

## Report to Planning Committee - 13 August 2021

**Consideration of a request for comments on the Preliminary Environmental Information Report (PEIR) for plans to develop a new Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam, (and associated grid connections) on land at Algores Way, Wisbech;**

**and**

**Re-iteration of the Borough Council's position of opposition on the substantive issue of such a facility adjacent to the Borough**

<b>Parish:</b>	(Within West Norfolk) Walsoken, Walpole, Walpole Highway, West Walton, Walton Highway.
<b>Proposal:</b>	Plans to develop a new Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam, (and associated grid connections) on land at Algores Way, Wisbech.
<b>Location:</b>	Wisbech, Cambridgeshire
<b>Applicant:</b>	Medworth CHP Ltd
<b>Case Officer:</b>	Hannah Wood-Handy / Alan Gomm

### **Reason for Referral to Planning Committee**

Before applying for a Development Consent Order (DCO) to the Secretary of State (as is the intention in this case), an applicant must consult interested parties on its preliminary assessment of likely environmental impacts (the PEIR). The Applicant is now seeking consultees' comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development. The Applicant must have regard to any relevant responses received during the statutory consultation in relation to the PEIR when preparing the Environmental Statement (ES) for the Development Consent Order application.

### **Summary of Report**

The report comes in two parts and addresses two matters:

- A. A **technical response** to the particular request for comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development when preparing the Environmental Statement for the DCO application.

- B.** It is important to take this consultation opportunity to provide the Applicant with a clear position statement on the **Borough Council's wider community view on the proposed development, reflecting the Council Motion on 25 February 2021.**

It is the applicant's duty to consult on this material, and it is important that we engage in the early-stage (pre DCO submission) process and therefore a technical response is provided, as outlined in the report. The PEIR covers a wide range of subjects (detailed in paragraph 2.4 below).

Comments are made on the coverage of the subjects in the PEIR by the relevant technical Officers in the specific terms of the request received.

It is **very important to note** that the Borough Council passed a Motion objecting almost unanimously to the principle of the energy from waste proposal at Wisbech. This is discussed in the Report and leads to a specific re-iteration of the substance and content of the Motion.

#### **Key Issues**

- Officers have commented in the report below on the relevance and significance of the PEIR matters (as appropriate to the Borough itself). This is without prejudice to the principle of whether an EFW plant should be constructed at all.
- Notwithstanding the technical responses, it is very important that explicit reference is given to the Council Motion of opposition to the proposal on 25 February 2021, and the wider community context of the proposal.

#### **Recommendation:**

- 1. Members consider the material provided in the PEIR and note the technical responses by Officers and provide any additional comments as appropriate.**
- 2. Members re-emphasise the 'in principle' opposition to the proposal for an energy from waste facility in Wisbech as agreed at the Council meeting on 25 February 2021.**

## **OUTLINE OF THE REPORT**

Two issues are dealt with in this Report, and to emphasise the differing nature of these elements it is divided into two parts:

- A.** A **technical response** to the particular request for comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development when preparing the Environmental Statement for the DCO application.
- B.** It is important to take this consultation opportunity provide the Applicant with a clear position statement on the **Borough Council's wider community**

**view on the proposed development, reflecting the Council Motion on 25 February 2021.**

An initial summary (Section 1 below) of the Proposed development is outlined, and this is clearly relevant to both parts.

Recommendations follow at Section 7 below.

## **1.0 DESCRIPTION OF THE PROPOSAL AND THE CURRENT CONSULTATION**

1.1 The company MVV Environment plans to develop a new Energy from Waste (EfW) Combined Heat and Power (CHP) facility generating electricity and steam on land at Algores Way, Wisbech. All of the material referred to below is available at a dedicated website: [www.mvv-medworthchp.co.uk/documents](http://www.mvv-medworthchp.co.uk/documents)

1.2 A subsidiary, Medworth CHP Ltd, has been set up to deliver the Medworth project. It is this company that will submit the application to the Secretary of State for a Development Consent Order (It is important to note that this stage has not yet occurred, the submission is likely at the end of this year). Medworth CHP Ltd will be seeking permission for an Energy from Waste Combined Heat and Power facility on the industrial estate at Algores Way, Wisbech, Cambridgeshire. The development includes not just the EfW facility but also the connections to the electricity grid and industrial heat users, and some modifications to the road network.

1.3 The site is approximately 5.3 hectares (13 acres) in size and forms part of a wider industrial estate centred on and accessed via Algores Way, Wisbech, Cambridgeshire. It is located predominantly on land currently occupied by a waste and aggregates recycling facility and waste transfer station. However, the south-east section of the site (1.3 hectares (3.2 acres)) is undeveloped scrubland allocated for development.

1.4 The southern side of the site is bounded by New Bridge Lane which connects to Cromwell Road to the west and provides direct access to the A47. The closest residential properties are located along New Bridge Lane. Immediately to the west of the site is the disused March to Wisbech rail line.

