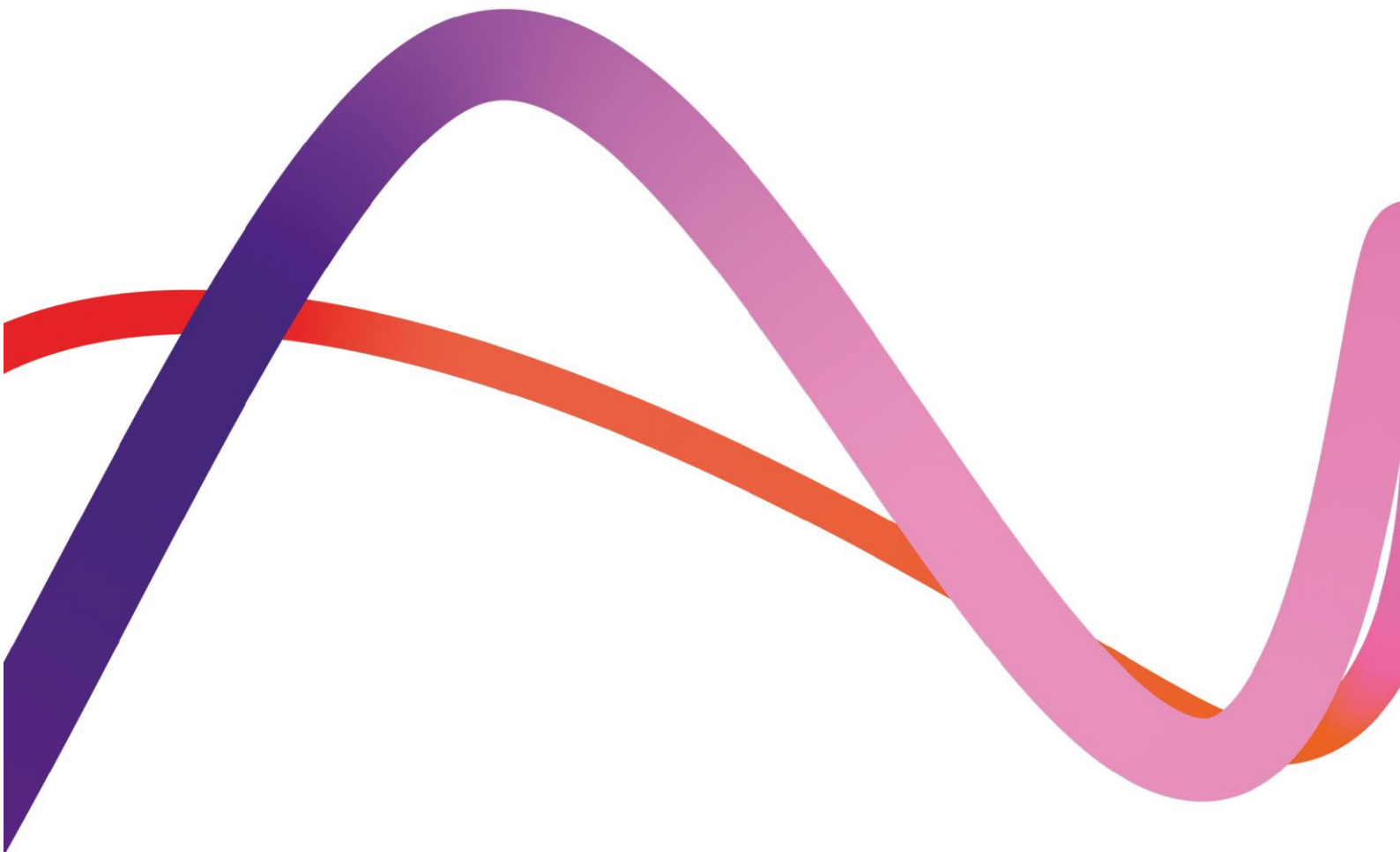


Medworth Energy from Waste Combined Heat and Power Facility



PINS ref. EN010110
Document Reference Vol.18.2a
Revision: 1.0
Deadline: 8
August 2023



Applicant's comments on the Deadline 7 Submissions: Part 1 Statutory Parties

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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 8 (18 August 2023) of the Examination, contains the Applicant's comments on the Deadline 7 submissions made by Statutory Parties. Cambridgeshire County Council and Fenland District Council were the only Statutory Parties to have made a submission at Deadline 7 on matters other than the Examining Authority's (ExA) Third Written Questions (ExQ3). The Applicant's response to Cambridgeshire County Council and Fenland District Council's Deadline 7 submission [REP7-043] is presented in Table 2.1 of this document.
- 1.1.3 The Applicant's responses to Deadline 7 submissions made by Other Interested Parties are presented in a separate document (Part 2) (**Volume 18.2b**). The Applicant's comments on the responses to the Examining Authority's Third Written Questions (ExQ3) made by Statutory and Other Interested Parties at Deadline 7, are presented in **Volume 18.4**.
- 1.1.4 The Applicant's comments on submissions made at Deadline 7A are provided separately in Volume **18.3** of its Deadline 8 submission.



2. Comments on Deadline 7 submissions from Cambridgeshire County Council and Fenland District Council

Table 2.1 Comments on CCC/FDC Deadline 7 submission – Comments on the Applicant's D6 Submissions [REP7-043]

Topic/Para	CCC/FDC Representation	Applicant Comment
Volume 3.1 Draft Development Consent Order (Tracked) [REP6-003] – Protective Provisions		
Schedule 11 Part 9	The Councils note an error to the paragraph referencing in paragraph 116	This error has been resolved in revision 6 of the draft DCO (Volume 3.1) [REP7-034]
Schedule 11 Part 9 Paras 112-113	CCC has made representations directly to the Applicant that it requires some alteration to the text of paragraphs 112 and 113. Specifically, specific wording should be included to the effect that CCC is entitled to undertake an accompanied site visit to review the completed works, and that the arrangement and undertaking of such a visit should not have the effect of reducing the allocated timeframe for certification of the works by CCC.	Revised wording to address these points was included in the draft protective provisions included in revision 6 of the draft DCO (Volume 3.1) [REP7-034] .
Schedule 11 Part 9	The protective provisions still contain no recognition of CCC's request to include clauses relevant to Section 59 of the Highways Act 1980. CCC remains concerned that extraordinary levels of HGV traffic generated during the operation of the Proposed Development have the potential to cause excess damage to the highway, and requires that a mechanism should be in place within the DCO to ensure that costs for any	Noted. The Applicant has agreed that it will remedy any damage caused by the construction of the Proposed Development and this will be secured through a Section 278 agreement with CCC. In addition, the Applicant has agreed to the provision of a commuted sum to cover future maintenance costs relating to the Cromwell Road junction and New Bridge Lane in the Section 278 Agreement.



Topic/Para	CCC/FDC Representation	Applicant Comment
	<p>repairs that are attributable to the Proposed Development can be recovered from the operator.</p> <p>CCC recognises that the Applicant may not wish to commit to an unquantified sum by way of compensation for damage caused to the highway by the heavy vehicles associated with the operation of the Proposed Development. CCC notes that Section 59(3) of the Highways Act 1980 provides for a sum to be agreed at the outset between the Highway Authority and the Applicant, thus facilitating resolution at this stage.</p>	<p>The Applicant does not agree that its traffic will be 'extraordinary' and does not agree that any further sums for repair or maintenance to public highways in Wisbech is warranted as HGVs will only be accessing the EfW CHP Facility via Cromwell Road and New Bridge Lane.</p> <p>HGVs will also travel on the A47, which is part of the Strategic Road Network and the responsibility for maintenance is with National Highways and not CCC.</p> <p>To address CCC's concerns, the Applicant has agreed with CCC that the commuted sum payable under the agreed form of Section 278 Agreement annexed to the Section 106 Agreement will specifically include a sum for any additional maintenance burden due to the number or weight of HGVs for the operation of the Proposed Development in respect of the part of Cromwell Road and New Bridge Lane between the A47 roundabout and the new access to the EfW CHP Facility on New Bridge Lane.</p>
<p>Volume 6.4 Environmental Statement - Chapter 11 - Biodiversity - Appendix 11M Biodiversity Net Gain Assessment - (Tracked) - Revision 5 [REP6-008] – BNG Strategy - Summary</p>		
<p>Paragraph 2, C1 (Appendix C)</p>	<p>The Councils welcome confirmation within the BNG Strategy that river habitats for BNG will focus on delivering habitat for local water vole population. This adequately addresses the Councils' previous concerns regarding lack of compensation for loss of water vole habitat.</p>	<p>Noted. The Applicant and CCC have worked together constructively to develop a BNG strategy which the parties consider will benefit the local water vole population.</p>
<p>Volume 6.4 Environmental Statement - Chapter 6 Traffic and Transport - Appendix 6A Outline CTMP (Tracked) - Revision 6 [REP6-011]</p>		



Topic/Para	CCC/FDC Representation	Applicant Comment
Local Access Strategy 4.4.3	The definition of 'Vulnerable road users' should include carriage drivers, who are a lawful type of user.	Noted. The final, detailed CTMP will make specific reference to carriage drivers.
Signage and terms of permissive access over the former New Bridge Lane Level Crossing 7.4.8	The Councils note that the Applicant intends to address its recommendation made at Deadline 6 [REP6-037] regarding agreement with the County Council over signage and the terms of arrangement for permissive access over the former level crossing, and awaits the amended document.	The Applicant can confirm that the Outline CTMP submitted at Deadline 7 Rev7 (Volume 6.4) [REP7-011] included the text specified by CCC at paragraph 7.4.8.
Liaison Group 7.4.41	The Councils welcome the additional commitment relating to the inclusion of local user groups and other groups to be invited to join the Liaison Group. The Councils would comment that the 'EAST, CPICS, and other Emergency Services' heading does not very well reflect the intention set out in paragraph 7.4.41 and suggests that the Applicant should provide a more applicable heading, which will help navigation of the CTMP.	Noted. The final, Detailed CTMP will be amended to reflect CCCs request regarding the sub-heading.
Volume 7.14 Outline Community Benefits Strategy (Tracked) - Revision 2 [REP6-016]		
Community Mitigation Package 1.2.10	The Councils are content that the Strategy accurately reflects what has been agreed with the Host Authorities with respect to PROW users/NMUs and local communities in the Community Mitigation Package.	Noted.



