, allowing for periods of maintenance and repair.
EfW CHP facility electricity output	The EfW CHP Facility would generate 60Mwe of electricity, of which 5Mwe would be used for parasitic load (i.e, internal electricity use), resulting in 55Mwe of electricity available for export when operating in electricity only mode.	The electricity generated and exported by the EfW CHP facility is a fundamental aspect of its design, so this is considered to be a reasonable assumption.
Emissions factor for offsetting electricity generated by the EfW CHP facility	Assumption is that electricity generated by the EfW CHP facility would replace electricity generated at the UK grid average emissions factor	The assumption in the ES Core Case that the EfW CHP Facility would displace UK Grid Average electricity generation is considered to be a conservative approach that reduces the emissions savings attributable to the EfW CHP Facility (and to electricity generated by Landfill Gas). This was carried out in response to comments made by

[7] WRAP (2021). Carbon Waste and Resources Metric

ExQ2	Question to	Question	Applicant Response		
					Cambridgeshire County Council at PEIR to consider the benefit from avoided fossil fuels. The standard assumption identified by Defra for determining net emissions for EfW facilities is that gas fired power station (Combined Cycle Gas Turbine – CCGT) is a reasonable comparator for an energy from waste plant[8]. Electricity generated by CCGT would use gas (fossil fuel), which has a higher emissions factor than UK grid average electricity. If this approach had been used in the ES then additional emissions savings would have been attributed to the EfW CHP Facility (and to electricity generated by Landfill Gas). The ES Core Case has therefore used a more conservative approach in its assessment of net emissions. Recognising the need to consider alternative scenarios, the sensitivity analysis for the ES (**Appendix 14C (Volume 6.4) [APP-088]**), also includes additional assessments that consider the standard

[8] Defra (2014). Energy from waste. A guide to the debate.

ExQ2	Question to	Question	Applicant Response

		approach (replacement of CCGT) and future decarbonisation of UK grid electricity generation.
ES Core Case – net emissions for Landfill		
Without development scenario (landfilling of residual waste)	The assumption is that the alternative option for managing residual waste would be landfill, over the 40-year operational life of the EfW CHP facility.	This is based on the findings of the **Waste Fuel Availability Assessment (Volume 7.3) [APP-094]**.
Landfill biogenic carbon	It is assumed that 50% of biogenic carbon in landfill will decompose to produce emissions related to Landfill Gas (LFG). The remaining 50% of biogenic carbon retained in landfill does not decompose and is therefore excluded from the landfill emissions.	This is consistent with IPCC guidelines[9] and the latest UK Greenhouse Gas Inventory Waste Sector[10] reporting of emissions for solid waste disposal sites (SWDS), where the proportion of biogenic carbon that does not decompose in landfill is excluded from emissions reporting.
Landfill methane emissions modelling	Calculation of methane emissions from landfill are based on parameters in the Defra Review of Landfill Emissions Modelling[11].	Assumptions regarding emissions from landfill are described in detail within **Section 14.9** of the **ES Chapter 14 Climate Change (Volume 6.2) [APP-041]** and **ES Appendix B (Volume 6.4) [APP-088]**. These include parameters for: - biogenic carbon converted to LFG (see row above)

[9] IPCC (2006). IPCC Good Practice Guidance and Uncertainty Management in National Greenhouse Gas Inventories. Chapter 5 Waste.
[10] Department for Energy Security and Net Zero (DESNZ, 2023). UK Greenhouse Gas Inventory, 1990 to 2021. Annual Report for Submission under the Framework Convention on Climate Change.
[11] DEFRA (2014). DEFRA Review of Landfill Methane Emissions Modelling

ExQ2	Question to	Question	Applicant Response		
					- methane to carbon dioxide ratio in UK LFG - proportion of methane flared in LFG engines - electrical efficiency of LFG engines - landfill methane oxidation - LFG capture rate from landfill Based on the commentary in the Defra report the assumptions used with respect to these parameters are considered reasonable.
			Global Warming Potential for CH4, associated with Landfill Gas	IPCC factors for Global Warming Potential[6]	The IPCC guidelines are considered appropriate for reporting equivalent GHG emissions for methane released from landfill.
			Emissions factor for offsetting electricity generated from Landfill Gas (LFG)	It is assumed that the calorific value of methane is 50 MJ/kg. As for the EfW CHP Facility, the assumption is that electricity generated from LFG would replace electricity generated at the UK grid average emissions factor	See above regarding discussion of the assumption for the emissions factor used for offsetting electricity generated by the EfW CHP facility.
			Sensitivity Analysis		
			Waste composition	Assumptions were made in line with UK targets for recycling and developing policy for the reduction of food and plastics in residual waste.	There is potential for extensive variation in residual waste composition and as noted in the **Waste Fuel Availability Assessment (Clean) - Revision: 2.0 [REP2-009]**, there is uncertainty whether the UK will meet existing targets for

ExQ2	Question to	Question	Applicant Response		
					recycling. However, as waste composition and related biogenic and non-biogenic carbon is a significant factor affecting emissions for EfW and landfill the sensitivity analysis included two additional scenarios that were considered to be most appropriate based on current targets and policy i.e. - Achieving a recycling rate of 65% for municipal solid waste by 2035[12] - A scenario where there is an additional 90% reduction in food and plastics entering residual waste In response to **ISH 4, action point No.7 [EV-059]**, the Applicant is in discussion with Cambridgeshire County Council (CCC) to agree appropriate waste composition scenarios for further sensitivity analysis, with the aim of submitting this analysis at Deadline 6.
			Emissions factors for offsetting electricity generated by the EfW CHP facility and Landfill Gas	Assumptions were made in line with standard methodologies for comparison of EfW with the use of gas in CCGT and for decarbonisation	As noted in the discussion above for the *ES Core Case – net emissions for EfW CHP Facility*, the Applicant considers that assuming UK grid average electricity generation for the ES core

[12] HM Government (2018). England's National Waste Strategy. Our Waste, Our Resources, a Strategy for England.

ExQ2	Question to	Question	Applicant Response		
				of UK grid average electricity generation.	case presents a conservative approach in calculating emissions savings for the EfW CHP facility as it is the current generating facilities that will be replaced. The Applicant has also sought to address comments raised during stakeholder consultation regarding future decarbonisation of UK grid electricity generation. The sensitivity analysis therefore included three additional scenarios that were considered appropriate: - The standard comparison with CCGT, using the emissions factor for electricity generation from natural gas. - Decarbonisation forecast emissions factor for average UK Grid electricity generation by 2035 - Decarbonisation forecast emissions factor for average UK Grid electricity generation by 2050 These were presented in the sensitivity analysis for the ES as comparative annual emissions to provide an indication of how these alternative scenarios would affect the operational emissions for the ES core case.

ExQ2	Question to	Question	Applicant Response		
					However, in response to comments received from Cambridgeshire County Council (CCC) and a meeting on 20 October 2022 with representatives from CCC, and King's Lynn and West Norfolk Council, an additional **Technical Meeting Note (TNCC01) (provided at Appendix 9.2c (Part 9) [REP1-036]** was provided that presented the comparison for grid decarbonisation over the lifetime of the Proposed Development (i.e rather than an 'annual snapshot' for comparison). The Applicant confirms that assessing lifetime emissions will also be the approach used in the further sensitivity analysis to be provided in response to **ISH 4, action point No.7 [EV-059]**.
			CHP, export of steam from the EfW CHP facility	Assumptions were made in line with the fact that the EfW CHP facility has been designed to allow the export of steam as well as electricity. Based on the EfW CHP facility design, the combined export of electricity and steam would generate 48.8MWe of electricity (allowing for 5MWe	The export of steam from the EfW CHP facility was excluded from the ES core case on a precautionary basis. The sensitivity analysis includes a comparison with the ES core case for the additional export of steam, which would provide further benefits in displacing the use of fuels by third parties to

ExQ2	Question to	Question	Applicant Response

	parasitic load) and 23.6MWth of steam.	generate heat and avoid carbon emissions from these sources. As described in **ES Appendix C (Volume 6.4) [APP-088]** it was assumed that steam exports would replace the current predominant use of natural gas as fuel for heating. This was considered a reasonable assumption for the assessment up to 2035. As reported in **ES Appendix C (Volume 6.4) [APP-088]** there is considerable uncertainty regarding the introduction of alternative technologies to replace gas for meeting future demands for heat. However, beyond 2035 the sensitivity analysis considered the case where the use of electricity for heating is more widespread and assumes a forecast emissions factor for average UK Grid electricity generation in 2050.

The assumptions used in the ES core case are considered to be reasonable. Key areas where there is scope to use alternative assumptions are: waste composition, emissions for offsetting of electricity generation, and export of heat from the EfW CHP facility in addition to electricity, which are considered further in the ES sensitivity analysis (**ES Appendix C (Volume 6.4) [APP-088]**). Further to this, in response to **ISH 4, action point No.7 [EV-059]**) to consider the impact of variations in waste composition, the Applicant is in the process of agreeing with CCC alternative scenarios

ExQ2	Question to	Question	Applicant Response
			for further sensitivity analysis to provide an indication of the potential range of results, albeit the ES core case is considered by the Applicant to be the most reasonable scenario.

