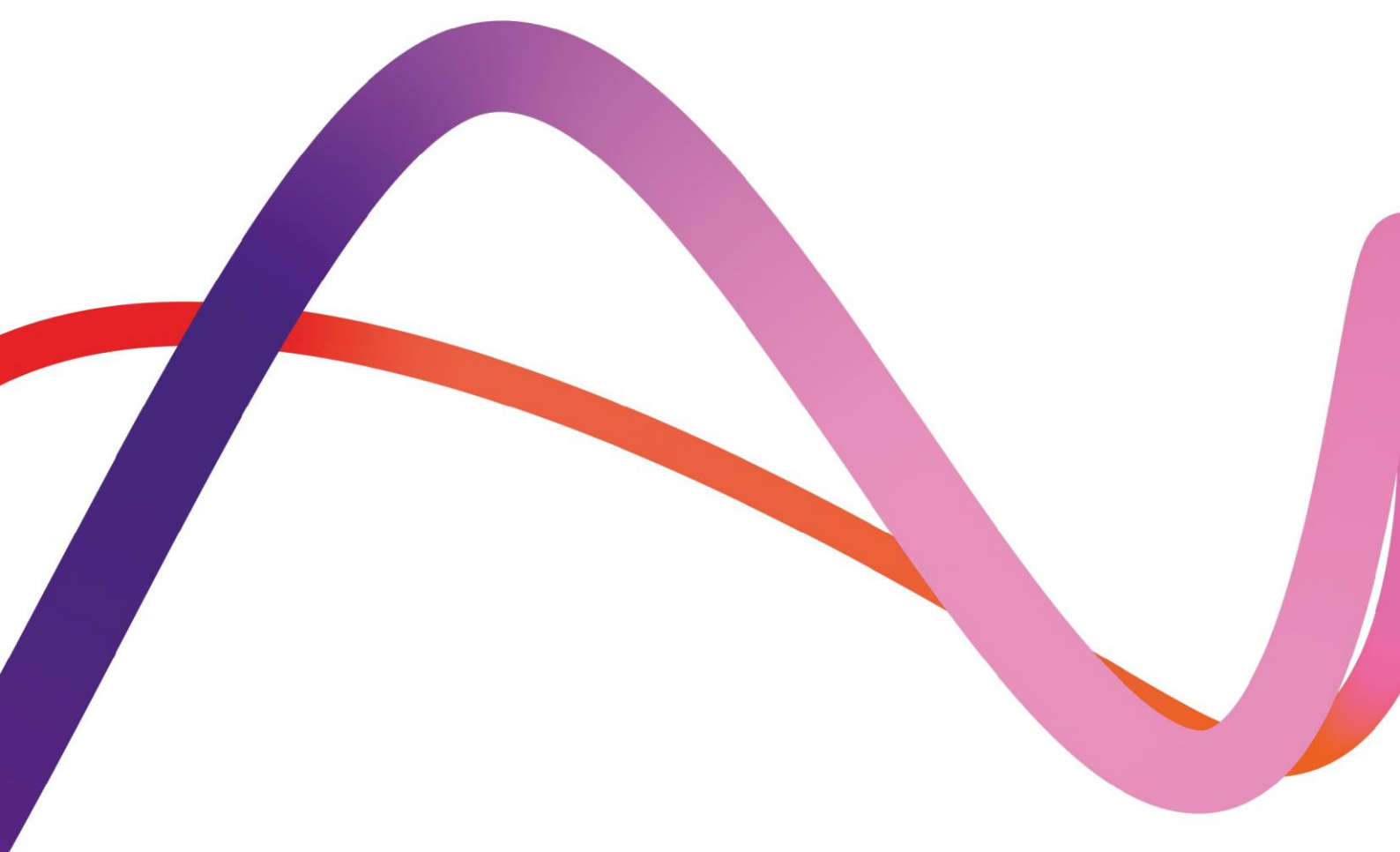


Medworth Energy from Waste Combined Heat and Power Facility



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Summary of Oral Submissions made by Interested Parties at Open Floor Hearing 3 and the Applicant's Response

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1. Introduction

1.1 Background

1.1.1 An Open Floor Hearing (OFH) was held on 29 June 2023. The hearing provided an opportunity for registered Interested Parties (IPs) and other local people to make oral representations about the application. Each IP making an oral submission was requested to provide a written summary note to the ExA for Deadline 6 (12 July 2023).