Topic/Para	CCC/FDC Representation	Applicant Comment
Community Fund 2.5.3	The Councils are content that the Strategy accurately reflects what has been agreed with the Host Authorities with respect to the Community Fund.	Noted.
LEMP and BNG Strategy 2.8.4	<p>The Councils note the scheme will deliver a measurable net gain in biodiversity value (minimum of 10% Biodiversity Net Gain) through detailed design to be secured through Requirements 5 and 6 (LEMP & BNG Strategy).</p> <p>The Councils welcome the Applicant's commitment for the Community Liaison Manager to identify opportunities to maximise the involvement of local organisations</p>	Noted.
Volume 7.15 Outline Operational Traffic Management Plan (Tracked) - Revision 4 [REP6-018]		
Site Familiarisation and Liaison 2.5.1	The Councils welcome the inclusion of PROW, NMU and other relevant user groups.	Noted.
Volume 15.3 Written Summary of the Applicant's Oral Submissions at ISH7 - Revision 1 [REP6-025]		
Origin of Waste Requirements, source of percentage figures	In relation to the statement: "In response to the ExA querying the suitability of the 17.5% number in relation to Waste Area 1, Mr Turner on behalf of the Applicant advised that this was put forward by CCC." CCC wishes to make a factual correction. CCC proposed figures of 20% and 90% respectively for the relevant	Noted.



Topic/Para	CCC/FDC Representation	Applicant Comment
Page 7, Item 3c	waste areas in the proposed requirement. The Applicant proposed 17.5% and 80%, and the Council agreed in the spirit of co-operation.	
Technical Note: ISH7 Action Point 4 Cumulative Effects Appendix B	<p>Appendix B provides the Applicant's justification as to why the installation of the noise barrier would reduce the impact of noise from the installation and associated traffic to bring it within levels above the background level that are considered as insignificant. At this point of the application, information provided regarding the noise levels and characteristics of the noise are theoretical, so this conclusion has been made on assumptions and the use of available information. Paragraph 1.3.6 states the acoustic fence will reduce the noise and "would result in a maximum change of +2dB for weekday daytime over baseline conditions"</p> <p>As part of the Applicant's twin-tracked environmental permit application, a bespoke Operational Noise Impact Assessment has been submitted. This document has provided additional information regarding the effectiveness and attenuation predicted to be achieved by installing a noise barrier in replacement of the wooden fence at 10 New Bridge Lane. This calculation was made assuming that the noise sources would not include any characteristics that are tonal, intermittent, impulsive, or readily distinctive against the current acoustic environment. Due to this assumption the calculation applied a zero-penalty rating. The Councils cannot determine, with the information provided at this stage, that the noise sources would not include any of these characteristics of noise and disagree that the noises introduced by this</p>	<p>With respect to the BS 4142 corrections, no assumption was made that the specific sound would not contain any characteristics that would attract a rating penalty. The Environmental Statement, Table 7.34 (Volume 6.2 ES Chapter 7 Noise and Vibration) [APP-034] shows that, in the case of the operational scenario without mitigation, a rating penalty of 3 dB was applied for other sound characteristics, due to the level of the specific sound being above the residual sound. With the attenuation afforded by the proposed acoustic fence, the specific sound level falls below the residual sound. In addition to the consideration of absolute levels, the character of the dominant noise source, heavy vehicle movements, is congruous with the residual acoustic environment at 10 New Bridge Lane, which is currently dominated by industrial and commercial sound and, to a lesser extent, by sound from road traffic. As such, both the absolute sound levels and the character of the residual and specific sound were considered in determining the appropriate rating penalties.</p> <p>The sound of vehicle movements is not tonal, impulsive or intermittent in nature. The allowance in BS 4142:2014+A1:2019 for rating penalties for intermittency is for fixed plant with identifiable on and off conditions, which is not appropriate for vehicle pass-bys, as these do not have identifiable on and off conditions. As such, there is no basis for the suggested range of rating penalties of between +3 to +9 dB.</p> <p>This is the first time these concerns have raised by FDC regarding the assessment presented in the DCO Application, rather, the relevant representation for FDC [RR-003] stated:</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
	<p>development will not be distinctive and in the case of HGV movements noise would be intermittent. Where characteristics of noise are predicted to be experienced, a penalty rating of +3 to +9dB may be applied to the rating level.</p> <p>Without a penalty rating, the outcome results in a 3dB increase in noise levels after the installation of the barrier. The calculation then added a noise correction due to the current typical background noises for this location being described to currently include industrial type noise sources. This determined that the noise change would be perceived at an increase of +2dB due to the introduced noises being in keeping with the local area.</p> <p>At this point of the application process, the noise barrier design has not been provided. Therefore, there has been no consideration if the introduction of a noise barrier itself will change the current noise exposure 10 New Bridge Lane experiences from the A47. The installation of the noise barrier may result in an increase of road traffic noise from the A47 experienced at 10 New Bridge Lane due to a reflective surface resulting in noise build up and impacting on areas of 10 New Bridge Lane which were previously screened from noise sources such as the rear of the property.</p> <p>With the assumptions made regarding the characteristics of the noise and the design brief of the acoustic barrier yet to be provided within the planning process, the Councils do not have sufficient information to justify that the noise will be mitigated to a level where it will no longer be significant to 10 New Bridge Lane.</p>	<p><i>“4.3 Whilst the Council is still waiting for some minor additional data / clarifications to be shared, the outcome of the assessment and conclusions drawn in this documentation (including Annexes B, C, E and F) are accepted – and Officers are satisfied that this work has been undertaken by suitably competent personnel, in accordance with all relevant legislation and technical guidance.”</i></p> <p>The acoustic fence specification has been designed based on the outputs from the noise assessment supporting the DCO Application (Appendix 7D Outline Operational Noise Management Plan Volume 6.4) [REP3-015]). That assessment includes contributions from HGV's manoeuvring within the EfW CHP Facility Site, but also includes additional contributions from HGV's operating on New Bridge Lane. Furthermore, the Outline Operational Noise Management Plan Rev 4, Appendix 7D, (Volume 6.4) [REP5-014], specifically developed for the DCO application, which addresses the impacts from HGV's on New Bridge Lane, also includes the acoustic fence as a mitigation measure. Conditions to adhere to this management plan, whilst supporting ongoing access to the acoustic fence and the requirement to construct and maintain it throughout the lifetime of the Proposed Development, would be secured by DCO Requirements.</p> <p>The critical aspects of the design of the acoustic fence are the height and length of the fence. These aspects are defined in the figure within Section 5 of the Outline Operational Noise Management Plan [REP5-014]. Other details of the fence will be confirmed at the detailed design stage. The acoustic barrier is subject to design and procurement, but early discussion with one supplier has identified an acoustic barrier meeting a surface density of 26kg/m², and in all cases, a performance greater than 20kg/m² would be sought. The moving gate will be clad in the same material and the threshold gap will be designed to minimise flanking.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
		<p>It is most unlikely that the fence would cause any appreciable increase in road noise from the road traffic on the A47 due to reflected sound. There are a number of structures present at 10 New Bridge Lane, including the dwelling itself, which provides significant screening from noise from the south that would reduce reflected sound from the fence. Additionally, during the baseline surveys, industrial and commercial sound was found to be dominant at 10 New Bridge Lane with road noise also a significant contributor. On this basis, it is most unlikely that any reflected road noise would cause any material change to the ambient noise levels at 10 New Bridge Lane.</p> <p>Based on the above, the Applicant's position remains that the acoustic fence provides sufficient mitigation and that there will be no significant effects to 10 New Bridge Lane.</p> <p>To assist CCC/FDC's understanding on how the regulatory frameworks of the DCO and Environmental Permit would operate, further information for the design and maintenance of the acoustic barrier was issued on 19 July 2023, see Appendix A (Technical Note: Regulation of Noise Controls (acoustic fence), (July 2023)).</p>
Volume 15.5 Applicant's Comments on the Responses to the ExA's Written Questions (ExQ2) [REP6-027]		
<i>General and Cross-Topic Questions</i>		
Signalisation of Cromwell Road / New Bridge Lane Junction	<p>The Applicant has noted the meeting of 6 July 2023 that took place with CCC in relation to the re-design of the Cromwell Road/New Bridge Lane junction. CCC acknowledges that additional modelling information</p>	<p>Following the meeting on 06 July 2023, the additional signalisation modelling information was issued to CCC on 24 July 2023. The Applicant met CCC on 02 August 2023 to review the modelling analysis. CCC confirmed (see ES Chapter 6 Traffic and Transport Appendix 6B Transport Assessment Addendum paragraph</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
GCT.2.3	<p>with regard to the signals will be provided by the Applicant.</p> <p>However, the Applicant has not noted a key concern raised by CCC at that meeting – that the powers of acquisition to be included in the DCO, in relation to land currently owned by Tesco, may not be sufficient to ensure that all new infrastructure at the junction can be adopted by CCC as highway maintainable at public expense.</p> <p>CCC understands that the Applicant is engaging its solicitors on this matter, but has yet to receive any further information or proposal from the Applicant. CCC will continue to engage constructively with the Applicant in pursuit of an acceptable outcome on this issue.</p>	<p>5.1.4 (Volume 13.3) [REP-025], the model was robust, and the construction stage detailed design process would address any remaining matters. In summary, this matter is agreed and therefore closed for the Examination.</p> <p>As set out in Section 2.4 of the Change Application Report [AS-028] the dDCO includes two powers for the Applicant to carry out the highway works. These are (a) the use of Article 11 which enables works to be carried out to both public highways and streets listed in Schedule 4, which includes this part of Cromwell Road/New Bridge Lane, and (b) the use of the temporary possession powers in Article 32 and Article 33. Therefore, the Applicant is of the position that the powers in the DCO are sufficient to be able to carry out works in the unlikely event that Tesco does not consent to the works.</p> <p>Further details are set out in the Applicant's Position Statement on Access Improvements (Volume 18.7) submitted at Deadline 8, including an explanation of the new article 48 in the draft DCO (also submitted at Deadline 8). The Applicant considers that it has adequately addressed CCC's concerns as reflected in the Statement of Common Ground between the Applicant and CCC submitted at Deadline 8.</p>
<i>Principle and Nature of Development (inc. Waste Recovery Capacity and Management Waste Hierarchy)</i>		
<p>Principle and Nature of Development (inc. Waste Recovery Capacity and Management Waste Hierarchy)</p>	<p>The Memorandum of Understanding (MoU) between the Waste Planning Authorities (WPA) of the East of England is currently being reviewed by the East of England Waste Technical Advice Body (formed of all East of England Waste Planning Authorities), with a view to updating the Memorandum. It is expected that the commitment to net self-sufficiency will remain in the new version.</p>	<p>Noted, however the MoU remains unsigned.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
PND.2.1	All planning authorities are under a Duty to Co-operate in respect of strategic matters, of which waste management capacity is one such topic. Memoranda and Statements of common ground such as these are the mechanisms by which that is largely achieved, and regular review is not unusual.	
<i>Socio-Economic and Population</i>		
Community Mitigation SPC.2.3	The Councils are content that the Applicant's response accurately reflects the current position that has now been negotiated. However, the Councils would note that there is now only 3 weeks left of the Examination, which does not leave long to complete the s106 Agreement and to agree the position and wording of the signage.	The Applicant and CCC have positively progressed negotiations on the Section 106 Agreement and the terms are now agreed and engrossments are being prepared for signature.
Volume 15.6a Applicant's Comments on the Deadline 5 Submissions: Part 1 Statutory Parties [REP6-028]		
<i>6.4. Environmental Statement – Chapter 6 – Appendix 6A Outline CTMP – Rev 4 [REP4-007]</i>		
Temporary highway closures 7.2.5	The Councils are content that this point has been addressed in the Outline CTMP.	Noted.
Signage on Network Rail land 7.4.8	The Councils refer to its response to the Environmental Statement - Chapter 6 Traffic and Transport - Appendix 6A Outline CTMP (Tracked) - Revision 6 [REP6-011] submitted within this document.	Noted. The paragraph has been updated, please see Applicant's response to the same point under CTMP 7.4.8 above.