1.5 The EfW CHP Facility Site comprises the buildings and equipment that are required to receive and process the waste. The waste is delivered by lorry into a reception hall, where it is tipped into a storage bunker prior to being lifted by crane into chutes that feed two furnaces. Here the waste is combusted under controlled, and continuously monitored conditions, generating heat and power for export.

1.6 The composition of residual waste received by the EfW CHP Facility and consequently, the energy generated will vary. However, there is a design limit on the amount of waste that could be processed; this is 625,600 tonnes per year.

1.7 Once operational, the facility would be capable of processing waste 24 hours a day, up to 365 days a year. Operational hours for the delivery of waste would be limited to 7a.m. to 8p.m. each day. Outside of these hours, to ensure the EfW CHP Facility's continued operation and for security purposes, a shift team would be present.

1.8 There may be some occasions when waste deliveries are accepted outside the normal opening hours, for example, in the case of an emergency, to accommodate the delivery of waste where vehicles have been unavoidably delayed or in other similar circumstances.

1.9 Burning the waste produces two types of ash. The ash which falls off the grate, Incinerator Bottom Ash (IBA), contains waste that does not combust, such as stones and steel. This will be exported from the facility, recycled, and used by the construction industry. The second, smaller, fraction of ash is called Air Pollution Control residues (APCr) or 'fly ash'. This ash consists of small particles that have been captured by the air pollution control system's filters. This ash will be exported in sealed tankers and safely disposed of at a suitably licenced facility.

#### Grid Connection

1.10 To enable the exportation of power (electricity) it is necessary to connect the EfW CHP Facility to the national grid. Two options for this connection are currently proposed. Both assume a common connection which would run underground along New Bridge Lane and then across agricultural land to a point west of the Elm High Road/A47 junction. Here the cable would either be placed in pre-positioned conduits or constructed using horizontal directional drilling (HDD) techniques, and then continue to a point east of the junction. Following a short length of further undergrounding the cable would then cross under the A47 and emerge onto wooden poles, heading in a generally northerly direction to Broadend Road.

1.11 The two options for the connection relate to two alternative points of connection. The first is the existing substation at Walpole (Option 1). This would see the connection continuing overhead for approximately 7.5km (4.7 miles) until it reaches Mill Road, at which point it would run under the highway prior to entering the substation.

1.12 The Walsoken connection (Option 2) would see the cable running underground west along Broadend Road and crossing the A47, either using pre-positioned conduits or HDD, before entering the Walsoken substation.

1.13 The Grid Connection comprises underground and overhead sections. For the underground section, the cable would comprise three insulated armoured cables. The cables would be installed in either an open cut trench or in ducts or conduits. Ducts would be installed using a driven bore known as HDD.

1.14 The overhead line would be carried on wooden poles. Three conductor wires would be supported on insulators and, depending on the technical requirements, a selection of different pole types will be used; however, the preliminary design of the Grid Connection assumes pole heights of 11 to 18 metres.

## **PART A – 'PEIR' ISSUES / RESPONSES**

### **2.0 PURPOSE OF THE PRELIMINARY ENVIRONMENTAL INFORMATION REPORT (PEIR)**

2.1 The PEIR has been prepared as part of an EIA and statutory consultation requirements relating to the Proposed Development.

2.2 In accordance with Regulation 12 of the EIA Regulations, the Applicant must

publicise and consult on preliminary environmental information (PEI) as part of its duty to consult in accordance with section 47 of the Planning Act. PEI is defined within Regulation 14(2) as information which:

- has been compiled by the applicant; and
- is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development).

2.3 The PEIR has been prepared for the purpose of meeting those requirements of the EIA Regulations.

2.4 The Applicant is actively seeking consultees' comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development. The Applicant will have regard to any relevant responses received during the statutory consultation in relation to the PEIR when preparing the ES for the DCO application.

The PEIR includes details of the following:

Chapter 3 Description of the Proposed Development  
Chapter 4 Approach to the EIA  
Chapter 5 Legislation and Policy  
Chapter 6 Traffic and Transport  
Chapter 7 Noise and Vibration  
Chapter 8 Air Quality  
Chapter 9 Landscape and Visual  
Chapter 10 Historic Environment  
Chapter 11 Biodiversity  
Chapter 12 Hydrology  
Chapter 13 Geology, Hydrogeology and Contaminated Land  
Chapter 14 Climate Change  
Chapter 15 Socio-economics  
Chapter 16 Health  
Chapter 17 Major Accidents and Disasters  
Chapter 18 Cumulative Effects Assessment

2.5 An EIA is required because the Proposed Development falls within paragraph 10 of Schedule 1 of the EIA Regulations, which refers to:

*“Waste disposal installations for the incineration or chemical treatment (as defined in Annex I to Directive 2008/98/EC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day.”*

The Borough Council is being consulted as a Statutory Consultee.

2.6 The Proposed Development would have the capacity to generate over 50 megawatts of electricity and therefore, unlike regular planning applications submitted to local authorities, it is defined as a Nationally Significant Infrastructure Project. This means that the Applicant is required to apply to the Secretary of State for planning permission, but in this instance, it is called a Development Consent Order (DCO).