Table 2.6 Compulsory Acquisition/Temporary Possession

ExQ2	Question to	Question	Applicant Response
CA.2.1	Applicant	Statement of Reasons, paragraph 5.4 reads: "This is explained in Section 7". Should read Section 6.	The Applicant confirms that this is a typographical error and the cross reference should be to Section 6.
CA.2.2	Applicant	Compulsory Acquisition Schedule Table 1.2 identifies those affected persons who have interests listed in the Book of Reference but where the Applicant does not consider it necessary to enter into a voluntary agreement as the affected person is not a landowner or a tenant, nor do they have the benefit of restrictions on the use of the Order Land that would be extinguished, suspended or interfered with by the Proposed Development. Can the Applicant please explain why it believes that those affected persons listed in Table 1.2 do not have the benefit of restrictions on the use of the Order Land that would be extinguished, suspended or interfered with by the Proposed Development considering, as identified in Table 1.2, that several of those affected persons are identified as having a right of access over the unadopted section of Algores Way, which the Applicant proposes to acquire new rights over?	In respect of persons who have, or may have, a right of access over Algores Way, the Applicant considers that the new rights of access being sought by the Applicant can be exercised in common with the rights of access held by other persons. This is demonstrated by the fact that the EfW CHP Facility Site is currently being accessed via the unadopted section of Algores Way in common with other users. The Applicant does not therefore consider it necessary to enter into a property agreement with such persons. For example, there are no restrictions registered on the title that would require the Applicant, or Fenland District Council (as landowner), to obtain their consent before new rights of access can be granted to the Applicant. Article 27(2) (private rights) of the **draft DCO (Volume 3.1)** sets out that where new rights are being acquired (either by agreement or compulsion), private rights and restrictions are only extinguished in so far as the continuance of the right or restriction would be inconsistent with the exercise of the right or restrictive covenant taken by the Applicant.

ExQ2	Question to	Question	Applicant Response
			As set out above, the Applicant considers that the access rights to be acquired over the unadopted section of Algores Way, as set out in Schedule 8 (land in which only new rights etc. may be acquired), can be held in common with the existing rights of access. There is no inconsistency between the rights and restrictions to be acquired and the existing use of the unadopted Algores Way and rights held by business owners along Algores Way.
CA.2.3	Applicant	Can the Applicant please explain the need for Art6(a) disapplication of legislative provision section 24 (restriction on abstraction) of the Water Resources Act 1991(a)?	The purpose of Article 6 of the **draft DCO (Volume 3.1), Revision 4** provided at Deadline 5, is to disapply legislation where equivalent provisions would cause uncertainty as to the applicable law. This is expressly provided for within the Planning Act 2008 in section 120(5)(a) that states: *(5) An order granting development consent may—* *(a) apply, modify or exclude a statutory provision which relates to any matter for which provision may be made in the order;* Article 6 disapplies a number of items of legislation linked to water and drainage; provision has been made within the draft DCO for an alternative regime (building upon the Model Provisions and precedent made DCOs), in Article 18 (discharge of water) and within the Protective Provisions for the benefit of the internal drainage board. Further information on the reasons for each provision of the draft DCO are set out within the **Explanatory Memorandum [APP-014]**, and an updated version reflecting the final revision of the **draft DCO (Volume 3.1)** will be submitted at Deadline 7 of the Examination.
CA.2.4	Applicant National Highways	In response to Action CA2-7 the Applicant has submitted [REP4-026] Response to CAH2 Action Point 7 - Rev 1 where it states that one plot identified by Ms Smith fell within the Order limits (shown as Plot 10/1a on Land Plan Revision 4 [APP-006]). However, this land is in the registered ownership of National Highways and forms part of the A47. The Applicant does not consider that Ms Smith has an interest in this land based on the evidence	The Applicant does not consider it necessary for National Highways to confirm its ownership as it is the registered proprietor at the Land Registry and the land forms part of the strategic highway network.

ExQ2	Question to	Question	Applicant Response
		available. None of the other land identified by Ms Smith falls within the Order limits. Has this been confirmed by National Highways?	
CA.2.6	Applicant IPs	In response to action CA2-5, as set out in the Written Summary of the Applicant's Oral Submissions at ISH 2 CAH 1 & 2 [REP3-037], the applicant has stated that it had engaged directly with some representatives of businesses located along Algores Way and that it offered to meet with them but such a meeting hadn't occurred yet. Can the Applicant please provide the ExA with an update?	On 16th May 2023 the following dates were proposed for a meeting by the Applicant: • Thursday 8th June 2pm and Friday 9th June 9am, or • Monday 12th June 2pm and Tuesday 13th June 9am, or • Thursday 15th June 2pm and Friday 16th June 9am Following further exchanges it is now hoped that a meeting can be held on either 28th pm or 29th am June 2023 (or both).
CA.2.7	Applicant	Submission of S.56 notices from Royal Mail were discussed at the previous set of Hearings. Can the Applicant please confirm if these were submitted at Deadline 4? And if yes, where can these be found?	This information has been provided at Deadline 5 (see **Applicant's response to CAH2 Action Point 6 [Volume 14.5]).**
CA.2.8	Applicant EA	In response to action CA2-8, as set out in the Written Summary of the Applicant's Oral Submissions at ISH 2 CAH 1 & 2 [REP3-037], the Applicant was advised by the EA that the Environmental Permit application was considered of "high public interest" and therefore EA felt that extra consultation with the public needed to take place. Can the Applicant and the EA please provide an update as this does not appear to be reflected in the SoCG with the EA [REP4-010]?	The Applicant has agreed the following text with the EA: The Environment Agency informed the applicant by letter, dated 14/4/23, that the application was considered high public interest. The proposal has generated significant public interest during the DCO Examination, and it is expected that the environmental permit application will also generate significant public and media interest, requiring the need for increased engagement. The application will be advertised for 6 weeks on Citizen Space, inviting comments from the public between 21st June 2023 and 2nd August 2023. Six week consultations are standard for high public interest energy from waste applications. Briefing notes will be sent to local MPs and councils, and a local newspaper advert will be placed to publicise the consultation. Additionally, the Environment Agency will be posting on social media to reach as many people and local groups as possible, and giving a better opportunity for participation. Statutory consultees will be contacted as

ExQ2	Question to	Question	Applicant Response
			usual. The additional consultation should not affect the timescale of the permit determination.

Table 2.7 Cumulative Effects

ExQ2	Question to	Question	Applicant Response
CE.2.1	Applicant	In para 18.5.1 of Chapter 18 of the ES [APP-045] the Applicant states the topics that have been deemed out of scope by the Applicant in relation to interrelated effects. Can the Applicant please explain the reasons why, particularly in relation to Chapter 6: Traffic and Transport?	**ES Chapter 6 Traffic and Transport assessment (Volume 6.2) [APP-033]** is deemed to be out of scope as the assessment is inherently cumulative for the reasons set out below. Section 6.5 describes the current and future baseline conditions relevant to the assessment. The future baseline includes for growth rates which reflect the additional number of vehicles that could be expected to use the network at a future point in time. This growth rate is taken from TEMPro and it uses information provided by the Department of Transport. Paragraphs 6.5.57 to 6.5.61 and 6.5.62 to 6.5.65 explain growth rates used for the assessment of construction and operational effects. These growth rates enable the Applicant to establish a future baseline by using a growth factor that is reflective of other development proposals. For example, for the operational phase, Year 2027 a growth factor for total vehicles of 1.1054 is used. These means that the current baseline (recorded in 2021) is uplifted by approximately 10% to include for predicted increases in traffic by 2027. The approach used by the Applicant is common to transport assessments and was agreed with CCC and NCC. CCC did ask that two specific development proposals be included in the assessment and these are set out in paragraph 6.5.54. CCC's acceptance of the methodology is confirmed at paragraph 1.7.9 (**ES Chapter 6 Appendix 6D, Volume 6.4 [APP-075]).**

ExQ2	Question to	Question	Applicant Response
			Consideration of the future baseline within section 6.5 does also include for consideration of other highway related projects. Hence reference is made to proposed future highway network changes and rail changes. Accordingly, as transport assessment is therefore inherently cumulative, no further cumulative assessment was considered necessary. Other topics which are out of scope with regard to ES Chapter 18 Cumulative effects are climate, health and Major Accidents and Disasters. This is because, in each case the individual topic assessments are inherently cumulative. For example, to understand health effects the traffic, socio-economic, noise and air quality effects of the Proposed Development upon a receptor are assessed to understand the potential for health impacts. With regard to climate, **ES Chapter 14 Climate (Volume 6.2) [APP-041]** explains that the assessment considers the effects at a global level and describes the approach to cumulative assessment within paragraphs 14.9.52 to 14.9.53. **ES Chapter 17 MADs (Volume 6.2) [APP-044]** considers cumulative effects within paragraphs 17.3.13 to 17.3.16.
CE.2.2	Applicant	Table 18.10 of Chapter 18 of the ES [APP-045] summarises effects where different topics have identified the same Receptors and indicates the presence of likely cumulative significant effects. Some of the identified receptors (namely 9 &10 New Bridge Lane) and PRoW include one significant effect and at least 1 Non-Significant effect (both construction and operational phases). Can the Applicant please explain their rationale behind this particularly how a significant impact plus a non-significant can be considered, overall, not significant?	The consideration of cumulative effects is not one that 'adds up' the number of significant and non-significant effects to arrive at a cumulative level of significance. This is because it is important not to double count and essentially re-present a significance assessment taken from a relevant environmental topic. For example, 10 New Bridge Lane is identified as significant from a visual perspective, but it should not automatically be the case that it would then become significant cumulatively. Continuing with 10 New Bridge Lane, the assessor needs to consider the relevant baseline and context within which the receptor is located together with the level of significance recorded across all of the individual topic assessments which can range from negligible (not significant) through to major (significant). For example, 10 New Bridge Lane sits at the edge of the industrial estate, in close proximity to the existing Cold Store. The ES concluded that effects arising from noise