1.2 Purpose of this Document

1.2.1 This document sets out the Applicant's response to the comments made at the OFH. The comments have been grouped by the Applicant into topics where the matters raised are considered similar. Where the Applicant has made commitments on the topic, the relevant application documentation is identified.

1.2.2 This document also provides a written summary of the oral submissions made on behalf of the Applicant at OFH 3 in the time allocated by the Examining Authority.

1.3 Summary of the Applicant's Oral Submissions at OFH 3

1.3.1 Mr Carey, Managing Director of MVV, on behalf of the Applicant acknowledged the fears and concerns presented by the Interested Parties. The same concerns were raised in Plymouth where planning permission was obtained. That facility was built in 2015. Plymouth is a larger town with more residential properties closer to the facility. The fears raised in 2011 and 2012 have been proven unfounded. Mr Carey invited anyone attending OFH 3 to visit the Plymouth facility to realise that the fears are unfounded.

1.3.2 Mr Carey recognised that the EfW CHP Facility is a large building, and that the Applicant has not pretended it is not. There will be landscape and visual impacts. On the other topics however, Mr Carey believes the fears are unfounded.

1.3.3 The Applicant has listened to concerns and, where appropriate, has made changes and adjustments to the Proposed Development. This has been the case throughout Examination. Mr Carey advised that he had had a 2-hour meeting with businesses from Algores Way in order to provide answers to their concerns. These concerns have been taken into account and there will be minor changes to the management plans submitted at Deadline 6 to address the concerns.

1.3.4 Mr Carey confirmed that the Applicant is committed to developing the Proposed Development and believes that it is needed in this area. The energy in the residual waste, which is the waste left after recyclable waste has been removed, can be put to good purposes providing energy and heat to the local area or sending renewable energy to the national grid. This is consistent with policy and need. There is a need to stop sending waste to landfill and the Proposed Development is a good solution for the area and Wisbech.



Table 2.1 Concerns Raised by IPs and Applicant's Response

ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
HH00 Human Health – <i>Concerns were raised about the impact of the Proposed Development on human health, both directly and indirectly</i>			
HH01	<p>The Proposed Development will emit dangerous particulates over a strong agricultural area of Grade 1 best and most versatile land. The emissions will cause atmosphere damage and health issues through landing on food being grown in the area.</p> <p>Farmers must ensure their crops do not exceed certain residue levels else they are not allowed to sell them. Over the lifetime of the Proposed Development, it may contaminate a large agricultural area, putting farmers and the food factories out of business.</p>	<p>The air quality assessment presented in ES Chapter 8: Air Quality (Volume 6.2) [APP-035] presents an assessment of potential metal deposition on land and concludes that the anticipated deposition levels are not significant.</p> <p>In addition, ES Appendix 8B Air Quality Appendices, Annex G Human Health Risk Assessment (Volume 6.4) [APP-078] presents an assessment of potential impacts from bioaccumulation of dioxins and furans (PCDD/F) and dioxins like Polycyclic Biphenyls (PCBs) by considering the most plausible pathways of exposure for the individuals considered (farmer and resident). The HHRA demonstrated that exposure to dioxins, furans and dioxin-like PCBs is not significant.</p> <p>The Applicant has agreed an Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP4-015] with the host local authorities and this will ensure that any air quality impacts can be identified when they occur and then mitigated. This is secured by Requirement 27 of the draft DCO (Volume 3.1), Rev 5 provided at Deadline 6.</p> <p>The Proposed Development will also be subject to an environmental permit issued by the Environment Agency. This will control the emission of particulates and include monitoring requirements.</p>	Requirement 27; Environmental Permit



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
		Please also refer to response LW02 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
HH02	Traffic produces toxins, and toxins will be released from the Proposed Development with the Environment Agency's permission.	<p>Please refer to response HM01 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056].</p> <p>The Applicant has agreed an Outline Local Air Quality Monitoring Strategy (Volume 9.21) [REP4-015] with the host local authorities and this will ensure that any air quality impacts can be identified when they occur and then mitigated. This is secured by Requirement 27 of the draft DCO (Volume 3.1), Rev 5 provided at Deadline 6.</p>	Requirement 27
HH03	<p>The Proposed Development is very close to housing estates and residents will be reluctant to use facilities.</p> <p>Parents will put their children in other schools if the Proposed Development is built.</p>	<p>The two residential premises closest to the EfW CHP Facility Site are numbers 9 and 10 New Bridge Lane. The Applicant has purchased 9 New Bridge Lane and, under Requirement 19 of the draft DCO (Volume 3.1), Rev 5 provided at Deadline 6, this premises must not be used for residential purposes until after the Proposed Development has been decommissioned.</p> <p>In respect of 10 New Bridge Lane, an acoustic fence must be constructed before construction of the EfW CHP Facility may start and retained until the Proposed Development has been decommissioned. This is also secured by Requirement 19.</p>	Requirement 19