2.7 Before applying for a DCO, an applicant must consult interested parties on its preliminary assessment of likely environmental impacts (the PEIR). These

interested parties include a range of formal organisations, such as, local authorities, the Environment Agency and Public Health England, as well as informal organisations, affected landowners, tenants and occupiers and members of the public.

2.8 Statutory consultation on the Proposed Development will take place between 28<sup>th</sup> June and 13<sup>th</sup> August 2021. Before finalising its proposals and applying for a DCO, the Applicant will review and have regard to relevant representations made during the consultation.

### **3.0 THE NEXT STEPS**

3.1 As noted above the Applicant is currently seeking consultees' comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development. The Applicant will have regard to the comments received during the statutory consultation when preparing the ES.

3.2 Following this consultation, over the summer of 2021, the Applicant will continue and/or commence those environmental surveys that could not begin sooner due to the COVID-19 pandemic restrictions or due to the need for authorisation pursuant to section 53 of the 2008 Act. Informal consultation with key consultees has indicated that the relevant baseline conditions are now appropriate to allow the surveys to be undertaken. These surveys will be carried out over the summer of 2021 and the results used to inform the final assessments reported in the ES.

3.3 A diagram outlining the role of Local Authorities in the DCO process is attached as Appendix 1 for information.

### **4.0 RESPONSES TO CONSULTATION**

(Please note Officers have prepared the following responses having regard to the technical competencies of the Officers and Teams resources as appropriate. Given the chapter headings in the PEIR there are subjects which are more appropriate to the County Council – such as highways issues, and we are aware that the County Council are producing their own report).

#### **4.0.1 Note on the Environmental Health comments**

- These comments represent a joint response of the Environmental Health Teams to the statutory consultation of the Preliminary Environmental Information Report (PEIR) for the above-mentioned site. This is not a response to the planning application which is expected to be submitted in late 2021/ early 2022. References to 'chapters' follow the PEIR headings noted above.
- The Environmental Quality Team remits are air quality, contaminated land and climate change. The Community Safety & Neighbourhood Nuisance Team remits are noise, construction dust, odour, and lighting.
- We have reviewed the relevant parts of the Preliminary Environmental Information Report (PEIR) as part of the statutory consultation. The

comments below form the basis of our consultation to feed into the final application documents.

- The planning application and Environmental Statement (ES) will then be reviewed when the application submitted to the Planning Inspectorate.

## **Impacts of the Proposal**

### **4.1 Traffic Air Quality Impacts**

4.1.1 This is considered in PEIR Chapter 6.

4.1.2 The preliminary traffic assessment considers the construction phase and operational phases separately. This Chapter links to Chapter 7 Noise, Chapter 8 Air Quality and Chapter 14 Climate Change.

#### **Construction Phase**

4.1.3 During the construction phase we need to consider the construction of the plant and the construction of the proposed link to Walpole Substation. The site construction traffic also may impact West Norfolk residents along Elm High Road. The HV link construction could impact West Norfolk residents within the buffer zone either side of the build route.

#### **Operational Phase**

4.1.4 A new access road is to be constructed to allow access to the site via New Bridge Lane off Cromwell Road, Wisbech. This will allow direct access from the A47 to Cromwell Road and then to New Bridge Lane.

4.1.5 The new access will replace the current access via Algores Lane, off Weasenham Lane leading to Elm High Road. The new access road will mitigate the potential traffic impacts to West Norfolk local residents along Elm High Road, Wisbech.

4.1.6 The impact of additional HGV traffic movements during construction and operational phases will need to be further considered and a traffic assessment must be included in the final ES, along with a travel plan.

4.1.7 The expected two-way traffic movements are:

- Weekday - HGV, RCV, Tanker, LV, staff = 362
- Weekend - HGV, RCV, Tanker, LV, staff = 96

4.1.8 Route restrictions will apply and are to be detailed in the Travel Plan.

4.1.9 The PEIR will be further influenced by responses received during the Statutory Consultation.

4.1.10 This will be further reviewed and considered when the ES and planning application is submitted to PINS.

## **4.2 Noise & Vibration**

4.2.1 This is considered in PEIR Chapter 7.

The Noise Survey and Monitoring Plan submitted at Appendix 7A of Chapter 7 of PEIR has been subject to discussion and agreement of methodology with both BCKLWN and Fenland DC.

4.2.2 It is noted that specific noise control measures for both construction and operation of the plant will be provided. A draft CEMP has been submitted which covers good practice for noise control. The CEMP identifies the need for a full Construction Noise Management Plan to be developed.

4.2.3 The majority of the construction related noise will be generated close to the site and outside of the council's administrative area. Chapter 7 outlines how construction noise and construction traffic noise have been assessed.

4.2.4 Traffic will not be entering via Elm High Road and as such no detrimental impact on residents of West Norfolk is expected.

