

Responses to ExQ2

Medway Council

Planning Inspectorate Scheme Reference: TR010032

Unique Interested Party Reference: LTC-SP097

Introduction

Purpose, content and layout

This Deadline 6 submission sets out Medway Council's responses to the Examining Authority's (ExA's) second written questions and requests for information (ExQ2).

The content and layout of this submission is consistent with the table in ExQ2, dated 10 October 2023. Medway Council's responses have been inserted below each relevant question.

ExQ1	Question to:	Question:
Q8.1.4	Applicant, Local Authorities and Environment Agency	<p data-bbox="763 252 1070 279">Excavated materials</p> <p data-bbox="763 304 2051 375">With regard to the Outline Materials Handling Plan [REP5-051], the Excavated Materials Assessment [APP-435] and the Code of Construction Practice [REP5-049]:</p> <ul data-bbox="808 400 2051 651" style="list-style-type: none"> <li data-bbox="808 400 2051 470">• Could greater certainty be provided that the quantities of excavated materials would not exceed the estimates? <li data-bbox="808 491 2051 561">• In the event that quantities did exceed the estimates, what remediation/mitigation could be secured? <li data-bbox="808 582 2051 651">• Should/could the controls in the Code of Construction Practice be updated to deal with a situation where the quantities were exceeded?
Medway Council's response		<p data-bbox="763 676 2051 853">Paragraph 1.2.3 of the Outline Materials Handling Plan (oMHP) [REP5-051] identifies mitigation (design of the scheme) reducing the amount of excavated material requiring off-site management as 663,500m³. Table 7.1 of the oMHP [REP5-051] identifies 500,000m³ inert/non-hazardous waste plus 163,500m³ hazardous waste requiring off-site management.</p> <p data-bbox="763 874 2051 981">Demonstration and confirmation that estimates of excavated material arising and requiring off-site/beyond the Order Limits management represents the 'worst case' (and hence likely that amounts actually generated will be lower) would be welcome.</p> <p data-bbox="763 1002 2051 1181">MW011 of the Register of Environment Actions and Commitments (REAC) [REP5-049] requires a minimum of 95% of inert excavation and 95% inert construction and demolition waste destined for off-site to be diverted from landfill. MW013 of the REAC [REP5-049] specifies a minimum 70% diversion of all non-hazardous construction and demolition waste destined for off-site management to final disposal in landfill, with a 'target' of 90%.</p> <p data-bbox="763 1201 2051 1272">Clarification should be provided on whether the 90% or 70% target will apply to contractors; 90% is clearly preferable and more consistent with the waste hierarchy.</p> <p data-bbox="763 1292 2051 1361">The REAC could increase the amount and proportion re-used on-site where the capacity for receiving material is known and over which the Applicant would have more control.</p>

ExQ1	Question to:	Question:
		<p>The oMHP [REP5-051] and the REAC [REP5-049] could identify options (sites) for achieving the target recovery rate for materials requiring off-site management.</p> <p>MW014 of the REAC [REP5-049] provides for monitoring which should trigger a review of the Environmental Management Plan and presumably a review of assumptions used in the Environmental Statement and associated documents.</p>
Q8.1.5	<p>Applicant, Local Authorities and Environment Agency</p>	<p>Waste hierarchy</p> <p>Could/should the wording in MW007 of the Code of Construction Practice [REP5-049] be strengthened to provide greater certainty that the waste hierarchy will be followed appropriately? Would the use of individual targets for different materials be an appropriate approach?</p>
	<p>Medway Council's response</p>	<p>The waste hierarchy is also reflected in the targets in MW011 and MW013 of the the REAC [REP5-049].</p> <p>Potentially MW007 could be broken down into targets (and amounts) separately to reflect the priorities of the Waste Hierarchy for re-use (on-site), recycling, and recovery (on- and off-site).</p> <p>This could also help ensure consistency between the REAC [REP5-049] and the assumptions and calculations in the EMA Table 2.1 (and to an extent the oMHP Table 7.1 [REP5-051]). This might provide greater clarity of what is required of contractors in terms of maximising on-site re-use and off-site recovery.</p> <p>The EMA (para 3.1.35) assumes that 'excavated materials are segregated by type at point of origin to allow separate dispatch on inert, non-hazardous and hazardous materials'. Therefore, it would appear to be helpful and consistent if targets for re-use, recycling and recovery separately could be set for types (inert, non-hazardous, hazardous) of excavation, construction and demolition wastes, which would also provide greater clarity.</p>
9.1.3	<p>Local Planning Authorities</p>	<p>Construction</p> <p>Do you consider that the package of commitments is sufficient to monitor and, if necessary, mitigate noise and vibration impacts during the construction phase? If not, please provide</p>

ExQ1	Question to:	Question:
Medway Council's response		<p data-bbox="759 252 2040 323">details and any suggested additional wording/commitments that you consider to be necessary.</p> <hr/> <p data-bbox="759 344 2040 523">Paragraph 5.4.2 of Medway Council's Local Impact Report [REP1-258] noted that there would be significant noise impacts in Year 4 at receptors in Cuxton and Halling ward. This would be due to the potential rerouting of non-construction related traffic. Medway Council accepts that this could be mitigated through robust traffic management. The Applicant is relying on the outline Traffic Management Plan for Construction [REP1-175].</p>