ExQ2	Question to	Question	Applicant Response
			could be mitigated by the proposed acoustic fence and would therefore not be significant, whilst for air quality (10 New Bridge Lane is Receptor R2) construction and operational effects are recorded as negligible (not significant). Accepting that the conclusion drawn is a matter of professional judgement, the assessment concludes that in the case of 10 New Bridge Lane (and 9 New Bridge Lane and the PROW) effects would not be cumulatively significant. The Applicant's conclusions are supported by CCC and FDC (and NCC and BCKLWN) with all authorities confirming within the Draft SOCG (to be submitted at Deadline 5) that they are in agreement with the Applicant's conclusions. The authorities agree that there are no significant interrelated cumulative effects which would occur as a result of the Proposed Development, taking account of the mitigation measures proposed within the topic-based assessments presented in **Chapters 6-17 of the ES (Volume 6.2**) (Section 18.7 of the **ES [APP-045**]).
CE.2.3	Applicant LHAs	Paras 18.6.1 and 18.6.2 of Chapter 18 of the ES [APP-045] refer to the Long list and short list of projects considered by the Applicant. The projects included in the Cambs CC and Fenland DC response to ExQ1 [REP2-030] and BCKLWN response to ExQ1 [REP2-027] seem to differ slightly from those previously identified by the Applicant. Can the Applicant please confirm their approach to this and how those projects will be taken into consideration?	The Applicant responded to the additional lists of projects provided by the LHAs at Deadline 3 (EXA Question SPC 1.2) in Applicant's comments on the responses to the **ExA's Written Questions (ExQ1) Volume 11.4 [REP3-041**]. It established that many of the projects would be screened out for cumulative consideration consistent with the methodology described within **ES Chapter 18 Cumulative Effects (Volume 6.2) [APP-045]** and provided comment on the potential for significant effects arising from those that would be screened in. In preparing the SOCG with the LHA's the Applicant has discussed the approach taken, and conclusions drawn, within the cumulative assessment reported within the Environmental Statement and all parties agree that no significant inter-project effects would occur as a result of the Proposed Development (Section 18.8 of the **ES [APP-045]).**

Table 2.8 Draft Development Consent Order

ExQ2	Question to	Question	Applicant Response
DCO.2.2	Applicant Cambs CC	In response to action ISH2-13 [REP3-038], the Applicant has stated that prior to Deadline 3, it met CCC to discuss highway matters on the 13 April 2023 and is liaising with them regarding predevelopment condition surveys and s278 obligations. Can the Applicant and Cambs CC please update the ExA on any developments following from Deadline 3?	The Applicant has received comments on the draft section 278 agreement from CCC and is in the process of reviewing these. Discussions around the s278 Agreement remain productive and the Applicant is confident that agreement can be reached by the end of the Examination. Protective provisions for the benefit of CCC have been included in the **draft DCO (Volume 3.1)** submitted at Deadline 5.
DCO.2.5	Applicant UKWIN	The Applicant is asked to check drafting of proposed DCO requirement in relation to moving waste up the hierarchy, as considered for the North Lincolnshire Green Energy proposal and Riverside Energy Park in light of UKWINs submission [REP3-050], [REP4- 037] and REP4-038] and how it may impact the wording of Requirement 14 of the proposed dDCO.	Requirement 14 of Schedule 2 of the **draft DCO (Volume 3.1), Revision 4** provided at Deadline 5, is based on the precedent found in the Riverside Energy Park Order 2020 (Requirement 16 of Schedule 2). The Applicant acknowledges that an alternative approach has been taken on the North Lincolnshire Green Energy Park, with Requirement 15 of Schedule 2 of the final draft DCO submitted during that project's Examination being significantly pared down and focusing solely on the type of fuel to be accepted by that facility. The Applicant has used the Riverside Energy Park Order 2020 to guide its drafting of Requirement 14 on the basis that this approach has been accepted as appropriate by the Secretary of State. The Applicant disagrees with UKWIN's position and considers such a requirement to be effective. As the approach taken in North Lincolnshire Green Energy Park has not been determined by the Secretary of State, the Applicant has based its drafting on current legislative precedent. The Applicant has continued to work with CCC to ensure that they are satisfied that Regulation 14 is appropriately drafted so as to ensure that the waste hierarchy is maintained and that the Proposed Development will not compete with or prevent waste management further up the waste hierarchy. This updated drafting has been included in the **draft DCO (Volume 3.1)** provided at Deadline 5.

ExQ2	Question to	Question	Applicant Response
DCO.2.6	Applicant	In response to CA.1.9 [REP2-019] the Applicant has confirmed that no Crown Land or Special Category Land forms part of the Order land. Nevertheless, the BoR does include statutory undertaker's land. Particularly in light of Pt 7 Chapter 1 of the 2008 Act (specifically ss 138) does the Applicant still believes that no Special Category Land forms part of the Order land?	The Planning Act 2008 Guidance related to procedures for the compulsory acquisition of land (September 2013, Department for Communities and Local Government) includes a detailed explanation for what constitutes 'Special category land' in Annex A. There are two types of special category land: • Land held inalienably by the National Trust; and • Commons (including town or village greens), open space, or fuel or field garden allotments. Land held by statutory undertakers was originally considered to be special category land under sections 128 and 129 of the Planning Act 2008. However, both of these sections were repealed by the Growth and Infrastructure Act 2013. Statutory undertaker land is no longer subject to special parliamentary procedure and is therefore no longer a class of special category land. Restrictions on the compulsory acquisition of statutory undertaker land are imposed by section 127 of the Planning Act 2008, requiring the Secretary of State to be satisfied that the acquisition of the land, or rights over land, will not cause 'serious detriment' to the carrying on of the relevant statutory undertaker's undertaking. The Applicant is therefore confident that there is no special category land within the Order land.
DCO.2.7	Applicant	Can the Applicant please provide further information, particularly in relation to plots 13/4c, 13/4d and 14/1 of the Land Plan [REP3-003] and in light of Art. 25(1) and (2) and Art. 28, how can the ExA be legally assured that the Applicant will not impose new restrictive covenants or override existing easements and other rights which are being used by existing businesses located along Algores Way leading to, for example, loss of access,	Schedule 8 of the **draft DCO (Volume 3.1), Revision 4** provided at Deadline 5, lists the plots of land over which only new rights may be acquired. This Schedule is to be read in conjunction with Article 25 (compulsory acquisition of rights and imposition of restrictive covenants), noting that this article is distinct from Article 23 (compulsory acquisition of land). Article 23 authorises the compulsory acquisition of Order land (defined by reference to the land plans). Article 23(2) then limits the application of this

ExQ2	Question to	Question	Applicant Response
		particularly considering that, at present, the wording of Schedule 8 includes "any other works"?	article by reference to Article 25, Article 26 (acquisition of subsoil only), and Article 32 (temporary use of land for carrying out the authorised development). Article 25 authorises the undertaker to acquire new rights, or impose new restrictive covenants, including acquiring rights already in existence, in respect of the Order land. This power is itself subject to Article 25(2), that imposes a restriction such that, for the plots specified in Schedule 8, the Applicant can *only* acquire existing rights and restrictive covenants and create new rights and restrictive covenants for the purposes listed in column 2 of Schedule 8 for those plots. Further restrictions on how the compulsory acquisition powers are exercised are provided in Article 27 (private rights), in that existing rights and restrictions may only be extinguished where they are incompatible with the rights and restrictions required by the Proposed Development as set out in Schedule 8 (land in which only new rights etc. may be acquired). In respect of the listed plots, the Applicant notes that 13/4c has been split and now consists of 13/4c(i) and 13/4c(ii). Permanent acquisition is intended for 13/4c(i), which constitutes a strip of land required to construct the new access off Algores Way (Work No. 4B). Plot 13/4c(ii), together with plots 13/4d and 14/1, forms the remainder of the unadopted section of Algores Way where only new rights and restrictions are being sought. The purposes for which new rights may be acquired relate to what is necessary to access, construct, operate and maintain, and decommission the Proposed Development. The inclusion of "*any other works"* is limited to works that are "*necessary"* and these words are required to include proportionate flexibility and ensure deliverability as the detailed design of the Proposed Development has not been finalised at this stage (as is typical for all nationally significant infrastructure projects). The Applicant notes that the approach taken is consistent with Schedule 7 of the Riverside Energy Park Order 2020 which refers to "*any other necessary works*" (as well as numerous other energy DCOs including the Keadby 3

ExQ2	Question to	Question	Applicant Response
			(Carbon Capture Equipped Gas Fired Generating Station) Order 2022 and Drax Power (Generating Stations) Order 2019). In respect of the purpose for which restrictions may be imposed, this is limited to those acts that may interfere with the rights being sought. It includes the erection of buildings, planting of trees, the alteration of ground levels or carrying out of other activities that may obstruct the exercise of the rights. All of these activities must meet a threshold of obstructing, interrupting or interfering with the exercise of rights or damage to the authorised development. The Applicant refers to section 6.4 of the **Statement of Reasons [REP3-010]** which explains why such restrictions are necessary and proportionate. The Applicant notes that the approach taken is consistent with Schedule 7 of the Riverside Energy Park Order 2020 (as well as numerous other energy DCOs). The Applicant also notes that whilst broad powers may be granted in a DCO, such powers can only be exercised for the purposes stated in Schedule 8 of the draft DCO and justified in the Statement of Reasons. It would be ultra vires for the Applicant to exercise the powers to achieve a different purpose. In addition to the points set out above, the Applicant must also comply with the management plans secured via the DCO requirements which include protections for the Algores Way businesses. Taking into account all of the above, the Applicant considers that the Secretary of State can be satisfied that the powers sought in the draft DCO are necessary and proportionate and will not result in a loss of access for those businesses located on Algores Way that currently have access along the unadopted section of Algores Way.
DCO.2.8	Applicant	The provisions included in the draft DCO are broad (please see ExQ2 DCO.2.8). Even though the Applicant may have currently no intention of using these provisions to restrict access/use of Algores Way by other parties, the ExA view is that the current wording of	Please see the Applicant's response to DCO.2.7. The Applicant considers the powers being sought in the draft DCO to be necessary and proportionate for a nationally significant infrastructure project.