Topic/Para	CCC/FDC Representation	Applicant Comment
<p>Highway condition surveys</p> <p>7.4.21</p>	<p>The Councils are content that their concerns have been addressed.</p>	<p>Noted.</p>
<p><i>7.12 Outline Construction Environmental Management Plan (Tracked) – Rev 4 [REP4-009]</i></p>		
<p>Landscape and Visual</p> <p>ID Ref 7</p>	<p>The Councils agree with the Applicant's statement regarding the s106 Agreement. The Councils note that there are now only 3 weeks left of the Examination to agree the S106 Agreement but will continue to work with the Applicant and seek to complete it within the Examination.</p> <p>The Councils note the comment made by the Applicant regarding the temporary fence, but would still question the Applicant's view that "users of the footway are not considered to have the potential to be significant". As has been highlighted in previous submissions, New Bridge Lane is an important route for NMUs from the local community to avoid Weasenham Lane and Cromwell Road. NMUs can easily be discouraged from active travel habits by relatively short-term adverse interventions, particularly in Wisbech where health outcomes are low, and the mental impact of the adverse experience can be considerably more far-reaching in duration than the physical time that the effect is experienced. The Councils position is that it cannot agree this point, but considers that the Community Mitigation package is being agreed in recognition of this and other adverse impacts of the Proposed Development on NMUs and local communities.</p>	<p>The Applicant and CCC have positively progressed negotiations on the Section 106 Agreement and the terms are now agreed and engrossments are being prepared for signature.</p> <p>With regard to NMU use along New Bridge Lane, the Applicant is pleased to be able to offer the Community Mitigation package. However, and notwithstanding, it should be noted that the Councils have provided no evidence to demonstrate the importance of New Bridge Lane to NMUs and again the Applicant would bring to the attention of the ExA that FDC's own document, the Fenland Cycling, Walking and Mobility Improvement Strategy (adopted October 2021) does not identify New Bridge Lane as a core route.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
<p>Impact on NMUs and Local Community – noise and vibration</p> <p>ID Ref 13</p>	<p>The Councils cannot see how the additional noise and disturbance caused during the construction phase by additional HGVs accessing the site would not result in significantly greater noise and vibration being experienced by NMUs along New Bridge Lane. The Councils refer to their comments made at 5.8. above.</p>	<p>As detailed in the written response provided for Deadline 5 [REP6-028], it is agreed that the presence of additional vehicle movements on New Bridge Lane will result in higher ambient noise levels. However, as explained in the written response previously submitted, Applicant's comments on the Deadline 5 Submissions: Part 1 Statutory Parties (Volume 15.6a) [REP6-028], this does not entail significant impacts to NMUs which will be transient receptors passing through the area, that are already exposed to similar or greater ambient noise levels, in the absence of the Proposed Development, on Cromwell Road and on New Bridge Lane in the vicinity of Cromwell Road.</p> <p>Furthermore, the relevant criteria for traffic noise and construction noise would not apply to NMUs as these assessment tools are not intended for transient receptors, and the criteria are defined as 18 and 12-hour averages, respectively. NMUs are transient receptors who would transit the area in a matter of minutes.</p> <p>Based on the above, the Applicant's position remains that noise and vibration from the construction phase would not result in significant effects to NMUs on New Bridge Lane, as outlined in the written response provided for Deadline 5 [REP6-028].</p>
<p>Traffic and Transport – Impact on NMUs and other rights of way access</p> <p>ID Ref 14</p>	<p>The Councils welcome the amendment to the DCO incorporating the TRO provision.</p>	<p>Noted.</p>

12.2b Written Summary of the Applicant's Oral Submissions at ISH4 – Rev 1 [REP4-020]