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
		No significant effects have been identified for any other residential premises or any schools. The Applicant does not agree, based on its experience constructing and operating EfW CHP Facilities in other locations, that residents will cease to use local facilities or make decisions as to their children's schooling based on the location of the Proposed Development.	
HH04	<p>The Proposed Development is in a deprived location where the impacts outweigh the benefits.</p> <p>Asthma, lung disease and cancer are all affected by toxins and the health of those around EfW facilities should be considered.</p>	Please see response HH01 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
Traffic and Transport – <i>Concerns were raised about the impact of construction and operational traffic on the local area</i>			
TT01	The current traffic on Algores Way is as nothing compared to the volume of traffic during the construction period of the Proposed Development.	The Applicant's response to the Relevant Representations – Part 9 Appendices [REP1-036] includes, at Appendix 9.2A, a technical meeting note on traffic and transport on Algores Way. This note reviews the existing use of the EfW CHP Facility Site, including the number of traffic movements, and comparing these with the movements associated with the construction of the EfW CHP Facility Site. The peak month for traffic on Algores Way is month 10, which would see 35 HGVs accessing the EfW CHP Facility Site each day. This would be 6 more HGVs than presently use the existing waste transfer station site each day. The number of HGVs will be higher than the existing levels in months 10, 11 and 14 only.	Requirement 11 and Requirement 12