ExQ2	Question to	Question	Applicant Response
		the DCO may give them the ability to do so. Can the Applicant please clarify how this will be legally prevented within the DCO?	
DCO.2.9	Applicant	Art. 10 and 11, which provide the Applicant with power to carry out street works and powers to alter layout, etc., of streets are applicable to both Algores Way and New Bridge Lane. Particularly considering that part of Algores Way remains unadopted at the moment, it appears that only those restrictions included in the Outline Operational Traffic Management Plan (OTMP) [REP3-024] and [REP3-025] Outline Construction Transport Management Plan (CTMP) [REP4-006] and [REP4-007] will offer some protection to users of Algores Way. Considering that the measures included in the OTMP [REP3-024] and [REP3-025] are very vague, how can the ExA be assured, legally and through the DCO, that current users of Algores Way continue to be able to access its premises as they currently do? Also the Applicant is asked to confirm what protections will be included in the OTMP to cover the operational phase of the development.	The Applicant notes that the powers in Article 10 and 11 of the draft DCO must be read in conjunction with the requirements in Schedule 2 of the draft DCO. Failure to comply with the requirements in Schedule 2 is automatically a criminal offence under s161 of the Planning Act 2008 and the Secretary of State can therefore be assured that any provisions in the approved management plans are legally enforceable. The final management plans will be submitted to the relevant planning authority for approval once the detailed design of the Proposed Development has been completed. The Requirements for each management plan require that the final plans must be 'substantially in accordance with' the outline plans. The Applicant will not have unfettered powers over, the unadopted section of Algores Way. The Applicant has updated Schedule 4 (streets subject to permanent alteration of layout) to make specific reference to Work No. 4B, being the authorised work to construct the new access to the EfW CHP Facility Site off Algores Way (see **draft DCO (Volume 3.1), Revision 4, provided at Deadline 5**). This limits the pre-approved works under Article 11 (power to alter layout, etc., of streets) to only the construction of this access – applicable to plot number 13/4c(i) only and not the remainder of Algores Way. Any other works to alter the layout of Algores Way could only be done with the consent of the street authority, and with an express obligation that the street must be restored to the reasonable satisfaction of the street authority, being Fenland District Council. In respect of any street works, Article 10(3) applies sections 54 to 106 of the New Roads and Street Works Act 1991 which include a range of statutory obligations and protections including notification procedures, directions as to timing of works to prevent disruption, avoidance of unnecessary delays, duties to reinstate etc. The Applicant notes that street works powers under the New Roads and Street Works Act 1991 are available to all statutory undertakers and therefore works could be undertaken at any time that may have an impact on users of Algores Way (for example, for the installation of new, or

ExQ2	Question to	Question	Applicant Response
			maintenance of existing, electricity, gas, water, sewerage and telecommunications apparatus). Article 10 of the draft DCO applies these powers to the Applicant for the purposes of the Proposed Development. These powers are considered necessary and proportionate for a nationally significant infrastructure project.
DCO.2.11	Applicant Cambs CC Fenland DC	Art. 12(1) of the draft DCO [REP3-006] states that "Those parts of each means of access specified in Part 1 of Schedule 6 (access) to be constructed or altered under this Order must be completed to the reasonable satisfaction of the highway authority and must be maintained by and at the expense of the undertaker for a period of 12 months from completion and from the expiry of that period by and at the expense of the highway authority". How does the Applicant propose to address construction and maintenance of new or altered means of access for private roads not adopted by the highway authority? The Applicant is also asked to consider how Art. 12 (2)(3) will also apply in such cases. Cambs CC and Fenland DC are also asked to comment.	Article 12(1) applies to the new accesses to be constructed or altered on land that is currently adopted public highway, by reference to Part 1 of Schedule 6 (those parts of the access to be maintained at the public expense). Article 12(2) is the corresponding provision, applying to the parts of the new accesses that are not intended to be public highway. These parts are detailed in Part 2 of Schedule 6 (those parts of the access to be maintained by the street authority). In each case, the DCO requires that the construction or alteration works are "completed to the reasonable satisfaction" of the highway or street authority, as applicable. The undertaker is required to maintain the access at its own expense for 12 months from completion. The highway authority or street authority, as applicable, may take action against the undertaker in the event it does not properly maintain the accesses. It is likely that the Applicant will undertake the maintenance works itself. However, the Applicant may enter into an agreement with the street authority under article 16 that makes provision for the street authority to carry out maintenance works, and for payment terms to be agreed for doing so.
DCO.2.12	Applicant Cambs CC Fenland DC	Art. 12(3) states that "Those restoration works carried out pursuant to article 11(3) (power to alter layout, etc., of streets) identified in Part 3 of Schedule 6 (access) which are not intended to be a public highway must be completed to the reasonable satisfaction of the street authority and must be maintained by and at the expense	The Applicant refers to its response to the ExA's Schedule of Changes to the **draft DCO (Volume 14.3).**

ExQ2	Question to	Question	Applicant Response
		of the street authority." Does Cambs CC and Fenland DC have any comments on this article, particularly in relation to liability of maintenance? Please also see ExA's Schedule of Changes to the dDCO.	

Table 2.9 Landscape and Visual

ExQ2	Question to	Question	Applicant Response
LV.2.1	Applicant	Can the Applicant please explain how the significant effects identified in the LVIA factored into the choice of alternative locations for the proposed development?	The site selection process is set out in **ES Chapter 2 Alternatives [APP-048]** and sets out the reasons why the EfW CHP Facility Site was considered to be suitable. As set out in paragraphs 5.10.5 and 5.10.12 of NPS EN-1, it is recognised that nationally significant infrastructure projects will have adverse effects on landscape and visual effects for many receptors. However, the Applicant is required to design the Proposed Development carefully taking into account the potential impact on the landscape and try to minimise harm when considering siting. In landscape and visual terms, the separation of the EfW CHP Facility Site from the historic core of Wisbech, proximity of the A47 connection and presence of large-scale industrial buildings nearby was taken into account. If the Proposed Development were to be located elsewhere within the urban area of Wisbech, the impact upon residents of Wisbech would likely be greater for a larger number of people than the EfW CHP Facility Site. If the EfW CHP Facility was located instead in an isolated rural location, the adverse impact upon landscape character would be greater than the current location as the industrial context would be absent and with no significant variation in topography to assist in screening any proposed tree planting would not reach a height where it could mitigate the visual impact of any development of the scale proposed. Consequently, it is considered that the selected location of the EfW CHP Facility has minimised adverse landscape and visual effects as much as is practically possible when considered overall.

ExQ2	Question to	Question	Applicant Response
			Alternatives for the grid connection were investigated resulting in the replacement of the proposed overhead grid connection between the EfW CHP Facility and the Walsoken substation with an underground cable, largely contained within the verge of the A47. Alternatives for building massing and materials had input from landscape architects involved in preparing the LVIA and are set out in the **Design and Access Statement** that accompanied the application **[APP-096].** For the reasons set out in the **Planning Statement (Volume 7.1) [APP-091],** the Applicant does not consider that the significant LVIA effects outweigh the benefits of the Proposed Development.
LV.2.3	Applicant	Can the Applicant explain how they have used best available techniques (BAT) to minimise visible plumes from the proposed development? In the event that plumes are generated by the proposed development, what requirements might be appropriate to mitigate such effects?	Appendix A4 of the Environmental Permit application provides the BAT Assessment for the EfW CHP Facility. Techniques proposed to minimise visible plumes are as follows: • A dry cooling system (ACC) has been proposed as the BAT as it eliminates the vapour plume that would be created by a wet cooling system. • A flue gas condenser (BAT 20h) has not been proposed in order to avoid increasing the frequency of visible plumes and reduce buoyancy-driven plume rise. • Dry sorbent injection using hydrated lime (BAT 27c) has been proposed to remove HCl, HF and SO2 as this will have the least impact on plume visibility compared with other suitable techniques (wet scrubber and semi-wet scrubber). The Environment Agency's consultation on the Applicant's Environmental Permit is due to take place between 21 June and 02 August 2023, see CA.2.8 for further information. Even on the infrequent occasions when visible plumes would be present in views, the parameters of the plumes would almost always be such that they would be a relatively small-scale, temporary visual elements. It is not

ExQ2	Question to	Question	Applicant Response
			technically possible to mitigate effects arising from the temporary and infrequent plumes. The Applicant also notes that mitigation is not required under the EIA Regulations for effects that are not potentially significant. The temporary and infrequent plumes are not significant and this is set out in further detail to answer LV2.4 below.
LV.2.4	Applicant	Can the Applicant highlight how they have taken into account the landscape and visual impact of visible plumes?	The **ES Chapter 9 Landscape and Visual [APP-036]** sets out how the plume has been considered and an extract from paragraph 9.9.14 is reproduced below for convenience. The summary points of relevance are that under a worse-case scenario, only 7.2% of the plumes generated would be visible and these would most likely arise at night. No further mitigation is required from a landscape and visual perspective. *"…The occasional visible plume would be an infrequent presence across a higher proportion of the LCA as shown in the ZTV in Figure 9.6: Visible Plume ZTV (Volume 6.3). From within areas of LCA to the north-west and west (for example, at Viewpoint 12 in Figures 9.28a and b: Viewpoint 12: PRoW – 'The Still' – south of Leverington) (Volume 6.3), the operational EfW CHP Facility would have an urbanising influence from within a largely rural landscape where there is an absence of other large scale or vertical infrastructure precedents. Its presence would be infrequently emphasised when the plume would be visible. Review of calculations in Chapter 8: Air Quality (Volume 6.2) show that under the worst-case scenario the plume would be up to 69m higher than the chimneys. Its maximum length would 582m, although its average length would be 67m. Under the worst-case scenario over a year, the percentage of plumes visible would be 7.2%, although the combination of meteorological conditions that would be required for the plume to be visible would be more likely to arise at night.* and at paragraph 9.9.40 of the LVIA ES Chapter: *"…even on the infrequent occasions when the visible plume would be present in views, its parameters would almost always be such that it would be a relatively small-scale, temporary visual element."*