4.2.5 It is likely that there will be some short-term disturbance to residents during the installation of the grid connection which will run through West Norfolk. Where Horizontal Directional Drilling takes place, this is likely to include night time noise from pumps. This will be short term disturbance but does need to be adequately controlled and is described within the draft CEMP.

4.2.6 Further detail will be required following the completion of baseline noise monitoring, which it is anticipated should take place unless pandemic restrictions are reintroduced.

## **4.3 Lighting**

4.3.1 It is not anticipated that lighting either as part of construction or operation of the development will have a significant impact for residents of West Norfolk.

## **4.4 Air Quality**

4.4.1 This is considered in Chapter 8 of the Preliminary Environmental Information Report.

4.4.2 Air quality refers to the National Air Quality Strategy (NAQS) and its standards for Nitrogen Dioxide, Sulphur Dioxide (SO<sub>2</sub>) and Particle Matter (PM). Other pollutants such as dioxins, heavy metals, PCB's etc are considered in the Health Assessment below. The impact on the NAQS is relevant to planning and the National Planning Policy Framework, other pollutants are not considered in detail by the NPPF as they are covered by the Environmental Permit (EP). The EP is considered and issued by the Environment Agency (EA) to comply with the Industrial Emission Directive (IED) and the Waste Incineration Directive (WID). This process will be twin tracked with the planning application starting around January/ February 2022.

4.4.3 There is the potential for dust and particulates to arise from construction activities. Table 8.26 lists the IAQM recommended mitigation measures for dust effect

according to the construction activity. This demonstrates good practice. A draft Outline Construction Environmental Management Plan has been produced which will control fugitive dust emissions. This will be submitted as the final planning application.

4.4.4 Air dispersion modelling of the stack emissions has been carried out. We agree the use of the model is best practice in assessing the potential impacts from this proposal. The assessment assumes the plant is emitting pollutant concentrations at maximum emission limits 24 hours a day for 365 days a year. This is a worst-case scenario. Figures 8.5 and 8.6 show annual mean NO<sub>2</sub> contours from point sources and process contribution from point sources.

4.4.5 The study area includes an area encompassing 15km from the location of the chimney emissions. Which is in accordance with the EA's (Air Emissions Risk Assessment for an environmental permit) requirement to consider nature conservation sites up to 15km from this emission source. The impact on the air quality management areas in King's Lynn are outside this study area. The impact using the Institute Air Quality Management (IAQM) guidance is "negligible" impact, i.e. process contribution will be less than 1% of the NAQS objectives. Whilst we agree with this approach, as part of the Scoping Opinion we raised the issue of the impact on the two Air Quality Management Areas in King's Lynn, designated for protection of human health, but this has not been included. We asked for a statement as to why they have not been considered further and scoped out. We can find no reference within the EIPR and ask again that a reason is provided as to why they have not been included. Air quality monitoring data is available for the BCKLWN area, within the study area, and this should be considered.

4.4.6 The modelling shows the highest ground level NO<sub>2</sub> concentrations from the stack emissions are located at receptor R107 which is located North East of the site within the Town of Wisbech, not within West Norfolk. The highest ground level SO<sub>2</sub> concentrations are located at Receptor R5 located in Wisbech.

4.4.7 The modelling shows that receptors R30, R31, R32, R33 R35, & R36 which are located along Elm High Road, Wisbech and located with the West Norfolk district have "negligible" impact from stack emissions.

4.4.8 Receptor locations in the villages of West Walton, Walton Highways, Emneth and Elm have been screened out. Locations R76 in Emneth and R67 in Elm will have a "negligible" impact from stack emissions.

4.4.9 For the majority of all pollutants, the modelling is predicted to be less than 5% of the long-term emission limits and less than 10% of the short-term limits. Using the IAQM guidance this impact would be viewed as "negligible" in West Norfolk.

4.4.10 The predicted NO<sub>2</sub> and SO<sub>2</sub> short terms limits are predicted to be "small" using the IAQM guidance. These impacts are not located within West Norfolk.

4.4.11 Overall, the changes in ground level concentrations at human receptors are considered to be "not significant".

4.4.12 A chimney height calculation has been completed. This shows that the minimum height would be around 75m but emissions would be classified as

“insignificant” at around 100m. The EA Environmental Permit will determine the required chimney height to minimise grounding of stack emissions.

4.4.13 This proposal does not include on site treatment and storage of incinerator bottom ash (IBA). IBA will be taken from the site and processed at another location. This process will be controlled through the Environmental Permit. Therefore, this potential fugitive emission source for PM is not assessed and has been screened out.

4.4.14 The preliminary assessment in chapter 8 is based on information obtained to date. However, further work is proposed, including:

- Air quality monitoring survey;
- An assessment of impacts from construction traffic;
- An assessment of impacts from operational traffic over the wider study area;
- Impacts during abnormal operations;
- Metal deposition; and
- Human Health Risk Assessment.

4.4.15 The Borough Council has installed passive nitrogen dioxide monitoring in several locations to provide background data and the data can be made available to the applicant. A final assessment is proposed to be presented in the Environmental Statement (ES) submitted with the planning application. We agree with the next steps proposed.