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
		<p>All construction traffic accessing the EfW CHP Facility Site will do so in accordance with the outline Construction Traffic Management Plan, which has been updated at Deadline 6 to address concerns raised by the business owners along Algores Way.</p> <p>Once the Proposed Development is operational, no HGVs will access the EfW CHP Facility Site via Algores Way. This is secured by the Outline Operational Traffic Management Plan [REP3-025] and Requirement 12 of the draft DCO (Volume 3.1), Rev 5 provided at Deadline 6. This will result in a reduction of HGV traffic using Algores Way as compared to existing levels.</p>	
TT02	<p>Road infrastructure suffers at peak times daily and this will be exacerbated by HGVs driving from over two hours away.</p> <p>Wisbech is a single carriageway pinch point on the main route from the Midlands to Norfolk.</p> <p>The roads are not suitable with frequent closures to Guyhirn requiring re-routing through the town. It can take more than two hours to get to Kings Lynn, particularly in the summer months, and there is little dual carriageway to Peterborough. This will be worse with the traffic for the Proposed Development.</p> <p>The roads are dangerous with many potholes, but funding is pulled due to costs. The A47 is not built for</p>	<p>Please refer to response HT03 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056].</p> <p>National Highways has confirmed that it agrees with the outputs of modelling in respect of the Proposed Development on the A47/Cromwell Road roundabout, confirming that the Proposed Development is unlikely to have a severe impact on the strategic road network – National Highways Responses to ExQ2 [REP5-051].</p>	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
	<p>the existing traffic and road closures are put in place for even small road traffic accidents.</p> <p>Commuting from Kings Lynn to Peterborough, it is typical to sit in traffic 1-2 times a week due to total road closures, and the traffic is ridiculous in summer due to holidaymakers.</p>		
TT03	<p>The extra HGVs will pose a danger to children walking to school.</p>	<p>Please refer to response TR01 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] and TT.1.16 in the Applicant's Comments on Responses to ExQ1 [REP3-041].</p> <p>The Applicant has considered road safety as part of the transport assessment in ES Chapter 6: Traffic and Transport (Volume 6.3) [APP-050]. This found the impacts from HGV traffic associated with the Proposed Development to be not significant. Once operational, HGV traffic will be routed via the A47, Cromwell Road and New Bridge Lane, and there will be a reduction in the volume of HGV traffic on Weasenham Lane and Algores Way as against the current, baseline scenario.</p> <p>The Applicant will also be upgrading the junction of Cromwell Road and New Bridge Lane to provide a dedicated crossing point for pedestrians, and dropped kerbs, improving safety for non-motorised users. The impacts of the changes have been assessed in Appendix 6B -Transport Assessment Addendum [AS-029], including a Stage 1 Road Safety Audit. No major road safety issues were identified.</p>	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
TT04	A Wisbech Northern Relief Road would remove traffic from four blackspots and provide better access to the dock area.	Noted. Construction and operational traffic will be routed to and from the EfW CHP Facility via existing road infrastructure and this will be controlled by the Outline Construction Traffic Management Plan [REP5-012] and the Outline Operational Traffic Management Plan [REP3-025] , as agreed with the relevant planning authority. The Application does not include the provision of a Wisbech Northern Relief Road.	
TT05	It is not possible to police the requirement for HGVs to use main roads, and village roads are unsuited to HGVs.	Please see the response to HT07 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
TT06	The traffic survey is flawed as it was undertaken after Covid. The assessment should be repeated after September to account for three housing estates.	Please see the response to IT03 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] . The scope of the traffic survey was agreed with the host local authorities as being representative.	
Landscape and Visual Impacts – <i>Concerns were raised about the visual impacts of the Proposed Development over a wide area</i>			
LV01	<p>The Proposed Development will be seen for miles in the flat landscape and its size and scale means it will stand out. It will dominate the skyline.</p> <p>The Proposed Development will mark Wisbech out and the chimneys will drive people away.</p>	<p>Please refer to the Applicant's Written Summary of Oral Submissions from ISH6, provided at Deadline 6, for a full explanation of the extent to which the Proposed Development will be visible, and the role of shelterbelts and existing vegetation in blocking visibility.</p> <p>ES Chapter 9 Landscape and Visual [APP-036] provides a full review of the visibility of the Proposed Development</p>	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
	The Proposed Development will tower over the road route to holiday destinations and dominate the area. People will pass Wisbech quickly as a result.	from a series of viewpoints agreed with the host local authorities. Photomontages showing the Proposed Development from these viewpoints can be found in the Figures to Chapter 9, [APP-054 to APP-061] .	
LV02	Ely cathedral will be dwarfed by chimneys. There are many listed buildings in the area and the Proposed Development would ruin the landscape.	Please refer to SZ03 and SZ05 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
LV03	The Proposed Development will affect house prices and the chimney will overlook the school playground.	Please refer to LE11 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
Waste Fuel – <i>Concerns were raised about the sourcing of waste and impacts on other businesses</i>			
WF01	The Applicant has not shown how the Proposed Development is in accordance with the waste hierarchy or the proximity principle.	The Waste Fuel Availability Assessment (Volume 7.3) (Rev 3) [REP5-020] looks at the availability of residual waste, currently being sent to landfill, within a local Study Area, to ensure that there is sufficient waste in the local area that the Proposed Development will not result in an over capacity of waste treatment locally. Compliance with the waste hierarchy is secured by Requirement 14 of the draft DCO (Volume 3.1), Rev 5 provided at Deadline 6. The Applicant has also agreed	Requirement 14; Requirement 29



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
WF02	The Proposed Development will take 330,000 tonnes a year of readily recycled waste, unless the council pre-sorts it.	<p>Requirement 29 with CCC that ensures compliance with the proximity principle by setting requirements as to the quantity of waste that must originate from the local area.</p> <p>For further information, please see submissions made in relation to the proximity principle in the Applicant's Written Summary of Oral Submissions at ISH3 [Rep4-019]. Further detail about how the Proposed Development will comply with the waste hierarchy is set out in WF02, below.</p> <p>The Waste Fuel Availability Assessment (Volume 7.3) (Rev 3) [REP5-020] considers the availability of residual waste, after items have been removed for reuse and recycling, that is currently being treated at the bottom of the waste hierarchy, in landfill. The majority of councils within the Study Area already separately collect food waste and recyclable plastic waste.</p> <p>Please refer to the Applicant's response to ExQ2 [REP5-032], at PND.2.9 for further detail on how the Proposed Development will comply with the waste hierarchy.</p> <p>Please also refer to the Applicant's Written Summary of Oral Submissions at ISH7, submitted at Deadline 6, for a full explanation of how the Applicant will ensure compliance with the waste hierarchy and ensure that recyclable waste is not treated at the EfW CHP Facility. This is secured by DCO Requirement 14 (draft DCO (Volume 3.1) (Rev 5 provided at Deadline 6)) which has been agreed with Cambridgeshire County Council.</p>	Requirement 14