Table 2.10 Noise and Vibration

ExQ2	Question to	Question	Applicant Response
NV.2.1	Applicant	Table 7.14 of Chapter 7 of the ES: Noise and Vibration [APP-034], lists the potential noise sensitive Receptors identified by the Applicant. The ExA notes that the Helping Hands Group, located at 10 Algores Way, does not seem to have been included. Can the Applicant please explain how it has analysed the impact of the proposed development, in relation to noise and vibration, on this facility?	The receptor at 10 Algores Way was not included and was not raised during consultation as a receptor location that should be considered. However, assessments undertaken for nearby receptors R26 and R27 are representative of 10 Algores Way, as these are of the same sensitivity, are in a similar location, are in the same direction from the EfW CHP Facility and subject to similar baseline conditions. The noise and vibration assessments undertaken for R26 and R27 indicate that the Proposed Development will result in effects which are not significant. Based on the above, the same outcomes will apply at 10 Algores Way.
NV.2.2	Applicant	Table 7.14 of Chapter 7 of the ES: Noise and Vibration [APP-034] includes R26 TBAP Unity Academy (Trinity School), located at the corner of Weasenham Lane and Algores Way. This receptor has been identified as an Educational Receptor, therefore of medium sensitivity. As highlighted throughout the Examination, the Applicant has confirmed that, until the proposed New Bridge Lane access route is finalised, construction traffic will be directed via Algores Way. Considering the sensitivity of this receptor and the predicted construction phase increase in traffic noise (Table 7.15 of [APP-034]), can the Applicant please provide further justification for why no significant effects have been identified for this receptor, or any sensitive receptors?	The predicted construction phase increases in traffic noise were presented in the screening assessment for construction traffic noise in Table 7.15 of **ES Chapter 7 Noise and Vibration [APP-034**], and the assessment of construction traffic noise presented in Table 7.32 of **ES Chapter 7 Noise and Vibration [APP-034]**. It should be noted that the traffic noise assessment compares "Basic Noise Levels" which are defined by Calculation of Road Traffic Noise (CRTN) and used in Design Manual for Roads and Bridges (DMRB). The Basic Noise Level is the nominal level calculated at a reference distance of 10m away from the nearside of the carriageway edge of the road, and should not be confused with the ambient noise at the façade of the receptor, which will be a combination of many sources, particularly at Algores Way, which has a high density of industrial uses. In accordance with the guidance on Study Areas in DMRB LA 111, paragraph 3.8, the criteria for inclusion of specific road links in the screening assessment are receptors within 50m of the kerbside of a road link where a

ExQ2	Question to	Question	Applicant Response
			road Basic Noise Level increase in excess of 1 dB is predicted (which is noted in paragraph 7.6.21 of **ES Chapter 7 Noise and Vibration [APP-034]** to be the smallest increase considered perceptible to the human ear). Two road links met these criteria: Algores Way and New Bridge Lane, with predicted increases of road noise during the construction of phase of 1.1 dB and 2 dB, respectively. The DMRB criteria for a low impact in the short-term, provided in Table 7.26 of **ES Chapter 7 Noise and Vibration [APP-034,]** is an increase in road noise of between 1.0 and 3.0 dB. The 1.1 dB increase predicted at Algores Way exceeds this criterion by 0.2 dB. An increase of 1.1 dB is no different, in practical terms, to a 1.0 dB change, which is considered to the smallest change perceptible to the human ear. As outlined in paragraph 7.9.20 of [APP-034], the impact of low magnitude to a receptor of medium sensitivity is of moderate significance and potentially significant. In assessing whether this potentially significant effect would be, in fact, significant, the Applicant has sought to consider the context and location of the receptor. Whilst an increase in road noise may meet the threshold to be potentially significant, where the increase only just exceeds the threshold for a negligible impact, this would be unlikely to change the ambient levels perceptible at the receptor facade, and would not be perceptible whilst indoors. In addition, the noise increase assessed is only a temporary, short-term impact during the construction phase. In this way, whilst the assessment process may initially consider an effect to be potentially significant, further consideration of the context of the receptor is undertaken and the conclusion is that the effects are not significant. Furthermore, with regard to R26, sound from road traffic on Weasenham Lane is dominant at this location. In this context, the predicted 1.1 dB increase in road noise at R26 caused by increased vehicular flow on Algores Way during construction of the Proposed Development is unlikely to be perceptible to the receptor. This is due to the dominance of road traffic noise on Weasenham Lane. Road traffic noise on Weasenham Lane is itself

ExQ2	Question to	Question	Applicant Response
			predicted to increase by 0.3-0.4 dB. This increase is negligible as defined by the short term DMRB criteria. Accordingly, whilst potentially significant effects were initially identified for receptor R26, further assessment and analysis concluded that the construction traffic associated with the Proposed Development would give rise to effects which are not significant. The Applicant also notes that the consideration of the predicted increase in traffic noise level, the associated impacts and determination of not significant effects with regard to R26 above also apply to R27 Cambian Education Foundation Learning Centre. This is because the playing fields of Thomas Clarkson Academy and the Cambian Academy building both front Weasenham Lane. As this traffic noise assessment is a screening assessment and not a full quantification of the ambient noise due to the road network at all sensitive receptors, it is only the increase in noise at Weasenham Lane that has been considered here as it is dominant. As such although there may be variation in sound levels due to the exact distances from Weasenham Lane, the numerical increase in (dB) noise will be the same at both receptors.
NV.2.3	Applicant	Table 7.15 Predicted construction phase increase in traffic noise of Chapter 7 of the ES: Noise and Vibration [APP-034] states that there is a predicted traffic noise increase in Algores Way of 1.1 Decibels (dB) and on New Bridge Lane of 2.0 dB. Considering the sensitivity of some receptors located along Algores Way and New Bridge Lane, particularly residential and educational receptors, how confident is the Applicant that no significant effects will be experienced by any of the identified sensitive receptors, with the exception of 9 New Bridge Lane (which is now in the possession of the Applicant) and 10 New Bridge Lane?	The sensitivity of the receptors, set out in Table 7.21 of **ES Chapter 7 Noise and Vibration [APP-034],** are accounted for in the assessment methodology through the Significance Evaluation Matrix, provided in Table 7.29 of [APP-034]. The receptors located along New Bridge Lane and Algores Way are of no greater than medium sensitivity. The assessment of construction traffic noise indicates that the greatest impact to any receptor on New Bridge Lane and Algores Way is of low impact. Additionally, the predicted increases in road noise Basic Noise Levels during the construction phase are between 1.1 and 2.0 dB, which exceed the lower threshold criteria for a low impact by 0.2 and 1.1 dB respectively, and are 1.9 and 1.0 dB below the threshold for a medium impact, respectively. As such the predicted 1.1 dB increase at Algores Way,

ExQ2	Question to	Question	Applicant Response
			where the educational receptors are located, only just meets the criteria for a low impact. Please refer to the Applicant's response to query NV.2.2 for a further details as to why no significant effects were identified for receptor R26. This reasoning also applies to receptor R1– (2 New Bridge Lane) where sound from road traffic on Cromwell Road is dominant. At R27, and other receptor locations where other road links provide a less significant contribution (such as the Helping Hands Group located at 10 Algores Way), there are significant contributions to the baseline acoustic environment from surrounding industrial sound sources. Noise from road traffic on the more distant, wider road network also contributes to the baseline noise levels. As such, for the reasons explained in the Applicant's response to NV.2.2, a small, temporary and low impact increase in road noise is considered unlikely to result in significant effects to any receptors in the vicinity of Algores Way and New Bridge Lane.
NV.2.4	Applicant	Table 7.31 Summary of significant effects due to construction noise at non-residential Receptors [APP-034] does not mention the effects of construction noise on R26 TBAP Unity Academy (Trinity School) and on the Helping Hands Group, which has not been identified as a Receptor as far as the ExA can see. Considering the proximity of R26 and of the Helping Hands Group to Algores Way and considering that most of the construction traffic, at least until access via New Bridge Lane is created, will be channelled via Algores Way, can the Applicant please provide further detail on why these receptors are not identified in Table 7.31 as receptors significant confirmed?	This query relates to potential impacts both from construction activities and construction traffic noise. DMRB LA 111 draws a clear distinction between construction noise (i.e. construction tasks directly required for construction) and construction traffic noise. DMRB LA 111 provides criteria for construction noise under paragraph 3.16, and criteria for changes in road noise due to construction traffic under paragraph 3.17. The criteria provided in DMRB LA 111 under paragraph 3.17 for construction road traffic noise is equivalent to the criteria for magnitude of road noise change in the short-term provided under DMRB LA 111 paragraph 3.54.Further details on how the construction road traffic noise has been assessed in respect of Receptor R26 can be found in the Applicant's response to NV.2.2 and NV.2.3 above. Table 7.31 Summary of significant effects due to construction noise at non-residential Receptors in ES Chapter 7 Noise and Vibration [APP-034] provides a summary of significant effects only in relation to construction noise arising from construction activities directly relating to the construction of the Proposed Development. Though it is understood that construction traffic can be considered to fall within the broader category of 'construction

ExQ2	Question to	Question	Applicant Response
			activities', the same distinction is made in the Noise and Vibration Chapter as is made in DMRB LA 111. That is, a distinction is made between construction activities (i.e. those activities undertaken directly for the construction of the Proposed Development, e.g. at the EfW CHP Facility Site itself or at specific locations within the Order Limits) and construction road noise. R26 and the Helping Hands Group are not within the study area for construction noise, as set out in Figure 7.1 in [APP-051], as these are situated more than 300m from the construction elements of the Proposed Development, as stated in para 7.4.4 of **ES Chapter 7 Noise and Vibration [APP-034].** With regard to noise arising from construction activities (i.e. not construction traffic), the significant effects of which, at non-residential receptors, is summarised in Table 7.31 in ES Chapter 7 Noise and Vibration [APP-034]. Although receptor R26 and the Helping Hands Group fall outside the study area for construction noise, R27 can be used as a proxy assessment location. R27 is closer to the EfW CHP Facility than R26 and the Helping Hands Group and is located in a similar direction from the EfW CHP Facility and has a baseline environment characterised by similar sources (road noise, existing industrial and commercial sources). As set out in the bullet list under paragraph 7.9.5 of **ES Chapter 7 Noise and Vibration [APP-034],** and as in Table 4.2 of **Appendix 7B, Noise and Vibration Appendix 7A - 7C [APP-076],** potentially significant effects were indicated at R27 in the numerical assessment. However, as discussed in Section 4.2 of **Appendix 7B, Noise and Vibration Appendix 7A - 7C [APP-076]**, and outlined under paragraph 7.9.7 of **ES Chapter 7 Noise and Vibration [APP-034],** further consideration of the potentially significant effects identified at R27 indicated that impacts due to construction noise at this receptor would result in effects which are not significant. The ambient noise level is higher than the predicted construction noise in the area (the highest addition to noise levels throughout the construction period is predicted to be 2.5dB, which would be a perceptible increase in noise but not significant). Additionally, mitigation through implementation of measures