Topic/Para	CCC/FDC Representation	Applicant Comment
<p>Construction materials</p> <p>ID Ref 8</p>	<p>The Councils note that proxy information on waste arisings has been used to estimate the quantities of construction materials required, and hence the carbon emissions associated with the construction phase of the Proposed Development.</p> <p>Carbon emissions from construction should be recalculated based on quantities of materials required from design information once this is known, or at a stage in the design process where a reasonable estimate of the likely types and quantities of materials can be made.</p>	<p>The assessment undertaken and reported within ES Chapter 14 Climate (Volume 6.2) [APP-041] follows IEMA guidance (Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance – 2nd Edition) and does not require further modelling as part of the environmental assessment.</p> <p>Notwithstanding the above however, the Applicant has committed to the EfW CHP Facility becoming BREEAM Very Good with the Administration Building as BREEAM Excellent.</p> <p>The BREEAM carbon emission calculations for design and construction can be targeted at several stages and include 'management' and 'materials'. 'Management' credits 'responsible construction practice' and includes for the undertaking of a lifecycle assessment for major building materials with a similar requirement placed under 'materials' for a lifecycle assessment of building, landscaping and services materials. Both assessments are required to be independently verified.</p> <p>The Applicant will therefore continue to identify measures to reduce emissions generated during construction and will undertake a further assessment as part of the process of receiving BREEAM certification.</p>
<p>Climate change methodology and assumptions</p> <p>ID Ref 8 Appendix A – Cory Riverside Energy Case</p>	<p>This case study provides some interesting comparisons but also has some important differences to the Proposed Development. Firstly, the purpose of the Cory Riverside study was to investigate the carbon impact of an existing plant and compare to a theoretical alternative, and was not for planning purposes. Secondly, much of the focus of the Cory Riverside study was on the transport of waste by barge</p>	<p>Please see the Applicant's rationale for the use of the study provided within the Written Summary of the Applicant's Oral Submissions at ISH4 (Volume 12.2b) [REP4-020]. The case study is considered appropriate in that it provides a methodology for assessment which has been developed by the Carbon Trust.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
	on the River Thames, which is not applicable to the proposed site in Wisbech.	
<i>12.3 Comments on the Deadline 3 Submissions: Part 1 Statutory Parties – Rev 1 [REP4-022]</i>		
Biodiversity, Ecology and the Natural Environment	The Councils now consider that the Water Vole issue is resolved.	Noted.
ID Ref 10		
<i>Table 3.2 Comments on Deadline Submissions from CCC and FDC – CCC and FDC Response to ISH4 and ISH5 Action Points [REP5-044]</i>		
Outstanding highway matters Item 1 (Action Point 2)	<p>The Applicant has noted the meeting of 6 July 2023 that took place with CCC in relation to the re-design of the Cromwell Road/New Bridge Lane junction. CCC acknowledges that additional modelling information with regard to the signals will be provided by the Applicant. However, the Applicant has not noted a key concern raised by CCC at that meeting – that the powers of acquisition to be included in the DCO, in relation to land currently owned by Tesco, may not be sufficient to ensure that all new infrastructure at the junction can be adopted by CCC as highway maintainable at public expense.</p> <p>CCC understands that the Applicant is engaging its solicitors on this matter, but has yet to receive any further information or proposal from the Applicant. CCC will continue to engage constructively with the</p>	Please see the response at GCT.2.3 above.



Topic/Para	CCC/FDC Representation	Applicant Comment
	Applicant in pursuit of an acceptable outcome on this issue.	
Volume 15.7 Applicant's Response to ISH4 Action Point 7 Technical Note: Climate Additional Sensitivity Assessment [REP6-030]		
Selection of scenarios for sensitivity analysis, considering UK electricity grid decarbonisation 1.2.4 and Table 2.2 (and Figures 3.1, 3.2, 3.3 and 3.5, 4.1.3)	<p>As the Applicant has acknowledged in paragraph 1.2.4, CCC's view is that only those scenarios that consider the future decarbonisation of the UK electricity grid are relevant. This would be scenario numbers 8, 9, 10, 11, 12, 13, 15, 17, 19, 21, 23, and 24 to 31, as described in Table 2.2. these scenarios have been illustrated with striped or chequered bars in the graphs that follow.</p> <p>Whilst it would be reasonable to consider the possibility that the grid may decarbonise faster or slower than thought, it will never be the case that the grid carbon would remain the same for 40 years. For that reason, consideration of grid decarbonisation should have been the core case from the outset.</p> <p>CCC would therefore suggest that scenario numbers 1 to 7, 14, 16, 18, 20 and 22, as described in Table 2.2, can be ignored in this analysis.</p> <p>In Figure 3.5, the impact of this point is illustrated. Where scenarios 1 and 7 fail to take into account the impact of grid decarbonisation, they falsely give the impression that EfW would be a lot lower carbon than landfill. Whereas, in fact, when the likely grid decarbonisation is taken into account as in scenario 8, the difference in emissions between EfW and landfill is</p>	<p>All scenarios are considered valid for the purposes of the Sensitivity Analysis, including the eight additional scenarios that consider the adoption of CCS alongside future decarbonisation of the UK grid over the 40 year lifetime of the Proposed Development. Of the 31 scenarios included, 25 of them indicate that a reduction in lifetime net emissions would be achieved with the Proposed Development compared to landfill. This is consistent with paragraph 3.3.41 of Draft NPS EN-1.</p> <p>CCC refer to Figure 3.5 to illustrate the effect of taking into account grid decarbonisation. This effect can also be seen in Figure 3.6, which goes further and also shows the effect of utilising CHP and CCS. The effect of grid decarbonisation and CCC combined would result in net emissions being less than half of those from landfill.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
	very small, and could be outweighed by other variables such as waste composition.	
Combined Heat and Power (CHP) avoided emissions from heat	Unlike electricity, the carbon intensity of natural gas will remain pretty much the same over time, although the proportion of biogas in the mains gas grid may change. However, the extent to which gas will be the main heating fuel in future is unknown.	Comment noted.
Table 2.2, scenarios 14 and 15 and 29, as well as CHP section on page 37	To CCC's knowledge, no forecasts of heat decarbonisation are published by the UK government. In the absence of this forecast, the Applicant's assumption that the latest emissions factor for natural gas will remain constant until 2035, at which point electricity will replace gas as the main source of heating thereafter, is a reasonable one, although it seems more likely that the change will be more gradual rather than all in 2035. However, the uncertainty of this assumption must be acknowledged.	
Results of sensitivity analysis	CCC notes that from the Applicant's sensitivity analysis for the nineteen scenarios that it considers may be relevant – see comment above in relation to Table 2.2 – the estimated lifetime gross emissions for the proposed EfW facility range from 7,074 ktCO ₂ e to 12,185 ktCO ₂ e, whilst the estimated lifetime net emissions for the EfW facility range from 3,625 ktCO ₂ e to 11,870 ktCO ₂ e. This is also illustrated by the striped and chequered bars in Figures 3.1, 3.2 and 3.3.	Comment noted. The objective of the sensitivity analysis was to include a wide range of scenarios.
Table 3.1 and Figures 3.1, 3.2 and 3.3	This emphasises that the carbon footprint of the Proposed Development could vary a lot and is very much dependent on some of the variables considered	



Topic/Para	CCC/FDC Representation	Applicant Comment
<p>Comparison to landfill</p> <p>Table 3.1 and Figures 3.2 and 3.3 and 3.7</p>	<p>in the analysis, including waste composition and whether/when CCS is adopted.</p> <p>CCC has previously commented that it is uncertain what would happen if the Proposed Development did not proceed, and that we cannot know whether all of the waste would definitely go to landfill, for the entire 40 years of operation, and stands by that position that the 'without development' scenario is an unknown – considering that the Proposed Development is not a replacement for any particular treatment plant or site.</p> <p>Nonetheless, it is interesting to note that greenhouse gas emissions from landfill are also uncertain, and vary depending on several factors, particularly the composition of the waste and the landfill gas capture rate. This is demonstrated by the Applicant's scenario numbers 8 to 13 and 17 and 19, which show that gross lifetime emissions from landfill in different scenarios could range from 5,411 ktCO₂e to 17,032 ktCO₂e (also shown in Figure 3.7)</p>	<p>Comment noted. The objective of the sensitivity analysis was to include a wide range of scenarios</p>
<p>Impact of waste composition on emissions</p> <p>Impact of waste composition on emissions</p> <p>3.3.4 to 3.3.7 (page 27-28) and Figure 3.4, 4.1.3 to 4.1.4</p>	<p>As mentioned above, CCC believes that scenarios 1 to 6 can be ignored as they are based on incorrect assumptions.</p> <p>Scenarios 8 to 13 demonstrate that the emissions could vary considerably depending on the composition of the waste.</p> <p>Scenarios 12 and 13 in particular demonstrate that reducing plastics would reduce the emissions from EfW, whereas reducing food waste would mean</p>	<p>All scenarios are considered valid for the purposes of the Sensitivity Analysis.</p>



Topic/Para	CCC/FDC Representation	Applicant Comment
	reduced emissions from the alternative landfill option, as expected.	
Impact of CHP on emissions 3.3.11 to 3.3.1 and Figure 3.6	As mentioned above, CCC believes that scenarios 1 and 14 can be ignored as they are based on incorrect assumptions. Scenario 15 shows that adoption of CHP would have a small benefit, when compared to scenario 8 (baseline without CHP). The benefit is much greater when combined with Carbon Capture and Storage (scenario 29).	All scenarios are considered valid for the purposes of the Sensitivity Analysis. The benefit of CCS far outweighs the effect of not accounting for grid decarbonisation.
Impact of CCS on emissions 3.3.5 to 3.3.6 (page 35) and Figure 3.8, 4.1.7 (page 38)	As mentioned above, CCC believe that scenarios 1, 20 and 22 can be ignored as they are based on incorrect assumptions. Scenarios 21 (2030 adoption) and 23 (2040 adoption) show that adoption of CCS would deliver a large benefit in reducing emissions from the Proposed Development, compared to the baseline scenario 8 without CCS. Furthermore, the sooner that CCS is adopted, the greater the benefit.	All scenarios are considered valid for the purposes of the Sensitivity Analysis. The benefits of including CCS are very clear; this is a technology that would be extremely difficult to apply to landfill gas but is one for which the Proposed Development is 'future ready'.
Evaluation of likelihood of the various scenarios Table 4.2	CCC disagrees with the Applicant's assessment of likelihood for regulations/policy for scenarios 1, 2, 3, 4, 5, 6, 7, 14, 16, 20, 22. CCC's view is that all those scenarios should be regarded as very unlikely. Any scenario that does not consider future grid decarbonisation should be regarded as unlikely with regards to regulations/policy. Given that grid decarbonisation is already a key part of UK government policy to achieve its legally binding	Comment noted. All scenarios are considered valid for the purposes of the Sensitivity Analysis.