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
WF03	The Proposed Development will take feedstock from other facilities, moving waste further afield.	<p>Please refer to WF01 and WF02, above. The Waste Fuel Availability Assessment (Volume 7.3) (Rev 3) [REP5-020] considers only waste that is currently being treated at the bottom of the waste hierarchy, at landfill, and does not rely on waste currently being treated at other EfW facilities.</p> <p>Requirement 29 of the draft DCO (Volume 3.1) (Rev 5 provided at Deadline 6) stipulates that at least 17.5% of the waste for the Proposed Development must originate from within 75km of the EfW CHP Facility Site, and that at least 80% of waste treated at the facility must originate from within the Study Area set out in the Waste Fuel Availability Assessment. This will ensure that the Proposed Development complies with the proximity principle and does not move waste further afield.</p>	Requirement 29
WF04	There will be a smell from lorries bringing waste to the Proposed Development; there are already lots of smells from the recycling plant.	Please see the Applicant's response to AQHH.2.1 in the Applicant's response to the ExA's Written Questions ExQ2 [REP5-032] .	
WF05	It will not be possible to protect a neighbouring food factory from vermin from waste tipped into the holds. This will bring rats and gulls, leading to lost contracts with supermarkets and loss of jobs.	Please see the Applicant's response to REP2-058 in document [REP3-040] and paragraph 3.5.47 of ES Chapter 3 Description of the Proposed Development (Volume 6.2) [APP-030] which sets out the approach to monitoring and controlling pests, insects and vermin.	
Site selection – <i>Concerns were raised about the suitability of the EfW CHP Facility Site and the approach to finding alternative sites</i>			
SS01	One reason the site was chose was because it was allocated for waste treatment in the previous Waste	Please refer to the response AL06 in the Summary of Oral Submissions made by Interested Parties at Open Floor	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
	Local Plan. Wisbech borders Norfolk and Lincolnshire but their Waste Local Plans have not been considered.	<p>Hearings 1 and 2 and the Applicant's Response [REP1-056]. The location of the EfW CHP Facility Site is in Cambridgeshire; the Waste Local Plans for Norfolk and Lincolnshire are not relevant in respect of the designation of the site as they do not cover that area.</p> <p>The Waste Fuel Availability Assessment (Volume 7.3) (Rev 3) [REP5-020] considers the availability of waste from the Study Area, including the waste planning authorities of Lincolnshire and Norfolk. Consideration of the Waste Local Plans is set out in the Waste Fuel Availability Assessment (Volume 7.3) (Rev 3) [REP5-020].</p>	
SS02	The Applicant said that no alternative sites were looked at - does the Applicant not need to give evidence that an alternative site assessment has been carried out?	<p>Please refer to the Applicant's response to ISH3 Action Point 10: Position Statement on Site Selection and Alternatives - Revision 1 [REP5-037].</p> <p>The Applicant is fully in compliance with the policy tests in NPS EN-1.</p>	
SS03	The Proposed Development is in Flood Zone 3 and the Applicant chose not to undertake a sequential test, despite this being a requirement.	Please refer to the response FR03 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	
SS04	<p>The Proposed Development is a good idea but is in the wrong place.</p> <p>Dundee and Plymouth are both large cities with smaller incinerators.</p>	Please refer to the response AL01 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056] .	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
Other Environmental Issues – <i>Concerns were raised about the impact of the Proposed Development on other environmental matters</i>			
EI01	The Proposed Development will have impacts on the waterways and protected species, in particular the spined loach and water voles.	<p>Please refer to response LW01 in the Summary of Oral Submissions made by Interested Parties at Open Floor Hearings 1 and 2 and the Applicant's Response [REP1-056].</p> <p>In respect of spined loach, no significant effects were identified. Spined loach are qualifying features of the Nene Washes SPA (7.2km southwest of the Proposed Development) and the Ouse Washes SPA (12.5km southwest of the Proposed Development). No impacts were identified due to the distance of these protected areas from the Proposed Development, the lack of surface and ground water hydrological connection, and the system infrastructure such as sustainable drainage arrangements. Air quality impacts were also screened out as the long-term nitrogen and acid deposition process contribution is less than 1% of the critical load.</p> <p>Further detail is set out in the Habitats Regulations Assessment No Significant Effects Report (NSER) - Rev 2 [AS-007], Volume 6.2 ES Chapter 11 Biodiversity [APP-038], section 11.9 and Volume 6.2 ES Chapter 8 Air Quality [APP-035], paragraph 8.10.15.</p> <p>The Applicant has been in discussion with the Councils concerning the potential for effects upon water vole and at the request of the CCC has made an additional amendment to ES Chapter 11 - Biodiversity Appendix 11M Biodiversity Net Gain (Clean) Rev 4.0 [REP5-015] to refer</p>	Requirement 5, Landscape and Ecology Management Plan, Requirement 6 Biodiversity net gain Requirement 10 CEMP