ExQ2	Question to	Question	Applicant Response
			set out within the **Outline Construction Environmental Management Plan [REP1-024]** would reduce the noise effects to not significant. On the basis of the above, taking R27 as a proxy for R26 and for the Helping Hands Group (both of which are located significantly further from the EfW CHP Facility than R26), effects due to construction noise at R26 and the Helping Hands Group would be not significant.
NV.2.5	Applicant	Para. 7.9.11 of Chapter 7 of the ES: Noise and Vibration [APP-034] states that, with regard to R3 (10 New Bridge Lane) it is considered unlikely that any building damage would occur due to construction vibration as any moderate effects would be of short duration, and that moderate effects are therefore Not Significant. Can the Applicant please clarify why moderate effects on a medium sensitive receptor are considered not significant? Can the Applicant also please confirm how it proposes to monitor any building damages to the property (which according to the Applicant cannot be ruled out), what how compensation can be sought and where such mechanisms, if needed are set out within the DCO?	A qualitative assessment of likely significant effects due to construction vibration from the use of vibratory rollers during construction of the Access Improvements was undertaken, as described in Para 7.9.8 of **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034].** It is important to note that there are two potential types of impact from vibration. The first is that of human perception of vibration resulting in an adverse impact (and potentially significant effect). Secondly, and typically associated with much higher levels of vibration, there is the potential for building damage (cosmetic or structural) which could result in an adverse impact (and, potentially, a significant effect). It is recognised that human perception of vibration in buildings may be concerning, however the British Standard guidance (BS 5228-2) details that vibration levels at which building damage is likely to occur are much higher than those which would give rise to complaint due to human perception. The assessment is primarily based on human perception, and the assessment considers that human perception of construction vibration may be possible. This may give rise to an adverse impact for brief periods when vibratory works are at their nearest point to the receptor, however this is not considered to result in a significant effect. A moderate impact, with respect to the perception of vibration, would only be considered a significant effect if it were to occur over an extended duration, e.g. for more than an hour a day in 10 or more days in a consecutive 14 working day period. As the Access Improvements are relatively limited in scope, temporally and spatially, requirements for use of vibratory rollers would be limited.

ExQ2	Question to	Question	Applicant Response
			Therefore, any impact on human perception can be limited to a few occasions during daytime hours. In this scenario, close liaison with nearby residents would be undertaken to inform them of the schedule of works. The Applicant would aim to complete the works to schedule, to keep perceived vibration within periods when it is expected, to minimise adverse impacts and hence avoid significant effects. Such community liaison is an embedded mitigation measure detailed **within Appendix F (Outline Construction Noise and Vibration Management Plan) to the Outline CEMP [REP4-008].** Based on the above, and with regard to human perception, a construction vibration impact of medium magnitude (i.e. likely to give rise to complaint, but tolerable if prior warning given, in accordance with the guidance provided in BS 5228-2, reproduced in Table 7.24 of [APP-034]) to a receptor of medium sensitivity gives rise to a potentially significant effect. However, as a result of the mitigation measures, this effect will be reduced to not significant. The mitigation measures are that residents are warned of the construction activities taking place, construction activities are undertaken during daytime hours only and that construction activities are undertaken according to the schedule provided to nearby residents, to ensure exposure to construction vibration is minimised as far as reasonably practicable. In respect of receptor R3 (10 New Bridge Lane, para. 7.9.10 of [APP-034] states that "… *The dwelling at R3 is approximately 20 m from the Access Improvements, but there is a drainage ditch between R3 and New Bridge Lane which serves as a horizontal disconnect in the propagation path that will serve to reduce the propagation of vibration from vibratory rollers."*. As set out above, it is considered unlikely, due to the drainage ditch, that significant levels of vibration would be experienced at R3. Para. 7.9.11 of [APP-034] concludes by stating *"… With regard to R3 it is considered unlikely that any building damage would occur, any moderate effects would be of short duration, and that the Moderate effects are therefore Not Significant.".* Taking into account that significant levels of vibration at R3 are considered unlikely, and the British Standard guidance

ExQ2	Question to	Question	Applicant Response
			described above, it is considered that the outcome of the assessment is in line with British Standard guidance that indicates that adverse human perception may occur at relatively low levels of vibration, but that this should be tolerable if residents are informed of the reason for the vibration, and if exposure is minimised as far as reasonably practicable. The requirement to carry out all construction in accordance with a CEMP is secured by DCO Requirement 10 in Schedule 2 (Volume 3.1), Revision 3 provided at Deadline 5. The revised **Appendix F (Outline Construction Noise and Vibration Management Plan) of the Outline CEMP [REP4-008],** includes the following statement, in the bullet list under Para. 3.3.2: *"Where potentially significant vibration impacts are predicted, building condition surveys should be undertaken prior to and following the works, and any damage made good.".* Furthermore, Section 4.3 was included for Deadline 4 which relates specifically to vibration monitoring and the steps to be taken to avoid and/or mitigate.
NV.2.6	Applicant	Para 7.9.20 of Chapter 7 of the ES: Noise and Vibration [APP-034], states, with regard to residential Receptors on New Bridge Lane and Weasenham Lane, that on the basis the exceedance of the predicted increase above the threshold for a low impact is small, and potential effects would be short-term only, it is considered that the potentially significant effects identified are Not Significant. Considering that during the construction phase the Applicant predicts an increase to around 292 HGV movements a day on New Bridge Lane between Cromwell Road and the proposed Site access, can the Applicant please explain why it believes that the exceedance of the predicted increase above the threshold is small?	It is recognised that the increase in HGV traffic on New Bridge Lane will be noticeable. In the case of 9 and 10 New Bridge Lane, it was considered significant. The Applicant is now the owner of 9 New Bridge Lane and Requirement 19 requires residential use to cease, removing it as a receptor of any significant effects. Effects on 10 New Bridge Lane have been mitigated to not significant by the provisions of an acoustic fence (secured by Requirement 19). The conclusion that the potentially significant effects are "not significant" relates specifically to 2 New Bridge Lane. 2 New Bridge Lane is situated in a location that is subject to moderate traffic noise levels from Cromwell Road and noise from commercial/industrial sites, particularly Welbournes of Wisbech, and the car auction site. The very low flow baseline, i.e., fewer than 1000 vehicles per 18-hour day, of New Bridge Lane is not a significant noise source in comparison to these other sources, and although the Basic Noise Level along New Bridge Lane

ExQ2	Question to	Question	Applicant Response
			would be predicted to increase by around 3dB, the ambient noise level at 2 New Bridge Lane would not increase significantly, hence the "not significant" determination.
NV.2.7	Applicant	Para. 7.9.22 of Chapter 7 of the ES: Noise and Vibration [APP-034] states that for educational receptors, as the exceedance above the threshold for a Low effect is small, and effects would be temporary, and as the increase in road traffic noise level would be most unlikely to cause any effects at the schools, or interfere with their normal operation, it is considered that the potentially significant effects identified are Not Significant. Can the Applicant please explain further why it considers that the "increase in road traffic noise level would be most unlikely to cause any effects at the schools, or interfere with their normal operation"?	Please refer to the Applicant's response to NV.2.4 that sets out the assessment process in more detail, including why the increase in road traffic noise on Algores Way would not cause significant effects.
NV.2.8	Applicant	Para. 7.9.29 of Chapter 7 of the ES: Noise and Vibration [APP-034] states that "The dwelling at R1 is approximately 10m from the carriageway edge and would be subject to an approximate doubling of HGV movements on New Bridge Lane during the construction phase. On the basis that HGV movements would approximately double, it is considered that effects due to vehicle induced vibration at R1 would tend to be of Negligible magnitude". Can the Applicant please provide further reasoning on how it has arrived to this conclusion?	Vibration perception is assessed using Vibration Dose Values (VDV) in accordance with British Standard 6472-1:2008. VDVs are assessed cumulatively, such that a lorry pass-by causes a vibration event at the receptor which is calculated as a VDV. The subsequent pass-bys add to the overall daily VDV. However, the assessment is a fourth power calculation such that when doubling the number of events of a similar vibration level, the vibration will increase by the fourth root of 2 (or raised to the power of 0.25, i.e a multiplication factor of 1.19). This is very unlikely to lead to a significant increase in vibration from HGV movements. Furthermore, vibration from operational road traffic was scoped out of the assessment on the basis of guidance within DMRB LA111 that *"Operational vibration is scoped out of the assessment methodology as a maintained road surface will be free of irregularities as part of project design and under*

ExQ2	Question to	Question	Applicant Response
			general maintenance, so operational vibration will not have the potential to lead to significant adverse effects". The agreement with FDC and KLWNBC to the scoping out of operational vibration from vehicle movements is confirmed in Table 7.2 on Page 7-12 of the **ES Chapter 7 Noise and Vibration (Volume 6.2) [APP-034].**
NV.2.9	Applicant	Para. 7.9.46 of Chapter 7 of the ES: Noise and Vibration [APP-034], in relation to operational traffic vibration, states that dwelling at R1, which is approximately 10m from the carriageway edge, will experience an increase of HGV vehicles from around 173 movements per day to 457 with the Proposed Development. This is more than double the number of HGVs. Can the Applicant therefore please explain why it states that "Based on the above it is considered that effects due to vehicle induced vibration at R1 would tend to be of Negligible magnitude"?	As explained above in the response to NV.2.8, if vibration perception is assessed numerically, the vibration increases by the fourth root. With the HGV traffic increasing by a factor of 2.64, this corresponds to a predicted vibration increase of 1.27. This is very unlikely to be a significant increase in vibration, and the vibration of road traffic was scoped out of the assessment as discussed in regard to the DMRB guidance. The agreement with FDC and KLWNBC to scope out of operational vibration from vehicle movements is confirmed in Table 7.2 on Page 7-12 of the **ES Chapter Noise and Vibration (Volume 6.2) [APP-034].**
NV.2.10	Applicant	Section 6.11 of Chapter 6 of the ES [APP-033] sets out the Applicant's assessment of Traffic and Transport Effects for the Operational Phase of the Proposed Development. For Link 2 (New Bridge Lane (east of B198 Cromwell Road)) and Link 3 (B198 Cromwell Road (Between A47 and New Bridge Lane)) of Table 6.32 Operational traffic percentage impact per highways link, the Applicant anticipates an increase in HGVs of 148.68% and 27.19% respectively. Considering this increase and the location of sensitive receptors along New Bridge Lane, can the Applicant please explain its noise assessment?	The operational traffic noise assessment uses data that was generated as part of the assessment of impacts for **Chapter 6 Traffic and Transport (Volume 6.2) ES [APP-033]**. The traffic noise assessments are in line with guidance from Calculation of Road Traffic Noise (CRTN) and Design Manual for Roads and Bridges (DMRB). This approach is used in most EIAs including those relating to road schemes, where traffic is the main source of project noise. The increase in vehicle movements is significant at 9 and 10 New Bridge Lane. At the eastern end of New Bridge Lane, beyond 10 New Bridge Lane, receptors will not receive any development pass-bys so these are not subject to significant traffic noise effects.