Topic/Para	CCC/FDC Representation	Applicant Comment
	<p>commitment to net zero carbon, it is very unlikely that the grid would continue at the current carbon intensity for the next 40 years.</p> <p>CCC's view is that the most highly likely scenarios are 8, 9 and 11.</p> <p>CCC would also regard scenarios 10, 12, 13, 15 as likely.</p> <p>CCC would regard scenarios 17, 19, 21, 23, and 24 to 31 as just as likely as unlikely.</p>	
<p>Summary of likely emissions</p> <p>General</p>	<p>Taking into account the likelihood of the various scenarios and the results of the analysis, CCC considers that the most likely emissions from the Proposed Development would be in the range of 11,011 to 11,243 ktCO₂e gross, or 10,738 to 10,970 ktCO₂e net. These figures are very similar to the estimated total emissions for landfill, with the difference being only a very small percentage. With the difference in emissions being so small for the most likely scenarios, alongside considerable uncertainties in the methods of estimation, one cannot know which method of treatment (EfW or landfill) would be lower emissions.</p> <p>However, what one does know is that emissions from EfW can be reduced by reducing the amount of plastics in the incoming waste, operating CHP and operating CCS as soon as possible. These measures are therefore crucial in minimising the impact of the Proposed Development on the climate.</p>	<p>The Applicant notes the Councils' conclusion concerning EfW versus landfill and would refer it to national policy, Draft NPS EN-1 paragraph 3.3.41 states that:</p> <p><i>Energy recovery from residual waste has a lower GHG impact than landfill</i></p> <p>The Applicant's consideration of 31 sensitivity tests supports this quoted national policy. The results can be summarised as follows:</p> <ol style="list-style-type: none"> 1. The effect of grid decarbonisation is to diminish the net benefit of the Project compared to landfill. 2. The effect of reducing plastics in the waste by 50% is to enhance the net benefit of the Project compared to landfill. This effect is less than the effect of grid decarbonisation. 3. The effect of reducing food in the waste by 50% is to diminish the net benefit of the Project compared to landfill. This effect is greater than the effect of grid decarbonisation.



Topic/Para	CCC/FDC Representation	Applicant Comment
		<ol style="list-style-type: none"> 4. The effect of reducing both food and plastic in the waste by 90% is to enhance the net benefit of the Project compared to landfill. This effect is greater than the effect of grid decarbonisation. 5. The effect of utilising CCC in 2030 or 2040 is to enhance the benefit to the Project compared with landfill. This effect is greater than the effect of grid decarbonisation.
		<p>The Applicant is committed to the Proposed Development being CC-ready such that DCO Requirements 22 Carbon capture and export readiness reserve space and Requirement 23 Carbon capture readiness monitoring report commit it to retain land for the installation of CCR and to report on the work that it has done to investigate the feasibility of CCR. It should be noted that the Applicant has also included for the installation and operation of CHP within the Proposed Development. Whilst the carbon reducing benefits of CHP have not been included within the climate assessment should CHP be delivered; significant carbon savings would accrue.</p>
		<p>ES Chapter 14 Climate (Volume 6.2) [APP-041] and the accompanying sensitivity texts prepared by the Applicant are useful in identifying the range of emissions savings that could accrue as a result of the Proposed Development and in terms of the environmental assessment the extent to which such saving may or may not be significant. However, in policy terms the Secretary of State is reminded by Draft NPS EN-1 (paragraph 5.3.12) that:</p>
		<p><i>Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their</i></p>

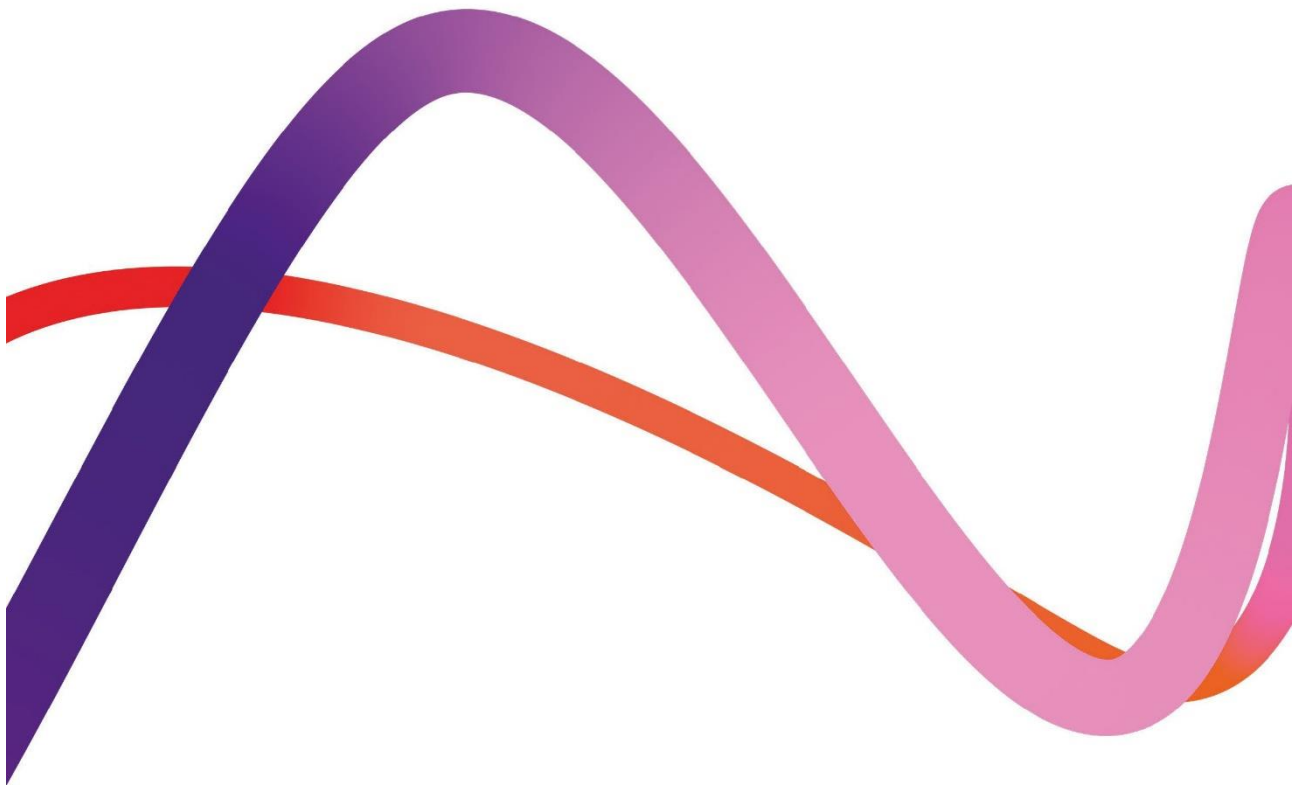


Topic/Para	CCC/FDC Representation	Applicant Comment
		<i>contribution to carbon budgets, net zero and our international climate commitments.</i>
Conclusion Para 4.1.22 page 49	CCC disagrees with the Applicant's conclusion that "the assessment of GHG emissions presented in the original ES (the ES Case) is considered to be a reasonable and appropriate approach". For the reasons already given in the above comments, the original ES Page 11 of 11 assessment (scenario 1) must be discounted, and scenario 8 should be considered as the baseline.	The Applicant maintains that the ES Case is a reasonable approach for the reasons set out above.
Volume 15.8 Section 106 Heads of Terms - Revision 2 [REP6-031]		
Draft S106 Agreement	The Draft s106 Agreement has been provided to CCC, and CCC has provided its proposed amendments to the Applicant and awaits their response. There are several changes that need to be made from those outlined in the Heads of Terms Revision 2 shared by the Applicant in [REP6-031]	The Applicant has made a number of changes to the Section 106 Agreement since Deadline 7 and the terms are now agreed and engrossments are being prepared for signature.
Volume 15.9 DCO Requirement 29: Waste Area Plan - Revision 1 [REP6-015]		
Waste Area Plan Map	CCC can confirm that the map is the agreed map discussed between Applicant and Council for the Waste Area Plan.	Noted.

