

Application by Medworth CHP Ltd for an Order Granting Development Consent for the Medworth Energy from Waste Combined Heat and Power Facility

Agenda for Issue Specific Hearing 6 (ISH6) on Environmental Matters:

Hearing	Date and Time	Location
Issue Specific Hearing 6 (ISH6) on Environmental Matters – landscape and visual effects; biodiversity (if required); and traffic and transport	Monday 26 June 2023 Hearing Starts at 10:00 Arrangements Conference from 09:00	By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered.

Agenda

1. Welcome, introductions, arrangements for the Hearing

2. Purpose of the Issue Specific Hearing

The main purpose of the ISH6 is to undertake an oral examination on Environmental Matters, particularly in relation to landscape and visual effects, biodiversity (if required) and traffic and transport.

Discussions will be informed by written submissions received up to this point of the examination. However, due to the short timeframe between the issuing of this Agenda and Deadline 5, issues or comments submitted to the ExA at Deadline 5 may not be completely reflected on the Agenda. The ExA will, nevertheless, endeavour to review all the information received and pertinent to any hearing prior to the hearing being held.

3. Landscape and Visual

The purpose of this item is to examine the Proposed Development in relation to landscape and visual effects, mainly: assessment methodology; construction and operational effects and mitigation.

This discussion will be informed by written submissions received up to this point of the Examination, with a particular focus on, but not limited to:

- Chapter 9 of the ES, Landscape and Visual [APP-036];
- Chapter 9 Landscape and Visual Appendices [APP-079];
- Chapter 7 of the ES, Noise and Vibration [APP-034]

- Planning Statement [APP-091] and the Planning Statement Executive Summary [APP-092];
- Design and Access Statement [APP-096];
- Outline Landscape and Ecological Management Plan [REP3-021];
- Relevant Representation from Cambs CC [RR-002] and Fenland DC [RR-003];
- Relevant Representation from Borough Council of Kings Lynn and West Norfolk [RR-001];
- Applicant's Comments on RRs (LAs and Statutory Parties) [REP1-028];
- Cambs CC and Fenland DC joint Local Impact Report [REP1-074];
- Borough Council of Kings Lynn and West Norfolk Local Impact Report [REP1-064]
- Applicant's response to ExQ1 [REP2-019];
- Applicant's response to CCC and FDC Local Impact Report [REP2-020];
- Applicant's Response to NCC and KLWN's Local Impact Report [REP2-021];
- Cambs CC and Fenland DC comments on the Applicant's D1 Submissions [REP2-031];
- Cambs CC and Fenland DC Deadline 2 Written Representation [REP2-033];
- Applicants comments on the written representations Part 1 – Statutory Parties [REP3-039]
- Applicant's comments on Deadline 2 submissions [REP3-042]
- Cambs CC Local Community Mitigation Package – Initial Suggestions. [Ref tbc];
- Applicant's responses to ExQ2 [Ref tbc];
- Cambs CC and Fenland DC response to ExQ2 [Ref tbc];

The ExA will ask the Applicant to present its approach to landscape and visual effects as detailed in Chapter 9 of the ES, Landscape and Visual [APP-036], focusing particularly on the scope of the assessment, assessment methodology (including significance), likely significant effects and mitigation measures. The ExA would request that the Applicant be prepared to share on screen any relevant figures.

The ExA will then give the Local Host Authorities (LHAs) and Interested Parties (IPs) the opportunity to comment, highlighting particular areas of disagreement between the parties. The ExA will particularly be looking for comments from Cambs CC and FDC in line with concerns identified in the Cambs CC and Fenland DC joint Local Impact Report [REP1-074] which might not have been adequately addressed yet by the Applicant, as well as those identified in Cambs CC and Fenland DC Deadline 2 Written Representation [REP2-033] and CC and Fenland DC response to ExQ2 [Ref tbc]. The ExA would wish to focus in particular on specific locations or viewpoints where the LHA disagree with the findings of the Landscape and Visual Impact Assessment (LVIA) findings.