ExQ2	Question to	Question	Applicant Response
			Receptor R1 (2 New Bridge Lane) has the potential for significant effects from traffic increases on New Bridge Lane, however the reasons why the determination of "not significant" has been made is discussed in response to questions NV.2.3 and NV.2.6.

Table 2.11 Planning Policy

ExQ2	Question to	Question	Applicant Response
PP.2.1	Applicant LHAs IPs	Under Revised Draft NPS EN-1: 3.3.39 – 3.3.40 of the National Policy Statement Tracker [REP3-031], it states that "The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW treatment at a national or local level". In light of this and considering the overall objectives of the Waste Hierarchy, can the Applicant please provide an update on how the Proposed Development will not compete with targets for waste prevention? IPs and LHAs are also invited to comment on this issue.	The Applicant refers to its response to PND.2.8.
PP.2.2	Applicant	Under Revised Draft NPS EN-1: 4.3.6 of the National Policy Statement Tracker [REP3- 031], states that "Opportunities should be taken to mitigate indirect impacts on health by promoting local improvements to encourage health and wellbeing including in respect of potential impacts on vulnerable groups within society". Can the Applicant please provide an update on how the Proposed Development meets the requirements of the policy, particularly in relation to indirect impacts?	The Applicant has assessed the potential for impacts upon human health and this is presented within **ES Chapter 16 Health (Volume 6.2) [APP-043].** With embedded environmental measures (mitigation) in place, see Table 16.9, no significant effects are identified and hence there is no requirement to identify additional mitigation. However, ES Chapter 16 paragraph 16.10.1 does recognise the draft revised National Policy Statement for Energy (EN-1) which suggests that opportunities should be taken to mitigate indirect impacts by promoting local improvements to encourage health and wellbeing. The paragraph therefore references measures which could include the funding and organisation of activities for the local community and records that the Applicant has prepared an Outline

ExQ2	Question to	Question	Applicant Response
			Community Benefits Strategy which includes for a range of suggested actions to support and link with existing wellbeing initiatives in the local area. To address indirect impacts on health by promoting local improvements to encourage health and wellbeing including in respect of potential impacts on vulnerable groups within society, the Applicant and LHAs have agreed to a s106 obligation. The s106 Agreement will provide for a 'Public Rights of Way Improvements Contribution' and establish a Community Trust Fund. See the Applicant's response to GCT.2.2 for further details.
PP.2.3	Applicant	Under Revised Draft NPS EN-1: 4.6.5, 4.6.8 of the National Policy Statement Tracker [REP3-031], states that "Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority". Can the Applicant please provide an update on how the Proposed Development meets the requirements of the policy?	Please see the Applicant's response to GCT2.6 above.
PP.2.4	Applicant	Under Revised Draft NPS EN-1: 4.9.5 - 4.9.12 of the National Policy Statement Tracker [REP3-031], states that "Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections". Can the Applicant please provide an update on how the Proposed Development meets the requirements of the policy?	**ES Chapter 14 Climate (Volume 6.2) [APP-041]** includes a climate change resilience assessment. The assessment is based on UK Climate Projections. The chapter details embedded environmental measures that will ensure that the Proposed Development is resilient to a changing climate. Furthermore, a Flood Risk Assessment (FRA) has been conducted, which is in **Volume 6.4 ES Chapter 12 Hydrology Appendix 12A FRA [APP-084]**. Based on this assessment, all necessary embedded measures will be incorporated into the Proposed Development design to ensure drainage systems are built with consideration for resilience to climate change.

ExQ2	Question to	Question	Applicant Response
PP.2.5	Applicant	Under Revised Draft NPS EN-1: 5.15.6-5.15.7, 5.15.12-5.15.13 of the National Policy Statement Tracker [REP3-031], states that "The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of waste at a national or local level". can the Applicant please provide an update on how the Proposed Development meets the requirements of the policy, particularly in relation to local levels?	The Applicant refers to its response to PND.2.9.
PP.2.6	Applicant Fenland DC	The BCP was adopted by FDC in April 2015. Can the Applicant please provide further information in relation on how it believes that the Proposed Development will meet, and where possible assist, the objectives of the South Wisbech Broad Concept Plan? Fenland DC is also invited to comment on this topic.	The BCP includes the following key proposals, none of which have been implemented to date: • Around 350 homes to the east of the site - The Proposed Development would not prejudice the delivery of the homes which would be to the east of Halfpenny Lane. There is the potential for the Proposed Development to supply the homes with heat and power. - • Around 54 hectares of employment land - The Proposed Development would not prejudice the delivery of the employment land. The southern end of the EfW CHP Facility Site is included within the allocation and as an employment generating use it is considered compatible. There is the potential for the Proposed Development to supply new businesses with heat and power. • A new East – West road from Cromwell Road/New Bridge Lane in the west, along the site to link New Bridge Lane with Boleness Road. This road will facilitate access into the whole of the South West Wisbech site but will also offer improved access for the whole of Wisbech. - The Proposed Development is complementary in that it would deliver Access Improvements along New Bridge Lane, reopening the crossing over the Disused March to Wisbech Railway to those

ExQ2	Question to	Question	Applicant Response
			with land fronting New Bridge Lane upto, but not including Boleness Road. • A new roundabout on A47 - The Proposed Development would not prejudice the delivery of the roundabout. • New junctions or upgrades to existing junctions - Proposed Development would not prejudice the delivery of the junction improvements and the Grid Connection has been designed in consultation with CCC to account for the proposed improvements to Elm High Road for example. • The retention and enhancement of some areas of existing high quality woodland and mature orchards which can serve as multifunctional public open space area. - Proposed Development would lead to the loss of some woodland at its frontage with New Bridge Lane. However, this woodland is also shown as 'employment land' within the BCP. The small area of orchard that would be lost to facilitate the HDD for the Water Connection across the A47 would be replanted. The Applicant's landscape and ecology proposals include for the planting of new trees whilst its commitment to BNG will lead to off-site improvements in the general locality, with the agreement of the host authorities. • The location of pedestrian and cycle ways within the proposed development and linking to existing facilities elsewhere such as to the town centre. - The Proposed Development will provide for a resurfaced New Bridge Lane with street lighting, a reduced road speed of 30mph, pedestrian crossing points and a 2m wide footpath. In discussion with CCC and NCC it has been agreed that funding will be made available to the councils to support improvements to and the creation of footpath links between the town of Wisbech and surrounding countryside.

ExQ2	Question to	Question	Applicant Response
PP.2.7	Applicant Natural England	Considering the Government's targets for halving the waste that ends up at landfill or incineration by 2042, can the Applicant please explain how the Proposed Development will contribute to the Government's Strategy? Natural England are also asked to comment and update the ExA on government targets and their status.	Please see the Applicant's response to ExQ2 PP.2.1 above.

Table 2.12 Socio-Economic and Population

ExQ2	Question to	Question	Applicant Response
SPC.2.1	Applicant	ES Chapter 15 [APP-042] section 15.9 considers and assesses any significant effects upon housing, visitor/private rented accommodation, and local services from construction workers. Para 15.5.9 sets out occupancy rates for tourism accommodation in percentages but does not set out the detailed numbers of bedspaces available. Given the absence of actual bedspace numbers, to what extent is the Applicant confident in their statement at 15.9.33 that there is significant capacity in tourism accommodation at the wider regional level?	Paragraph 15.5.9 sets out the economic activity rates with information for tourism accommodation at 15.5.59 providing the occupancy rates as percentages. Updated information (Visit England, England Occupancy Survey March 2023 Results) suggest that the figures quoted within the chapter continue to represent the current position with bedspace occupancy at 60% at the East of England regional level in August 2022 reducing to 52% in March 2023 for example. There are no figures in terms of detailed bedspace numbers readily available for the wider regional level although there is older data from 2016 which identifies 472 serviced and non-serviced accommodation establishments in BCKLWN and 32 in Fenland, with across Norfolk and Cambridgeshire as a whole, 2639 establishments (Visit Britain, Accommodation Stock Audit 2016). Based upon the occupancy percentages recorded and the estimated number of establishments, given the number of construction workers anticipated at peak (500) and the measures put in place by the Applicant to encourage local employment and a local supply chain, capacity in tourism accommodation at the wider regional level should not be affected significantly.
SPC.2.2	Applicant	Following on from SPC.2.1. As identified in para 15.9.34, the local wards are considered to be of high sensitivity to	The Applicant's previous experience during the construction of its other, similar facilities is that a sizeable proportion of labour is sourced locally. The

ExQ2	Question to	Question	Applicant Response
		change. To what extent is the applicant confident that there would be a low demand from temporary construction workers for homes or temporary accommodation at the local level, and very low demand at district and regional level?	contract to be let by the Applicant to construct the Proposed development encourages the use of a local supply chain and labour force and this is supplemented by the Applicant's own actions to stimulate the local economy as set out within the **Outline Employment and Skills Strategy (Volume 7.8) [APP-099].** By maximising the use of local labour, the requirement for non-resident construction workers and for temporary accommodation can be mitigated. The Applicant believes that its conclusions are supported by the host authorities in that none have raised any concerns with regard to the potential effects upon accommodation providers within their LIRs.
SPC.2.3	Cambs CC and Fenland DC Applicant	REP4-031 Table 7.7 Comments on Outline LEMP [REP3-020] States 'The Councils also request s106 monies to enable the provision of additional links within the PROW network for the benefit of affected local communities.' Can Cambs CC please set out specifically what they are looking for in this instance? how this meets the tests set out in NPS EN-1 para 4.1.8? and whether this can be secured within the timescales of the examination? Can Cambs CC confirm whether they would be raising a material objection without it? Can the Applicant please comment in this regard.	The Applicant refers to its response at GCT.2.2

Table 2.13 Traffic and Transport

ExQ2	Question to	Question	Applicant Response
TT.2.4	Applicant Cambs CC	Cambs CC Deadline 1 Submission [REP1-067] stated that "It is considered that significant works would be required to bring the street to current adoptable standards by a third- party promoter for the County to consider potential adoption". Can the Highways Authority provide further details regarding what those	Following the letter of confirmation from CCC **[REP1-067]** that CCC had no intention to adopt Algores Way as public highway, the Applicant has revised its proposals and included only the power to compulsorily acquire the rights required in order to access the EfW CHP Facility site.