Appendix A Technical Note: Regulation of Noise Controls (acoustic fence)

Medworth Energy from Waste Combined Heat and Power Facility

Revision: 1.0
July 2023



Technical Note:

Regulation of Noise Controls (acoustic fence)

**We inspire
with energy.**



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Technical Note: Regulation of noise controls (acoustic fence)

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Technical Note: Regulation of noise controls (acoustic fence)

1. Introduction

1.1 Purpose of this Technical Note

1.1.1 On 17 July 2023, the Applicant met representatives from Cambridgeshire County Council (CCC) and Fenland District Council (FDC), including the Environmental Health Officer (EHO) to review how the Development Consent Order (DCO) would interact with the Environmental Permit (EP) with respect to noise monitoring, control, and enforcement. The concern expressed by CCC and FDC was, there may be a regulatory gap due to the acoustic fence being within the DCO Order limits, but outside of the EP installation boundary, see **Appendix A** for the respective boundaries. Consequently, HGV traffic noise on New Bridge Lane may not be adequately controlled. This Technical Note presents information to provide clarity on the interaction between the EP and DCO regimes, confirming there is not a regulatory gap.

1.2 Structure of this document

- Section 2.0 – Review of noise mitigation and the interaction between the EP and DCO
- Section 3.0 – Conclusion



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Technical Note: Regulation of noise controls (acoustic fence)

2. Review of noise mitigation and the interaction between the EP and DCO

2.1 Background

2.1.1 The proposed acoustic fence at 10 New Bridge Lane (see **Appendix B**) is necessary to control noise from activities within the EfW CHP Facility Site, including HGV movements (for which the EA has jurisdiction under the Environmental Permitting (England and Wales) Regulations 2016, as amended ('EPR')), but also from development traffic manoeuvring external to the EfW CHP Facility Site on New Bridge Lane (activities not regulated by the EA under the EPR). As the acoustic fence serves a dual purpose, it must be installed at 10 New Bridge Lane. Installing the acoustic fence at the EfW CHP Facility Site's southern boundary (north of New Bridge Lane) would not control noise from traffic manoeuvring on New Bridge Lane, nor would it be an effective mechanism for controlling noise from HGV's at the vehicle entrance operating within the permit installation boundary (the dominant source identified in the noise impact assessment supporting the EP application) as the acoustic fence would need to be opened to allow access and egress of HGV's to/from the EfW CHP Facility Site and, consequently, that specific noise source/impact would still be present with a barrier on/within the site boundary in place.

2.2 Pre-Application Consultation with the Environment Agency

2.2.1 During pre-application consultation with the EA to discuss the approach to the EP and the information to be considered, the EA confirmed it has no jurisdiction over noise from vehicle movements on the local road network (in this instance New Bridge Lane) and, as such, that source should not be included in the noise assessment that supports the EP application. This position was confirmed in the EA's notice of consultation on the EP application (<https://consult.environment-agency.gov.uk/psc/pe13-2tg-medworth-chp-limited/>):

"We can take account of... The impact of noise and odour from traffic on site. We cannot take account of... The impact of noise and odour from traffic travelling to and from the site."

2.2.2 The decision not to include the acoustic fence within the proposed EP installation boundary was a very deliberate one. As the acoustic fence must be located off-site on third party land for effective noise control, there is a risk, in terms of pollution incidents, and/or potential for contamination to be found at the point of EP surrender due to third party activities which, through no involvement of its own, the operator would become liable for if the land on which the acoustic fence was installed was included within the installation boundary.



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Technical Note: Regulation of noise controls (acoustic fence)

2.3 Regulation of the acoustic barrier

Environmental Permit

2.3.1 Notwithstanding the acoustic fence being external to the installation boundary, there are still effective mechanisms under the EP for the EA to e.g., require the operator to repair any defects which may occur to the acoustic fence throughout its lifetime. The acoustic fence is listed as a control technique in both the noise impact assessment and noise and vibration management plan that accompanied the EP application. These operating techniques are generally added to Table S1.2 of the EP and a generic condition within the main body of all permits typically includes:

“The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in Schedule 1, Table S1.2, unless otherwise agreed in writing by the Environment Agency. If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan specified in Schedule 1, Table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.”

2.3.2 It is also possible for the EA to include off-site conditions in permits, in a similar manner as that used for e.g., continuous off-site ambient air quality monitoring, that would require ongoing maintenance of the acoustic fence. Hence, contrary to initial views expressed by CCC and FDC that there are no control measures available under the EP, effective controls are available. For clarity, references in the noise impact assessment supporting the EP to HGV's on the local road network being excluded solely relates to their exclusion from the predictive noise model that accompanies the EP application (to ensure the predictions are consistent with activities included in the EA's jurisdictional scope under the EPR), not the exclusion of the acoustic fence as a control technique, or exclusion of HGV manoeuvring on New Bridge Lane from the specification of the acoustic fence.

DCO Application

2.3.3 The acoustic fence specification has been designed based on the outputs from the noise assessment supporting the DCO Application (**Appendix 7D Outline Operational Noise Management Plan Volume 6.4**) [REP3-015]. That assessment includes contributions from HGV's manoeuvring within the EfW CHP Facility Site, but also includes additional contributions from HGV's operating on New Bridge Lane. Furthermore, the **Outline Operational Noise Management Plan Rev 4, Appendix 7D, (Volume 6.4)** [REP5-014], specifically developed for the DCO Application, which addresses the impacts from HGV's on New Bridge Lane, also includes the acoustic fence as a mitigation measure. Conditions to adhere to this management plan, whilst supporting ongoing access to the acoustic fence and the requirement to construct and maintain it throughout the lifetime of the Proposed Development, would be secured by DCO Requirements (see **Figure 2-3**).

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Figure 2-1: Extract from Outline Operational Noise Management Plan

5. Noise Control Measures

5.1 Embedded noise control

5.1.1 The EFW CHP Facility Site lies within a predominantly industrial area with the nearest dwelling, 10 New Bridge Lane, on the opposite side of New Bridge Lane from the southern boundary. As outlined in **Section 3**, 9 New Bridge Lane has been purchased by the Applicant and hence will not be a sensitive Receptor during the operation of the EFW CHP Facility.

5.1.2 An acoustic fence will be provided to 10 New Bridge Lane to reduce daytime sound levels from fixed plant and waste delivery vehicles. A diagram indicating the proposed location of the acoustic fence is provided in **Figure 5.1 Proposed acoustic fence to 10 New Bridge Lane**. The Applicant will engage with the owner and occupier of 10 New Bridge Lane to discuss the detailed design of the acoustic fence and agree installation and maintenance access agreements. The agreed details, which will also include the height, materials and noise attenuation calculations will be set out in a report which will be forwarded to the relevant planning authority for its agreement prior to the commencement of its construction.

2.3.4 The rights to install and maintain the acoustic fence for the lifetime of the Proposed Development on the land identified in **Appendix A** (plot number 12/8a¹) is secured in Schedule 8 of the **draft DCO Rev 4, (Volume 3.1) [REP5-006]**. **Figure 2-2** provides the relevant extract from Schedule 8.

¹ For further details see Book of Reference Rev 5 (Volume 4.1) [REP3-009] and Land Plans Rev 4 (Volume 2.2) [REP3-003].



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Figure 2-2: Extract from Schedule 8 of the Draft DCO Rev 4

SCHEDULE 8		Article 25
LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED		
Table 8		
(1) <i>Number of plot shown on the land plans</i>	(2) <i>Rights etc. which may be acquired</i>	
11/8a	Rights to install, retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve acoustic fencing and gates and any other ancillary apparatus or works as necessary Rights to pass and repass on foot, with or without vehicles, plant and machinery for all purposes in connection with the construction, use, maintenance and decommissioning of the acoustic fencing and gates Restrictions on erecting buildings or structures, altering ground levels, planting trees or carrying out operations or actions (including but not limited to blasting and piling) which may obstruct, interrupt, or interfere with the exercise of the rights or damage acoustic fencing and gates	

2.3.5 The detailed design for the acoustic fence and the Operational Noise Management Plan (ONMP) is secured by DCO Requirement 19, **draft DCO Rev 4, (Volume 3.1) [REP5-006]**. The wording of DCO Requirements 19 is provided in **Figure 2-3**. Note, the “Works No.” referred to are described in Schedule 2 of the **draft DCO** and reproduced in **Appendix B**. “Works No. 10” is the acoustic fence at 10 New Bridge Lane. The acoustic fence is required to be implemented before construction of the Access Improvements to New bridge Lane (“Works No. 4A”).



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Figure 2-3: Draft DCO Requirements 19 (noise management)

Noise management

19.—(1) No part of Work No. 4A may commence until the residential use at plot numbers 11/4a and 11/4b shown on the land plans and described in the book of reference has ceased unless otherwise agreed by the relevant planning authority.

(2) Plot numbers 11/4a and 11/4b shown on the land plans and described in the book of reference must not be used for residential purposes until the authorised development has been decommissioned in accordance with requirement 28 unless otherwise agreed by the relevant planning authority.

(3) No part of Work No. 4A may commence until Work No. 10 has been constructed. Work No. 10 must be maintained until the authorised development has been decommissioned in accordance with requirement 28 unless otherwise agreed by the relevant planning authority.

(4) Prior to the date of final commissioning of any part of Work No. 1, 1A, 2A, 2B and 9(a), an operational noise management plan for that part must be submitted to and approved by the relevant planning authority.

(5) The operational noise management plan submitted for approval must be substantially in accordance with the outline operational noise management plan.

(6) The relevant planning authority must consult with the Environment Agency before approving the operational noise management plan.

(7) The operational noise management plan must be implemented as approved under sub-paragraph (4).