The ExA would also wish to focus on 10 New Bridge Lane in relation to visual effects.

The ExA will ask Cambs CC to present its approach to the Local Community Mitigation Package. Whilst this item covers landscape and visual, the ExA

recognises that the package also cuts across a number of topics including public rights of way and biodiversity net gain. The ExA will then ask the applicant to comment.

The ExA would also be looking for comments from BCKLWN in line with concerns identified in the Borough Council of Kings Lynn and West Norfolk Local Impact Report [REP1-064] in relation to landscape and visual effects.

IPs will then be invited to ask questions on the issues discussed.

4. Biodiversity (if required)

The purpose of this item is to examine the Proposed Development in relation to biodiversity.

This discussion will be informed by written submissions received up to this point of the Examination, with a particular focus on, but not limited to:

- Chapter 11 of the ES, Biodiversity [APP-038];
- Chapter 11 Biodiversity Figures [APP-063];
- Chapter 11 Biodiversity Appendix 11A-11D [APP-081];
- Chapter 11 Biodiversity Appendix 11F-11M [APP-083];
- Chapter 11 – Biodiversity Appendix 11M Biodiversity Net Gain Assessment [REP3-017];
- Outline Landscape and Ecological Management Plan [REP3-021];
- Relevant Representation from Cambs CC and Fenland DC [RR-002];
- Relevant Representation from Natural England [RR-022];
- Applicant's Comments on RRs (LAs and Statutory Parties) [REP1-028];
- Borough Council of King's Lynn and West Norfolk (BCKLWN) Local Impact Report [REP1-064];
- Cambs CC and Fenland DC joint Local Impact Report [REP1-074];
- Applicant's response to ExQ1 [REP2-019];
- Applicant's response to CCC and FDC Local Impact Report [REP2-020];
- Applicant's response to NCC and KLWN's Local Impact Report [REP2-021];
- Cambs CC and Fenland DC comments on the Applicant's D1 Submissions [REP2-031];
- Cambs CC and Fenland DC Written Representation [REP2-033];
- Comments on the Written Representations: Part 1 - Statutory Parties [REP3-039];
- Applicant's Comments on Deadline 2 submissions [REP3-042];
- Statement of Common Ground between Medworth CHP Limited and Natural England – Rev 2 [REP4-011];
- Outline Construction Environmental Management Plan Rev 3 [REP3-023];
- Comments on the Deadline 3 submissions: Part 1 Statutory Parties – Rev 1 [REP4-022]
- Cambridgeshire County Council and Fenland District Council Deadline 4 submission – Comments on any further information/submissions received by Deadline 3 [REP4-031];
- Outline Decommissioning Plan [REP4-024];

- Cambs CC Local Community Mitigation Package – Initial Suggestions. [Ref tbc];
- Applicant’s responses to ExQ2 [Ref tbc];
- Cambs CC and Fenland DC response to ExQ2 [Ref tbc];

The ExA has reviewed the documents submitted at deadline 5 including the Applicant’s and Cambs CC and Fenland DC responses to ExQ2. In light of that review, it appears that outstanding issues relating to biodiversity may be able to be resolved through written representations. Nevertheless, the ExA would like to give IPs the opportunity to review the issues and to ask if Cambs CC or any other IPs have any outstanding issues that they would like to raise at the hearing.

5. Traffic and Transport

The purpose of this item is to examine the Proposed Development in relation to traffic and transport, mainly: traffic generation; assessment of traffic and transport effects at the construction and operational phases; traffic management and highway safety; the Outline Construction Traffic Management Plan; the Outline Operational Travel Plan; the Outline Operational Traffic Management Plan and the effects of the Proposed Development on the accessibility of other premises.