4.4.16 Once these have been completed, we ask that they be circulated for review as part of the final ES.

## **4.5 Dust**

4.5.1 Fugitive emissions from dust are only likely to be an issue during the construction phase. The draft CEMP outlines how such emissions will be controlled and represents best practice.

## **4.6 Odour**

4.6.1 Odour emissions will be controlled through the Environmental Permit and mitigation measures put in place. Furnace shutdowns will be staggered where possible, but if waste remains in the bunker during a total shutdown then air can be passed through the carbon filters or an odour neutralisation spray could be used. It is not anticipated that odour from normal operations will have a significant impact for residents of West Norfolk.

4.6.2 A further assessment will be completed when the design will be confirmed. This will be determined as part of BAT when the Environmental Permit is considered.

## **4.7 Contaminated Land**

4.7.1 This is considered in PEIR Chapter 13.

4.7.2 BCKLWN’s comments on the scoping report are not reported in the Summary of EIA Scoping Opinion responses. However, CCC and FDC required a Phase 1 and Phase 2 contaminated land investigation and the relevant receptors in the KLWN area

are scoped in. A Phase 1 geo-environmental desk for the Proposed Development, and an intrusive ground investigation, are reported to have been completed and the relevant reports are appended to the Preliminary Environmental Information Report (appendices 13A and 13B). The Grid Connection Corridor Phase 1 report defines areas where further investigation is needed to confirm the site's suitability for the Proposed Development in relation to land contamination, including hazardous ground gas. Several moderate or moderate/low potentially significant risk pollutant linkages are reported to have been identified, affecting property, surface water, future site users and off-site users.

4.7.3 Section 13.12 sets out the measures which will be taken by the applicant and contractor to protect sensitive receptors, including compliance with LCRM to confirm the site is suitable for the proposed development. The conclusions and recommendations of the Grid Connection Corridor Phase 1 Geoenvironmental Desk Study and Interpretative Report and the EfW CHP Facility Phases 1 and 2 Geoenvironmental Desk Study and Interpretative Report are reasonable. Further work will be required to include the reports' recommendations in the final design.

## **4.8 Climate Change**

4.8.1 This is considered in Chapter 14 of the PEIR.

4.8.2 A greenhouse gas (GHG) emissions impact assessment has been completed as part of this application, comparing two development scenarios for future emissions. This assessment of GHGs follows best practise as highlighted in the planning practise guidance (PPG). This assessment compares a 'with proposed development' scenario with a 'without proposed development' baseline. The 'without proposal development' baseline assumes no new infrastructure over the operational phase of the proposed developed, with emissions related to methane from landfill and GHG emissions from waste transport and treatment.

4.8.3 This assessment determines total approximate emissions from the proposed development to be 5,938ktCO<sub>2</sub>e. This represents a beneficial effect from the 'without proposed development' case, as total emissions from this case are approximately 10,233ktCO<sub>2</sub>e. Therefore, this proposal offers a net decrease in lifetime GHG emissions of 4,296ktCO<sub>2</sub>e.

4.8.4 This proposal has been designed with combined heat and power (CHP) which would allow for the generation of electricity (424,000 MWh/year). Further exportation of heat and/or steam to local off-site customers will aid further heat recovery. This aligns with guidance in the NPPF. Further to this, best practise is followed through embedded measures to continuously improve energy efficiency and therefore, reduce GHG emissions. This is a requirement under the environmental permit.

4.8.5 Incinerator bottom ash (IBA) and other waste product reprocessing has been scoped out of the GHG emissions impact assessment, on the basis that the reprocessing is not carried out at the proposed facility site. No assessment of the transportation of IBA and other waste products is highlighted. It is not clear whether the reprocessing of the IBA and other products includes these extra transportation journeys. Further clarification on this should be provided, along with an explanation on whether these extra journeys are scoped into the GHG emissions impact assessment or not.

4.8.6 Overall, on page 93, paragraph 14.10.1 the proposed development is considered to have a high (beneficial) significant effect in terms of GHG emissions. However, earlier in the document on page 76, paragraph 14.9.46 the proposed development is assessed as having a 'low (beneficial) significant impact'. This needs to be clarified as to whether the significant impact is 'high (beneficial)' or 'low (beneficial)' and amended for ES where this can then be reviewed further.

4.8.7 A climate change resilience (CCR) assessment has been completed as part of this application, for the 'with proposed development' construction, operational and decommissioning phases. This follows best practise highlighted in the national planning policy framework (NPPG) and NPG, by assessing the proposed development's vulnerability to climate change risks across its 3 phases. It is expected that there would be no significant effects with regards to this proposal's vulnerability to climate change. The 'without proposed development' CCR will be further assessed within the ES.

4.8.8 Traffic movements are higher in the 'with proposed development' scenario than the 'without proposed scenario'. Therefore, the climate change impact from GHG emissions from the proposed development will be higher, compared to a without development scenario. This was to be expected due to additional LGV and car movements resulting from the 3 phases.