ExQ2	Question to	Question	Applicant Response
		works would be? And can the Applicant, Fenland DC and Cambs CC provide an update on the status of any negotiations in relation to this the potential adoption of the road and also any works required in order to facilitate such an adoption?	Only the freeholder of the land, Fenland District Council, is able to dedicate Algores Way as public highway. The Applicant would not be involved in any discussions for the adoption of Algores Way by Fenland District Council in the future.
TT.2.7	Applicant Cambs CC	The Applicant has notified the ExA of its intention to submit a request for changes to the Proposed Development [PD-012]. In response to this, Cambs CC has submitted a letter [AS-016] in relation to the Applicant's request which highlights that part of the additional land requested by the Applicant to be included in the Development Consent Order has not been dedicated as highway land owing to a number of unresolved issues. Can the Applicant and Cambs CC please confirm what are the impacts of this issue on the Proposed Development, particularly on the deliverability of the required junction design?	The extra land included within the Changes Application is all existing or future public highway land. A small area of New Bridge Lane and Cromwell Road has not yet been adopted as highway maintainable at public expense. The Applicant understands that this plot is subject to a s106 agreement which requires to be dedicated as public highway. However, due to outstanding ancillary matters, the dedication has not yet taken place. The Applicant has confirmed that the Cromwell Road Junction Signalisation Scheme works can all be carried out under temporary possession powers and/or under Article 11 of the **draft DCO (Volume 3.1), Revision 4 provided at Deadline 5**. The use of temporary possession powers does not engage the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (CA Regulations 2010). The Applicant understands that CCC is in discussions with Tesco with a view to having the plot of land dedicated as public highway, however the timescale for this to be completed is uncertain. The Applicant and CCC are satisfied that all works required can be undertaken using highways powers or temporary possession powers and that there is no impediment to the implementation of the junction proposal contained within the Change Application. A detailed explanation as to the powers under which the work may be delivered, and for why the CA Regulations 2010 are not engaged, is found at **section 2.4** of the **Change Application Report (Volume 13.2) [AS-028]**.
TT.2.8	Applicant IPs	The Outline Construction Transport Management Plan (CTMP) [REP4-006] and [REP4-007] contains a series	The Applicant does not expect construction traffic to interfere with access for business owners on Algores Way. This point will be discussed with

ExQ2	Question to	Question	Applicant Response
		of provisions, under point 7.4 General Construction Traffic Management/Mitigation, to secure access to all businesses and users of routes affected by the construction of the Proposed Development. Can the Applicant confirm to what extent have these measures been discussed with and approved by regular users and specifically businesses located along Algores Way and are they seeking any changes to the CTMP?	business owners at the proposed meetings (see CA.2.6). Works required to move the Algores Way entrance of the Proposed Development site (Work No. 4B) have been discussed with James Mackle (U.K.) Limited (JML) and further information has been sent to them. Further meetings to discuss these works have been proposed. The volume of traffic generated during the construction of the Proposed Development will not be substantially greater than that which is currently permitted to use the existing waste management facility at which the EfW CHP Facility would be situated. The difference between the volume of permitted vehicle numbers and those required by the Applicant during construction is set out within the **Applicant's response to the Relevant Representations – Part 9 Appendix 9.2A [REP1-036],**
TT.2.9	Applicant IPs	The Outline Operational Traffic Management Plan (OTMP) [REP3-024] and [REP3-025] does not include substantive protective provisions. It is recognised, as stated in paragraph 1.4.2 that "Prior to the date of final commissioning of the EfW CHP Facility, a detailed OTMP, to be in substantial accordance with this Outline OTMP, will be submitted for approval to the relevant planning authority in consultation with the Highways Authority". Nevertheless, can the Applicant please confirm to what extent have these measures been discussed with and approved by users and owners of businesses and properties located along New Bridge Lane, and are they seeking any changes to the OTMP?	The Applicant refers the responses at TT.2.8, CA.2.6 and GCT.2.9. In addition to these measures the Applicant has also met the owner and the occupier of 10 New Bridge Lane to discuss the Proposed Development, how access to this property would be improved as a result of the Proposed Development. No changes to the **Outline OTMP Rev 3 [REP3-025]** have been proposed as a result of these discussions. However, Section 2.5 of the **Outline OTMP Rev 3 [REP3-025]** (and which is updated for Deadline 5) includes commitments to engage with businesses and properties on New Bridge Lane and provide advanced warnings of any planned operational changes that may have the potential to affect the free flow of traffic on the surrounding highway network.
TT.2.11	Applicant	The Applicant's assessment presented within Chapter 6 of the ES [APP-033] concludes that the traffic generated by the Proposed Development would not 'constitute a significant and extraordinary level of traffic upon the local road network'. Nevertheless, the Table 6.27 Construction traffic percentage impact per highways link and Table 6.32 Operational traffic percentage impact	With respect to the assessment of the construction traffic, it is only Highway Links 1 and 2 that would experience an increase in overall traffic of above 10%, 10% being the accepted level of fluctuation for daily traffic flows. When taking into account the existing operational activities, as set out in the **Applicant's response to the Relevant Representations – Part 9 Appendix 9.2A [REP1-036],** there is potential for an average of 58 two-way traffic movements, of which 48 would be HGV movements to be made,

ExQ2	Question to	Question	Applicant Response
		per highways link does present significant percentual increases on some of the links identified. Can the Applicant please provide further information regarding its assessment, particularly in relation to impact of construction traffic on Highways Link 1, 2, 3 and 11? And also in relation to impact of operational traffic on Highways Link 2 and 3?	which equates to nearly a quarter of the HGV movements in the identified peak construction month (Month 14). Taking this into account, the net change in HGV (and all traffic) movements would be as follows:

Highway Link	Construction - all traffic					Construction – HGV				
	a. Existing operations traffic movements	b. Predicted Construction traffic movements (month 14)	Net Change (b. – a.)	Baseline traffic flows	% Impact (total traffic)	a. Existing operations HGV movements	b. Predicted Construction HGV movements (month 14)	Net Change (b. – a.)	Baseline HGV flows	% Impact (HGVs only)
1. Algores Way	58	517	459	3021	15.19%	48	61	13	214	6.07%
2. New Bridge Lane	0	126	126	819	15.38%	0	126	126	184	68.48%
3. Cromwell Road	58	401	343	16141	2.13%	48	186	138	964	14.32%
11. Weasenham Lane	58	296	238	11854	2.01%	48	61	13	590	2.20%

The results for all construction traffic show a reduced % impact on Links 1 and 2; impacts on Links 3 and 11 are considerably lower than 10% and do not trigger the need for assessment. With regards to % change in HGV traffic, the result show a considerable reduction on Links 1 and 11 to below 10%, and a reduced impact on Cromwell Road. These levels of change are not considered to be 'extraordinary'. In addition, it is highlighted that the impacts are temporary. As shown in Table 6b.11 of **ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment Volume 6.4 [APP-073],** HGV numbers predicted to be above 150 for 11 months only, with reduced numbers over the remainder of the programme. In 33 of the 36 construction months, HGV/LGV movements would be lower than the current permitted levels. However, since there are no vehicle restrictions to control the number of vehicle movements to and from the existing WTS, the actual amount could exceed the Proposed Development's construction assumptions.

With respect to the assessment of the operational traffic, it is only Highway Link 2 that would experience an increase in overall traffic of above 10% and Highway Links 2 and 3 that would experience an increase in HGV traffic of above 10%. When taking into account the existing operational activities, the

ExQ2	Question to	Question	Applicant Response

net change in traffic movements during the operational phase would be as follows:

Highway Link	Operation - all traffic					Operation - HGV				
	a. Existing operations traffic movements	b. Predicted Operational traffic	Net Change (b. – a.)	Baseline traffic flows	% Impact (total traffic)	a. Existing operations HGV movements	b. Predicted Operational HGV traffic	Net Change (b. – a.)	Baseline HGV flows	% Impact (HGVs only)
1. Algores Way	58	78	20	3122	0.64%	48	0	-48	222	-21.62%
2. New Bridge Lane	0	284	284	846	33.57%	0	284	284	191	148.69%
3. Cromwell Road	58	290	232	16650	1.39%	48	273	225	1005	22.39%
11. Weasenham Lane	58	40	-18	12238	-0.15%	48	0	-48	616	-7.79%

The results for all operational traffic show a reduced % impact on Links 1, 3 and 11 with an overall benefit on Weasenham Lane. With regards to % change in HGV traffic, the result show a reduction on Link 3 and benefits on Links 1 and 11 due to fewer HGV movements as a result of the HGV access being moved to New Bridge Lane. The impact on New Bridge Lane (Link 2) will be mitigated through the Access Improvement proposed by the Applicant. CCC has stated within the statement f common ground submitted between Medworth CHP Ltd and the host authorities at Deadline 5 that it would have no concerns over the impact of the Proposed Development subject to the proposed signalisation of New Bridge Lane/Cromwell Road subject to the Change Request.