This discussion will be informed by written submissions received up to this point of the Examination, with a particular focus on, but not limited to:

- Chapter 6 of the ES, Traffic and Transport [APP-033];
- Chapter 6 Traffic and Transport Figures [APP-050];
- Transport Assessment [APP-073];
- Outline Operational Travel Plan [APP-074];
- Relevant Representation from Cambs CC and Fenland DC [RR-002];
- Relevant Representation from Norfolk County Council [RR-004];
- Applicant’s Comments on RRs (LAs and Statutory Parties) [REP1-028];
- Cambs CC and Fenland DC joint Local Impact Report [REP1-074];
- Applicant’s response to ExQ1 [REP2-019];
- Applicant’s response to CCC and FDC Local Impact Report [REP2-020];
- Cambs CC and Fenland DC response to ExQ1 [REP2-030];
- Cambs CC and Fenland DC comments on the Applicant’s D1 Submissions [REP2-031];
- Cambs CC and Fenland DC Deadline 2 Written Representation [REP2-033];
- Network Rail Infrastructure Limited Written Representations [REP2-039];
- Letter from Cambridgeshire County Council in relation to ISH2 [AS-014];
- Outline Operational Traffic Management Plan (tracked) - Rev 3 [REP3-024] and (clean) [REP3-025];
- Comments on the Written Representations: Part 1 - Statutory Parties [REP3-039];
- Comments on the responses to the ExA’s Written Questions (ExQ1) [REP3-041];
- Applicant’s Comments on Deadline 2 submissions [REP3-042];
- Cambs CC and Fenland DC Deadline 3 Submission - Post-hearing submissions including written submissions of oral cases [REP3-044];

- Cambs CC and Fenland DC Deadline 3 Submission - Response to ISH2 and CAH2 Action Points [REP3-046];
- Written Summary of the Applicant's Oral Submissions at ISH4 [REP4-020];
- Comments on the Deadline 3 Submissions: Part 1 Statutory Parties [REP4-022];
- Comments on the Deadline 3 Submissions: Part 2 Other Interested Parties [REP4-023];
- Cambs CC and Fenland DC post hearing submission [REP4-029];
- Cambs CC and Fenland DC Comments on any further information/submission received by Deadline 3 [REP4-031];
- Cambs CC and Fenland DC Deadline 5 Response to ISH4 and ISH5 action Points [Ref tbc];
- Cambs CC and Fenland DC Deadline 5 Comments on any further information/submissions by Deadline 4 [Ref tbc];
- Applicant's comments on the Deadline 4 Submissions: Part 1 Statutory Parties [Ref tbc];
- Access and Rights of Way Plan (Rev 5) [Ref tbc];
- Outline Construction Traffic Management Plan (Rev 5) (tracked) [Ref tbc] and (clean) [Ref tbc];
- Outline Construction Environmental Management Plan (tracked) [Ref tbc] and (clean) [Ref tbc];
- Applicant's Response to CAH2 Action Point 6 [Ref tbc];
- Applicant's responses to ExQ2 [Ref tbc];
- National Highways response to ExQ2 [Ref tbc];
- Cambs CC and Fenland DC response to ExQ2 [Ref tbc];
- Additional Submission from Cambs CC and Fenland DC [AS-014].

In relation to the change request:

- Land Plan Rev 4A [AS-019];
- dDCO Rev 3A (tracked) [AS-024] and (clean) [AS-025];
- Change Application Report Rev 1 [AS-028];
- Schedule of Changes – Change Application Rev 1 [AS-030];

The ExA will ask the Applicant to set out the reasons behind the updated Outline Construction Traffic Management Plan and the Outline Construction Environmental Management Plan, in relation to Traffic and Transport, and explain the reasoning behind the changes made to the latest version of the Access and Rights of Way Plan (Rev 5) [Ref tbc], the Outline Construction Traffic Management Plan (Rev 5) (tracked) [Ref tbc] and (clean) [Ref tbc] and Outline Construction Environmental Management Plan (tracked) [Ref tbc] and (clean) [Ref tbc].

With no prejudice to the ExA's position in relation to the request submitted by the Applicant to make changes to the proposal, the ExA may also ask the Applicant to explain the need for the proposed changes, how it impacts any traffic and transport issues and the consequences of the change not being accepted.