4.8.9 The average one-way distance is 113.8km, which is travelled by HGV and LGV to collect waste material. Distance to the proposed development ranges from 35.4km to 160.5km, within the 2-hour catchment area. Greater transport emissions due to larger distances from the proposed development are offset by those with shorter distances to the proposed development.

4.8.10 The impact of additional HGV traffic movements during construction and operational will need to be further considered and a traffic assessment included in the final ES, along with a travel plan. Once this traffic assessment has been completed then chapter 14 needs to be amended in line with any additional traffic movements.

## **4.9 Health Impact**

4.9.1 This is considered in PEIR Chapter 16.

4.9.2 This chapter set out the basis of what should be included in the health assessment such as air quality during construction, operation and abnormal operations and electric and magnetic field impacts from the 132KV HV line. We agree with this approach and the updated health assessment should form part of the ES which will be reviewed as part of the planning application. We note that the study area of the grid connections options area includes parts of the King's Lynn and West Norfolk Borough Council area.

4.9.3 The PEIR in Chapter 16 will be influenced by responses received during the Statutory Consultation and updates to other Chapters 6,7,8,9,15 & 17.

4.9.4 Comments made as part of the Scoping Exercise have been included in Appendix 16A and have been taken onboard.

4.9.5 Whilst we agree with the general approach it should be noted that emissions from the installation are controlled through an Environmental Permit issued by the EA. This will be a separate application process and will be twin tracked with the planning application in January/ February 2022.

#### **4.10 Major Accidents and Disasters**

4.10.1 This is considered in PEIR Chapter 17.

4.10.2 The site does not fall within COMAH regulations. There are no major accident sites or pipelines in West Norfolk which would be impacted by this development. There is one major accident and two major accident pipelines near the site within Wisbech which would be overseen by the Health & Safety Executive.

4.10.3 There are sites identified in West Norfolk that could be impacted as part of the grid connection & construction work as they lie within the 500m buffer.

4.10.4 The 132KV high voltage (HV) line will run through West Norfolk and connect to the national grid 400kv substation just outside Walpole St Peter. The impacts of any accident can be mitigated through the application of good industry practice. HV lines run across West Norfolk as part of the national grid.

4.10.5 The grid connection would either be owned and operator by the applicant, UK Power Network (UKPN) or Independent Distribution Network Operator (IDNO).

4.10.6 Abnormal operations may occur if there is a mechanical breakdown or bag filter failure, etc. The impact of such a failure is based on the requirements of the Waste Incineration Directive (WID) that such a plant would be required to operate under an Environmental Permit. WID requires that abnormal operations must not exceed 4 hours at any one time or exceed a total of 60 hours in any one year. This will be covered by the Environmental Permit.

4.10.7 No assessment of stack emissions during abnormal operations has been completed to date. This assessment will need to be completed and then considered as part of the applications process. This is also relevant to Chapters 8 Air Quality & 16 Health Impact.

4.10.8 Fires are recognised hazard of waste sites. Any large fire on site may cause smoke to impact nearby receptors. The impact of a fire on site can be mitigated through design and risk assessment such as escape routes, secondary containment, and fire suppression. This would also be covered by the Environmental Permit and through Fire Regulatory Reform Risk Assessment.

4.10.9 Spills of chemicals or waste material can be mitigated through design and will also be covered by Environmental Permit. This is also covered in the Hydrology Chapter. Anglian Water and the Middle Levels Commissioner also cover this area with controlling liquid waste to sewer and discharge to local water courses and drainage systems.

#### **4.11 Cumulative Impact with other Sources**

4.11.1 This is considered in PEIR Chapter 18.

4.11.2 This Chapter sets out the factors to be considered as part of the cumulative impact such as noise, air quality, traffic, climate change, health etc.

4.11.3 For the purpose of the inter-related effects assessment, common receptors for environmental aspects have been identified, and consideration given to whether the aspect effects on any common receptors are likely to combine. This consideration looked at:

- identification of the common receptor(s) from the individual aspect assessments;
- identification of impact source pathways that can affect the common receptor(s);
- identification of potential effects on the identified common receptor(s); and
- the inter-related effects across the construction, operation and maintenance and decommissioning phases where appropriate

4.11.4 An overview of where potential interrelated effects may arise is set out in Table 18.6 of the PEIR Chapter 18.

4.11.5 As part of the next steps the Applicant will continue to monitor planning applications, permissions, scoping requests and emerging policy developments with a view to finalising a list of projects prior to the preparation of the assessments which will be reported within the ES. The appropriate 'cut-off' date and final list will be agreed with key consultees where possible.