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
		specifically to water voles in the Annex C (Outline BNG Strategy) . An updated version of this document (Rev 5.0) is submitted at Deadline 6.	
EI02	The factories in the area that could take a heat supply have all said they do not want it. There are no customers for the heat.	<p>The Applicant refers to the Written Summary of the Applicant's Oral Submissions at ISH3 - Rev 1 [REP4-019]. The Applicant has had a number of discussions with potential local users of steam and has included pipelines to facilitate this usage as part of the Proposed Development. Final commercial discussions will necessarily be reserved for post-consent negotiations, however, there remains significant commercial incentives for a large user to receive steam or licence-exempt electricity from EfW CHP Facilities, rather than using fossil fuel gas or importing electricity from the Grid.</p> <p>The Applicant is required by DCO Requirement 25 (combined heat and power) to construct the EfW CHP Facility Site in accordance with the combined heat and power embedded design measures (Appendix A of Volume 14.7 Technical Note: Combined Heat and Power and Carbon Capture Delivery Readiness [REP5-038]). The Applicant must also prepare a regular report setting out the actions that it is taking to secure the export of heat. (Draft DCO Volume 3.1 [REP5-006], Rev 5 provided at Deadline 6).</p>	Requirement 25 Combined heat and power
EI03	The Proposed Development will be a burden on drinking water resources in a dry area of the country. Anglian Water assumes no net increase in the water required as potential local customers have correspondingly reduced demand, however there are	As detailed in Chapter 12: Hydrology (Volume 6.2 of the Environmental Statement) [APP-039] , the assessment of the potable water demand for the EfW CHP Facility has been based on a worst-case scenario which includes the full CHP steam supply with zero condensate return. For the wider	



ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
	<p>no customers currently and no guarantee of customers in the future. Climate modelling does not suggest with 100% confidence that the water supply can be delivered to the Proposed Development.</p>	<p>development, reuse of water and provision of rainwater harvesting systems will be provided where practicable (e.g., permeable paving in car park and area surrounding switch compound, rainwater harvesting and green roof for weighbridge, reuse of runoff from office building). As set out in the Anglian Water Deadline 5 submission [REP5-041], and the signed Statement of Common Ground with Anglian Water submitted at Deadline 6, Anglian Water has confirmed the ability to supply the day-to-day baseline requirement when the EfW CHP Facility is commissioned, and the potential for increased demand on water resources will be not significant. The water required for the supply of steam should not result in a net increase of water required as the supply to the Proposed Development will replace the supply currently used by existing customers in the vicinity of the EfW CHP Facility Site. There are also opportunities for further efficiencies and alternative water supplies in the future, including the ability to secure condensate returns from steam customers, and using closed-loop processes for future steam customers that may choose to locate in the vicinity of the Proposed Development.</p>	
EI04	<p>There has been no consideration for local businesses in finding that build noise will be negligible.</p>	<p>The noise assessment in Volume 6.2 ES Chapter 7 Noise and Vibration [APP-034] was carried out using the BS4142 standard. This takes into account the background noise level (being the underlying noise without the Proposed Development) and the specific noise level (noise level predicted from the Proposed Development). The EfW CHP Facility Site and local area were characterised as industrial</p>	

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ID	Matter raised by IPs	Applicant's Response	Where commitment is secured in the DCO (if applicable)
EI05	The Thomas Clarkson Academy has not been included in the noise tables.	at the nearest receptors. The ES concludes that there will be no significant noise impacts for local businesses. Please see the Applicant's response to Action Point ISH5-2 within the Written Summary of the Applicant's Oral Submissions at ISH5 [REP4-021] .	