The ExA will give the Local Host Authorities (LHAs) and any other IPs the opportunity to comment.

Noting the National Highways response to ExQ2 [Ref tbc] and Cambs CC and Fenland DC response to ExQ2 [Ref tbc] the ExA will then ask if either National Highways or the Highways Authority (Cambs CC) have any further comments to make in relation to the overall capacity of the road network to accommodate the anticipated increases in road traffic.

The ExA will then ask the Applicant to present the predicted increases in HGV traffic as set out in Chapter 6 of the ES, Traffic and Transport [APP-033], particularly taking into consideration the information set out in Table 6.27 Construction traffic percentage impact per highways link and Table 6.32 Operational traffic percentage impact per highways link.

The ExA will then ask the Applicant to explain why, considering the predicted increases in HGV traffic, only Receptor 2 and Receptor 3 has triggered the threshold for detailed environmental assessment.

The ExA will give the Local Host Authorities (LHAs) the opportunity to comment.

The ExA will then ask more detailed questions to the Applicant in relation to how impacts are addressed and the effectiveness of measures included in the Outline Construction Traffic Management Plan (Rev 5) (tracked) [Ref tbc] and (clean) [Ref tbc] and the Outline Operational Traffic Management Plan (tracked) - Rev 3 [REP3-024] and (clean) [REP3-025], particularly in relation to securing access to other businesses along Algores Way, and feedback they have had with such businesses.

The ExA will then ask IPs to comment on engagement and will then give the Applicant the opportunity to reply, particularly in light of information submitted at Deadline 5, Applicant's Response to CAH2 Action Point 6 [Ref tbc].

The ExA will also ask the Applicant to explain further why the crossing of New Bridge Lane at the junction with B198 Cromwell Road would be appropriate mitigation against identified moderate impact on severance, drawing on the information provided in the Transport Assessment [APP-073].

In relation to Public Rights of Way (PRoWs), considering previous representations from Cambs CC, the ExA will then ask the Applicant to update the ExA in relation to transport issues linked to PRoWs, particularly in relation to New Bridge Lane and its use by Non-Motorised Users (NMUs).

Drawing from the Applicant's responses to ExQ2 [Ref tbc], the ExA is likely to probe the Applicant further on its answers in relation to Traffic and Transport.

The ExA will then give the Local Host Authorities (LHAs) the opportunity to comment or raise any other issues in relation to Traffic and Transport, asking them to highlight particular areas of disagreement.

IPs will then be invited to ask questions as well on the issues discussed.

6. Review of issues and actions arising

7. Any other business

8. Closure of the Hearing

Attendees

The ExA would find it helpful if the following parties could attend this Hearing:

- the Applicant;
- Fenland District Council (FDC);
- Cambridgeshire County Council (CCC);
- National Highways;
- Statutory Undertakers;
- IPs who submitted comments on any of the topics proposed to be covered at this Hearing.

All IPs are invited to attend the ISH and make oral representations. However, this is subject to the ExA's power to control the Hearing. Participants may be legally represented if they wish, but the Hearing will be conducted to ensure that legal representation is not required.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the Hearing who has not already advised in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage of the National Infrastructure Planning website](#) closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Arrangements Conference

Parties who have registered to attend virtually, and Invitees, will receive an email shortly before the Hearing containing a joining link and telephone number to enable participation virtually as necessary. Please join the Arrangements Conference promptly. The Case Team will admit you from the virtual Lobby and register your attendance. The Arrangements Conference allows procedures to be explained and will enable the Hearing to start promptly.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a

person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. The hearing will finish as soon as the ExA deems that all those present have had their say and that all matters have been covered. If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any hearing, it may be necessary to prioritise matters and defer others to written questions.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Please contact the Case Team if you have any questions regarding the arrangements for the hearing or how to participate:

Email: medworth@planninginspectorate.gov.uk

Tel: 0303 444 5000