2.3.6

In addition to the Operational Noise Management Plan and erection of the acoustic fence, the Outline Construction Environmental Management Plan (CEMP) (**Volume 7.12**) [REP5-022] includes additional information on traffic management and general noise mitigation. The Detailed CEMP is secured by Requirement 10 of the draft DCO, reproduced in **Figure 2-4**.

Figure 2-4: Draft DCO Requirements 10 (CEMP)

Construction environmental management plan

10.—(1) No part of the authorised development may commence until a construction environmental management plan for that part has been submitted to and approved by the relevant planning authority.

(2) The construction environmental management plan submitted for approval must be substantially in accordance with the outline construction environmental management plan.

(3) The relevant planning authority must consult with the Environment Agency before approving the construction environmental management plan.

(4) All construction works associated with the authorised development must be undertaken in accordance with the approved construction environmental management plan unless otherwise agreed with the relevant planning authority.



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2.3.7 Both the Outline ONMP and CEMP are certified documents in the **draft DCO Rev 4, (Volume 3.1) [REP5-006]**. **Figure 2-5** provides relevant extracts from Schedule 13.

Figure 2-4: Draft DCO Requirements 10 (CEMP)

SCHEDULE 13 Article 42
DOCUMENTS AND PLANS TO BE CERTIFIED

Table 10

<i>(1)</i> Document name	<i>(2)</i> Document reference	<i>(3)</i> Revision number	<i>(4)</i> Date
outline construction environmental management plan	7.12	3	April 2023
outline operational noise management plan	6.4 (ES Appendix 7D)	3	April 2023

“outline construction environmental management plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline construction environmental management plan for the purposes of this Order;

“outline operational noise management plan” means the document of that name identified in Table 10 of Schedule 13 and which is certified by the Secretary of State as the outline operational noise management plan for the purposes of this Order;



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3. Conclusion

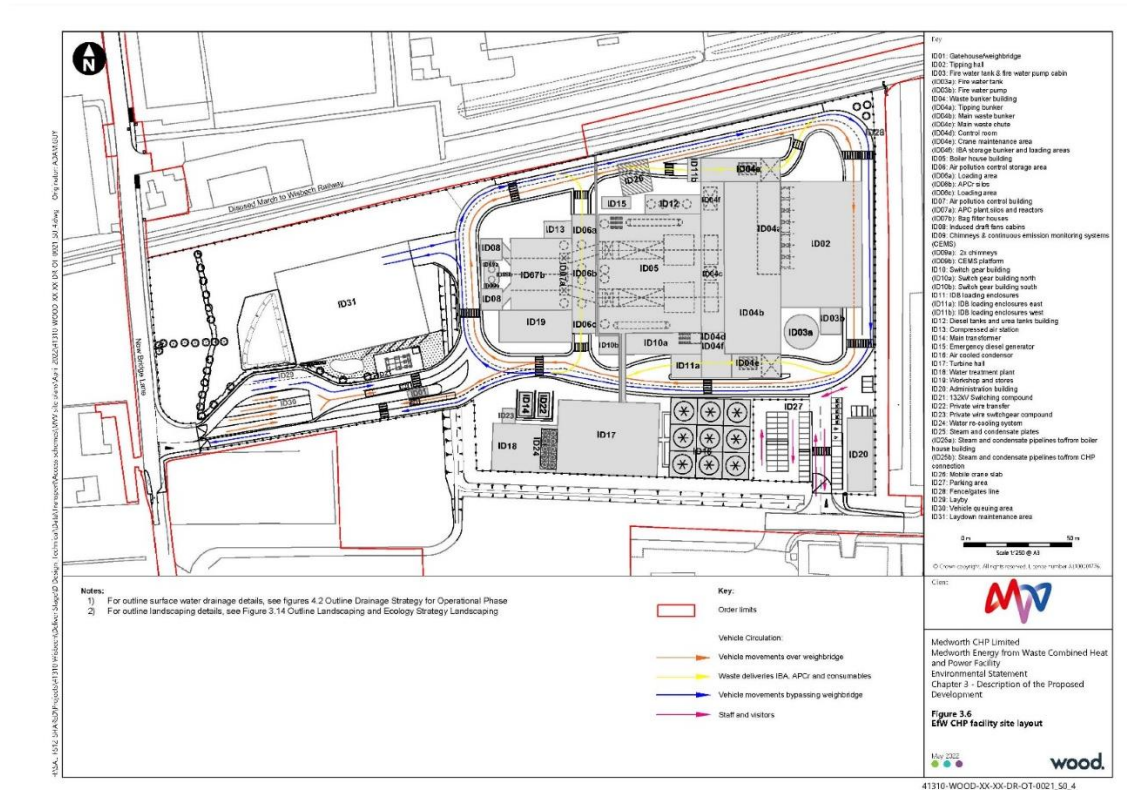
3.1.1 Any acoustic fence defects which contribute to adverse noise impacts associated with HGV's on New Bridge Lane are enforceable under the DCO, whilst acoustic barrier defects contributing to adverse noise impacts due to activity within the installation boundary are enforceable under both the DCO and EP (with the EA generally taking the lead role on enforcement action in this case). There is no regulatory gap in controlling/allowing enforcement action to be taken with respect to noise associated with the Proposed Development.



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Technical Note: Regulation of noise controls (acoustic fence)

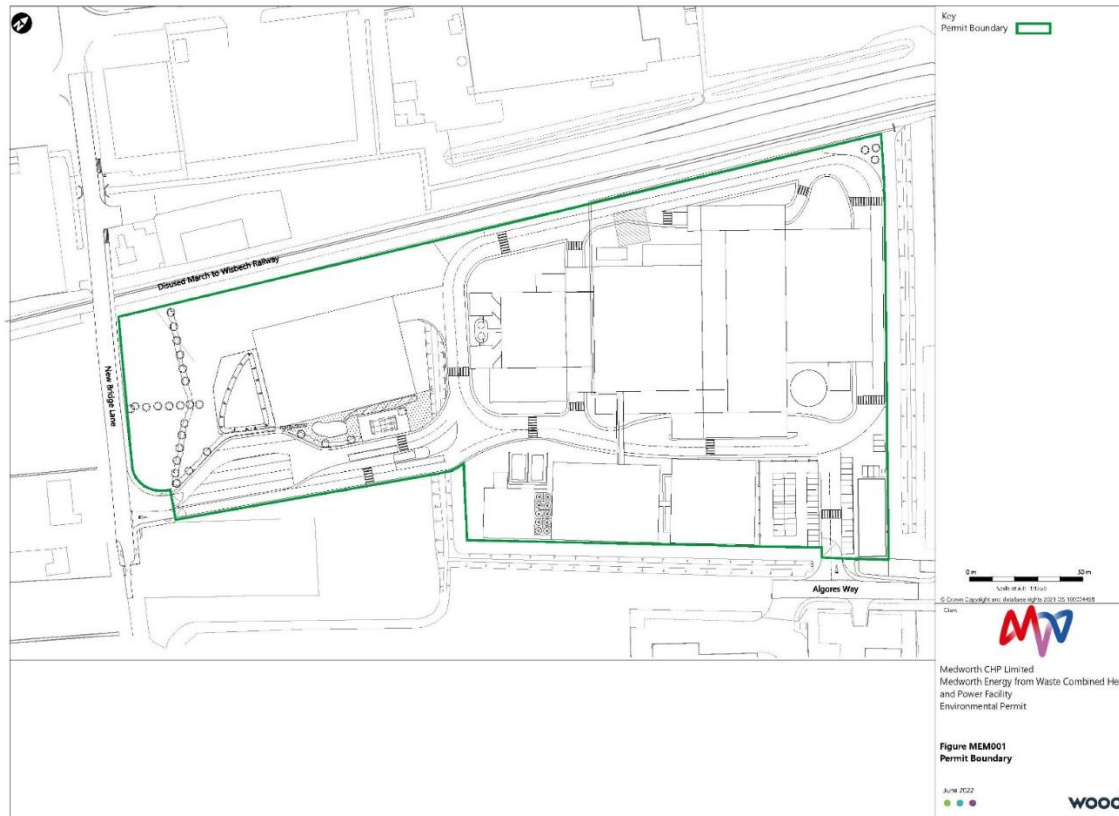
Appendix A DCO Order limits and EP Installation Boundary