## **4.12. Next Steps**

4.12.1 PEIR Chapter 19 provides a summary and next step to be carried out. These steps include: -

- Environmental surveys / monitoring:
  - continue with ecological and ornithological surveys;
  - undertake continuous noise monitoring;
  - undertake noise and traffic surveys
  - undertake surveys of ground conditions along the route of the Grid Connection, and;
  - carry out any other environmental surveys necessary to obtain an updated assessment of baseline conditions
- Informal consultation:
  - Continue liaison with the Internal Drainage Boards and Environment Agency to inform the potential for water discharge into and the crossing of watercourses;
  - Continue liaison with the local and strategic highways authorities to finalise access designs and the routing of construction and operational traffic;

- Confirm whether pre-positioned ducts or Horizontal Directional Drilling (HDD) can be used to cross the A47 at Elm High Road and Broadend Road,
- Continue liaison with Network Rail to assess the CHP Connection and reopening New Bridge Lane and;
- Continue liaison with key consultees to inform other aspects of the design.
- Finalisation of the details of the design of the Proposed Development, to include:
  - Select the preferred Grid Connection Option, and;
  - Select the preferred Grid Connection Temporary Construction Compound (TCC).
  - Preparation of the Environmental Statement:
  - Maintain an up to date register of Tier 1, 2 and 3 projects, plans and programmes to inform the cumulative assessment, and;
  - Following the conclusions of the full environmental assessments, set out any additional proposed mitigation measures.

4.12.2 Officers agree with this approach.

### **4.13 Planning general comments**

Policy background

4.13.1 The responsibility for assessing / commenting on the proposal in relation to the development plan will properly rest with the Cambridgeshire and Peterborough authorities, as it is the Cambridgeshire and Peterborough Minerals and Waste Local Plan (CPMWLP) which was adopted July 2021 and forms the principal source of local policy for the Medworth proposal. It is very newly adopted and contains a set of substantially new policies from the previous version from 2011. In the new version there are no allocations for waste management facilities, instead the Council's rely on a criteria-based policy to assess proposals. However, the site of the Medworth proposal is identified as a 'Waste Management Area' and has a Consultation Area zone around it. This seeks to safeguard such sites for waste management proposals, including energy from waste. This is an important consideration in understanding the suitability for the Medworth proposal.

Policy 4 of the CPMWLP specifically notes:

***POLICY 4: PROVIDING FOR WASTE MANAGEMENT***

*Across the plan area, existing and committed waste sites meet the majority of identified needs as set out in Policy 3, with the present forecast capacity gap over the plan period being less than substantial. As such, the strategy of this plan is not to make specific allocations for new waste sites. Instead this policy sets out a broad spatial strategy for the location of new waste management development; and criteria which will direct proposals to suitable sites, consistent with the spatial strategy.*

4.13.2 The key element in regard to the Medworth proposal would seem to be its location within Wisbech, as below:

*Unless otherwise supported by policy provision under one of the sub-headings in the second half of this Policy, the locational strategy of this Plan is that new or extended waste management facilities should be located within the settlement boundary\* of the existing or planned main urban areas of: Cambourne, Cambridge, Chatteris, Ely, Huntingdon, Littleport, March, Northstowe, Peterborough, Ramsey, Soham, St. Ives, St. Neots, Waterbeach New Town, Whittlesey or Wisbech.*

4.13.3 Any proposal will also need to satisfy normal planning requirements such as:

- Need for the scheme
- Environmental constraints and designations
- Highway capacity and safety
- Effect on sensitive receptors

These factors are explored in the PEIR statements as outlined at above. (Chapters 6 – 18).

4.13.4 It will be noted that Norfolk County Council is the statutory consultee for road capacity and highway safety and will be providing the technical response. However, there are longstanding local concerns about the levels of vehicles on surrounding routes that already have high volumes of traffic, particularly the Elm High Road/A47 junction. Whilst the Wisbech Access Strategy seeks to resolve issues at this junction (along with others), the proposal would increase levels of traffic in the locality particularly during the construction period (a 36 month construction phase) and operational phase. A full transport assessment and travel plan using the most up to date traffic data will therefore need to be submitted in order for the Council to understand the impacts of the development.

4.13.5 In terms of landscape and visual impact, it is noted that the proposed development is located in an industrial area set against the backdrop of the existing cold store. Development within the Borough Council's administrative area is limited to that associated with the 132kv overhead power lines should the applicant proceed with this option.

#### **4.14 Comments on Historic Environment (PEIR Chapter 10).**

4.14.1 Whilst the document identifies a 2km boundary for consideration of impact upon designated heritage assets, only certain buildings and structures are covered in this report. The report would have been more comprehensive if it had itemised the designated heritage assets and for each one provided an analysis, which in most cases could and would have been brief. Some listed buildings' settings which have not been analysed in the report appear to be closer to the red line boundary than others which have been analysed. If all designated heritage assets within the 2km area had been considered in the same manner, this would have provided a more consistent approach. A similar approach could have also been used for non designated heritage assets. There is also some inconsistency on the rightful emphasis centred on the Wisbech Conservation Area but comparable lack of emphasis on the setting of listed buildings within BCKLWN

4.14.2 The study area for the Grid Connection near to Elm identifies designated heritage assets which will be impacted and concludes that there are two concentrations. One in Elm and within Cambridgeshire, the other just within BCKLWN

and formed by the four separately listed buildings at Oxburgh Hall. No analysis of the impact upon these listed buildings has been provided, yet these are some of the closest designated heritage assets. Whilst the impact may be potentially low, this should have been covered. This is of concern.