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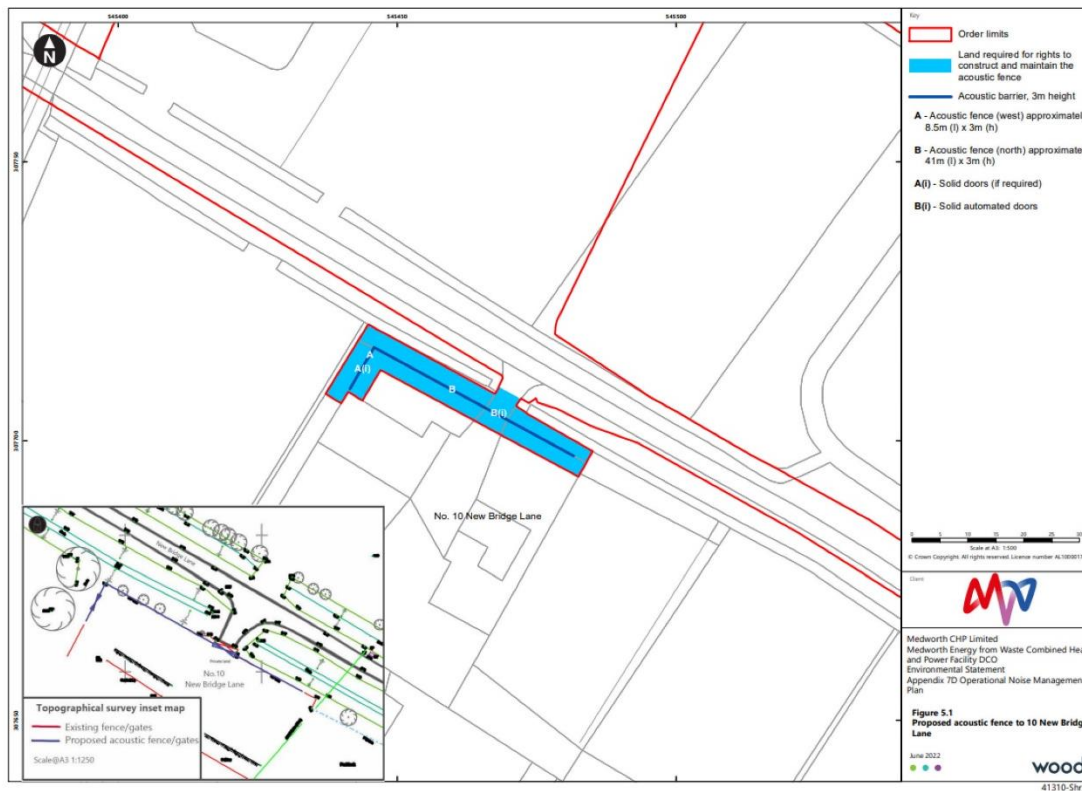
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Appendix B Location of Acoustic Fence at 10 New bridge Lane



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Appendix C Draft DCO Schedule 1: Authorised Development

SCHEDULES

SCHEDULE 1

Article 3

AUTHORISED DEVELOPMENT

In the County of Cambridgeshire and the County of Norfolk a nationally significant infrastructure project as defined in section 14(1)(a) (nationally significant infrastructure projects: general) and section 15 (generating stations) of the 2008 Act and associated development within the meaning of section 115(2) (development for which development consent may be granted) of the 2008 Act comprising all or part of—

In the County of Cambridgeshire

Work No. 1 – an electricity generating station with a gross installed generating capacity of up to 60 MW and capacity to process up to 625,600 tonnes of residual waste per annum, including—

- (a) fuel reception and storage facilities consisting of tipping hall, tipping bays, tipping bunker, main waste bunker, shredder, waste chutes, cranes, cabin and handling and maintenance equipment;
- (b) a combustion system including boiler house, air cooled moving grates, boilers and water tanks;
- (c) air pollution control plant and monitoring systems including silos, reactors, filter houses, fans, cabins and loading and storage areas;
- (d) a steam turbine and generator including turbine hall and cooling system;
- (e) a bottom ash handling system, including ash storage bunker, conveyors, collection bays, cranes and handling and maintenance equipment;
- (f) air cooled condenser;
- (g) compressed air system;
- (h) tank(s) for the storage of urea;
- (i) switch gear building;
- (j) control room; and
- (k) water treatment and storage plant.

Work No. 1A – two chimneys and associated continuous emissions monitoring systems and platform.

Work No. 1B – administration building, including—

- (a) roof-mounted photovoltaic solar panels to supplement energy use within the administration building, generating approximately 50kW (0.05MW) of electricity;
- (b) brown roof and green walls;
- (c) natural cooling apparatus including brise soleil to eastern elevation;
- (d) bat and bird boxes; and
- (e) rain water harvesting apparatus.

Work No. 2 – in connection with and in addition to Work Nos 1, 1A and 1B—

Work No. 2A

- (a) fire water tank and fire water pump cabin;
- (b) diesel generator and diesel storage tanks;



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- (c) 132kV switching compound, transformers, switch gear, cabling, kiosk and associated telemetry;
- (d) workshop and stores; and
- (e) gatehouse and weighbridges; and

Work No. 2B

- (a) vehicle layby and queuing areas;
- (b) laydown and maintenance areas;
- (c) internal access roads and pedestrian walkways;
- (d) parking areas and electrical vehicle charging points;
- (e) pipes, cables, telecommunications and other services and associated infrastructure;
- (f) site drainage, including works to drains and culverts, potable and wastewater services and associated infrastructure;
- (g) hard and soft landscaping; and
- (h) biodiversity enhancement measures and environmental mitigation measures.

Work No. 3 – associated development comprising combined heat and power equipment including heat exchangers, pipework, valving, pumps, pressurisation, water treatment systems and associated instrumentation and telemetry.

Work No. 3A – associated development comprising combined heat and power equipment including steam and condensate pipes, pipe racks, supports, pipe runs, valving, electrical supply cables and associated instrumentation and telemetry, vertical expansion loops and pipe bridges.

Work No. 3B – associated development comprising combined heat and power equipment including steam and condensate pipes, pipe racks, supports, pipe runs, valving, electrical supply cables and associated instrumentation and telemetry, bellows expansion connections, vertical expansion loops and pipe bridges.

Work No. 4A – associated development comprising a new site access and access improvements on New Bridge Lane including carriageway and footway widening, highway alteration works, culverts, drains, street lighting, services and utilities connections and compact substation.

Work No. 4B – associated development comprising a new site access and access improvements Algores Way including carriageway and footway widening, highway alteration work, culverts, drains, services and utilities connections and street lighting.

Work No. 5 – associated development being a temporary construction compound and laydown area including—

- (a) hard standings;
- (b) materials storage and laydown areas;
- (c) construction fabrication areas;
- (d) generators;
- (e) vehicle parking areas;
- (f) wheel washing facilities;
- (g) accommodation, office and welfare buildings;
- (h) new or alteration to accesses;
- (i) internal haul roads; and
- (j) temporary pedestrian bridges.

Work No. 6A – comprising associated development for the potable water connection—

- (a) water pipe(s) and associated instrumentation and telemetry;
- (b) cable trenches, ducting, protection plates and jointing bays; and



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- (c) horizontal directional drilling compound.

Work No. 6B – comprising associated development for the foul water connection—

- (a) water pipe(s) and associated instrumentation and telemetry; and
- (b) cable trenches, ducting, protection plates and jointing bays.

Work No. 7 – comprising associated development—

- (a) 132kV electrical underground cables and associated instrumentation and telemetry;
- (b) cable trenches, ducting, protection plates and jointing bays; and
- (c) temporary storage compounds in laybys on the A47.

In the County of Norfolk

Work No. 8 – comprising associated development—

- (a) 132kV electrical underground cables and associated instrumentation and telemetry;
- (b) cable trenches, ducting, protection plates and jointing bays; and
- (c) temporary storage compounds in laybys on the A47.

Work No. 9 – comprising associated development—

- (a) electrical substation and compound including clean air switchgear, control room kiosks and monitoring kiosk;
- (b) cables and associated instrumentation and telemetry;
- (c) cable trenches, ducting, protection plates and jointing bays; and
- (d) new or alteration to accesses, internal pedestrian and vehicular access road and parking area.

In the County of Cambridgeshire

Work No. 10 – comprising associated development, being an acoustic fence.

In connection with and in addition to Work Nos 1, 1A, 1B, 2A, 2B, 3, 3A, 3B, 4A, 4B, 5, 6A, 6B, 7, 8, 9 and 10 and, to the extent that it does not otherwise form part of those Work Nos, further associated development within the Order limits including—

- (a) external lighting infrastructure, including lighting columns;
- (b) fencing, boundary treatment and other means of enclosure;
- (c) demolition of existing buildings and structures;
- (d) signage;
- (e) CCTV and other security measures;
- (f) surface and foul water drainage facilities;
- (g) potable water supply;
- (h) new telecommunications and utilities apparatus and connections;
- (i) hard and soft landscaping;
- (j) biodiversity enhancement measures and environmental mitigation measures;
- (k) works permanently to alter the position of existing telecommunications and utilities apparatus and connections;
- (l) works for the protection of buildings and land;
- (m) establishment of temporary construction compounds, vehicle parking areas, hard standing, materials storage and laydown areas, construction fabrication areas, construction related buildings, accommodation buildings, temporary offices, structures, plant and machinery, lighting and fencing, internal haul routes and wheel wash facilities; and



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Technical Note: Regulation of noise controls (acoustic fence)

- (n) site establishment and preparation works, including site clearance (including temporary fencing and vegetation removal), earthworks (including soil stripping and storage and site levelling) and excavations, the creation of temporary construction access points and the temporary alteration of the position of services and utilities apparatus and connections,

and such other buildings, structures, works or operations and modifications to, or demolition of, any existing buildings, structures or works as may be necessary or expedient for the purposes of or in connection with the construction, operation and maintenance of the works in this Schedule, but only within the Order limits and insofar as they are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