4.14.3 Clear analysis of the impact of the proposal has been provided on the following listed buildings:

Greens Cottage, Ingleborough Mill, Mill House St Pauls Highway, Austin House Burrell Gate Road.

4.14.4 We would not disagree with the analysis - the harm caused by this proposal upon these designated heritage assets is likely to be minor.

## **5. Conclusions on the PEIR consultation**

5.1 It is important to remember that this consultation is essentially a discussion about the factors that should be taken into account by the Planning Inspectorate when they assess the DCO. Are there gaps that need to be covered by the applicant before submission of the DCO?

5.2 We have considered the Preliminary Environmental Information Report and we ask for the above comments (sections 4.1 – 4.13) to be considered and included in the final Environmental Statement.

5.3 We will then review and consider the Environmental Statement of the planning application when it is submitted to PINS.

5.4 The Applicant is actively seeking consultees' comments on the information provided in the PEIR to inform the ongoing design and assessment of the Proposed Development. However, Members may feel they wish to express opinions as to the suitability of the site and the sites of the associated works (e.g. gridlines etc).

5.5 In the opinion of Officers the proposal:

- Can be seen to have had regard to the statutory development plan in relation to its location.
- In considering the environmental health implications there are further elements of work that would be appropriate to undertake. However, the absence of this material is not seen as determinative in whether the proposal should ultimately be refused.
- There are no other overriding landscape or planning factors which would point towards a substantive objection to this scheme.

5.6 In the light of Members consideration of the above information they are requested to express any additional views as to the level of background information collected.

5.7 Members may wish to consider any other comments they feel should be sent to the Applicants as part of this consultation regarding the impact apparent and the appropriateness of the proposal / its impact on West Norfolk.

## **PART B – THE BOROUGH COUNCIL ‘IN PRINCIPLE’ OBJECTION TO THE ENERGY FROM WASTE PROPOSAL AT WISBECH**

### **6. BOROUGH COUNCIL MOTION FROM FEBRUARY 2021**

6.1 The following is an extract from the minutes of the Council meeting. Note the Proposal is described in that meeting as a ‘waste incinerator’.

#### **C:159 NOTICE OF MOTION**

*Councillor de Whalley proposed the following Notice of Motion (1/21), seconded by Councillor Kemp:*

- 1. This Council recognises the democratic mandate given to it by the people of West Norfolk in their overwhelming opposition to the King’s Lynn incinerator proposal. In keeping with this position and in recognition of this Council’s principled opposition to that scheme, this Council cannot and does not support the construction of a waste incinerator in Wisbech.*
- 2. This Council supports Wisbech Town Council, Fenland District Council and Cambridgeshire County Council in their stated opposition to the Wisbech waste incinerator.*
- 3. This Council will write to the Secretary of State to make clear its opposition to these plans.*

*Councillor Long proposed amendments to the Motion so that it read as follows, this was accepted by Councillor de Whalley and became **the substantive motion:***

- 1. This Council recognises the democratic mandate given to it by the people of West Norfolk in their overwhelming opposition to the King’s Lynn incinerator proposal. In keeping with this position and in recognition of this Council’s principled opposition to that scheme, this Council does not support the construction of a waste incinerator in Wisbech.*
- 2. This Council supports Wisbech Town Council, Fenland District Council and Cambridgeshire County Council in their stated opposition to the Wisbech waste incinerator.*
- 3. That in doing so we do not negate the need for a technical or planning response, that we will make to the Secretary of State as part of the formal consultation process.*

*The Motion was debated. Councillor Long, with the required number of supporters requested a recorded vote which was carried out as follows...*

The Motion was carried.

6.2 **Item 1 of the Motion as agreed is clear, there is ‘in principle’ opposition to the proposal.** It is important that we are able to separate the particular technical

response in Part A, made as part of the DCO process / pre-process, from the wider objection to the proposal. Notwithstanding the very clear stated position of the Borough Council (motion to oppose the Proposal) we should still engage meaningfully in the technical / legal stages, we may be disadvantaged at later stages if we do not.

- 6.3 This stage in the application process (the PEIR stage) provides an opportunity to outline other matters which people / organisations wish to bring to the attention of the Applicants. The Borough Council should take advantage of this and re-iterate the very strong feelings captured in the Motion.

## **7. RECOMMENDATIONS:**

- 1. Members consider the material provided in the PEIR and note the technical responses by Officers and provide any additional comments as appropriate.**
- 2. Members re-emphasise the 'in principle' opposition to the proposal for an energy from waste facility in Wisbech as agreed at the Council meeting on 25 February 2021.**

## **APPENDIX 1 – The role of Local Authorities role in the Development Consent Order process**

# The role of local authorities

