

# Environment and Green Investment Committee

Date: 13 October 2022

Time: 10.00am – 12.25pm

Venue: New Shire Hall

Present: Councillors L Dupré (Chair), N Gay (Vice Chair), A Bradnam, S Corney, P Coutts, S Ferguson, I Gardener, J Gowing, R Hathorn, J King, B Milnes, C Rae, M Smith and S Tierney

## 93. Apologies for Absence and Declarations of Interest

There were no apologies for absence.

## 94. Public Minutes of the Environment & Green Investment Committee 8 September 2022 and Action log

The public minutes of the meeting held on 8 September 2022 were agreed as a correct record.

Officers provided verbal updates on two Action Log items:

Item 55: Low Carbon Heating Programme Update: sites with low carbon heating have been added to the Council's website [Reducing the Council's Carbon Footprint - Cambridgeshire County Council](#), and further communications were being planned for those projects now completing.

Item 65: March Household Waste Recycling Centre Redevelopment - a briefing note on the process and challenges of connecting to the distribution network would be circulated during October.

## 95. Petitions and Public Questions

There were no petitions. A Public Question was considered under item 96.

## 96. Relevant Representations for Medworth MVV Energy from Waste Combined Heat and Power Facility Development Consent Order

The Committee considered the County Council's proposed Relevant Representations produced by technical officers in response to the Medworth MVV proposals, which would be submitted to the Planning Inspectorate (PINS) in line with the formal consultation deadline of 15 November 2022. The proposal related to a combined heat and power (CHP) facility, otherwise known as an Energy from Waste (EfW) facility, to be located on land to

the west of Algores Way in Wisbech. The Relevant Representations had been prepared by County Council officers working with Fenland District Council colleagues, and would be updated to take account of key specialist input still to be supplied. Officers were also working with colleagues in Norfolk County Council and the Borough Council of Kings Lynn and West Norfolk, who would be submitting separate relevant representations to PINs

A number of corrections and clarifications to the report were noted:

- the company proposing the facility was *Medworth CHP Limited*;
- the Borough Council in Norfolk was the *Borough Council for Kings Lynn and West Norfolk*;
- the gross capacity and electricity generation figures in paragraphs 2.1 & 2.2 should read: *In relation to the amount of energy that the facility could, if approved, generate this should read maximum gross capacity of 60 megawatts (not 58) and the aim was to generate up to 55 megawatts of electricity (not 53)*;
- only Wisbech West division was listed on the report, but the divisions of Wisbech East and March North & Waldersey were also within the red line boundary of the DCO application;
- reference to “Environment Statement” in paragraph 2.5 of Appendix 3 should read “Environmental Statement”;
- Reference in Appendix 3 on page 54 should read *Construction, Demolition, and Excavation Waste (CDEW)*.

In presenting the item, officers raised the following points:

- The proposal was a Nationally Significant Infrastructure Project (NSIP) by virtue of its size in that it would have the capacity to generate over 50 megawatts of electricity, and the application would be determined by the Planning Inspectorate (PINS);
- The County Council has a formal role as a Host Authority in the Development Consent Order (DCO) process, and had already provided input to the Inspectorate on matters such as the extent and adequacy of the consultation that the applicant carried out;
- In July 2020, full Council had approved a Motion to oppose this application, and the Chief Executive had written to the Secretary of State to make clear the Council’s opposition to these plans. The strength of local feeling and concerns were further endorsed by the other three host authorities also approving similar motions;
- The draft relevant representation presented highlighted key issues and concerns with the application, and was a precursor to the more detailed Local Impact Report which would follow at a later date, which would set out the likely impacts of the proposal on the local area. These highlights effectively created the ‘hooks’ for officers to expand upon, so at this stage it was more important that all key subject areas and points of concern were covered;

The key issues identified related to concerns over some of the information and calculations contained in Medworth CHP Limited's Environmental Statement and other application documents, which included:

- Traffic and Transport concerns regarding improvements needed to existing roads to accommodate construction and operational traffic, potential damage to the local road network and the need for appropriate compensation;
- Inaccuracies in the figures presented in relation to potential climate change and health and wellbeing impacts;
- Concerns from education colleagues regarding proximity to Thomas Clarkson Academy (TCA) and similar concerns from Fenland colleagues in relation to the wider schools not directly under county council control;
- Errors in Air Quality calculations;
- Other areas such as landscape and visual, historic environment, biodiversity, hydrology, major accidents and disasters, and waste availability and composition. Wider discussions with key consultees such as the Fire Service, and also the Middle Level Commissioners on behalf of the Internal Drainage Board were also still taking place.

It was noted that Members could respond directly to the Inspectorate, either as a local member on behalf of their residents or representative of a group, and could register as an interested party on the PINS website. It was essential to differentiate between the Council's technical response and any political/interest group responses.

The Chair welcomed Mrs Virginia Bucknor, who was speaking as Campaign Coordinator for Wisbech Without Incineration (WisWin). The questions raised by Mrs Bucknor, and the responses provided by officers, are set out at **Appendix 1** to these minutes.

There were a number of questions of clarification:

- Noting comments relating to nearby food factories, which currently employ hundreds of people, potentially closing due to the proposed incinerator, a Member asked for further details on the importance of this industry locally. The speaker advised that the food industry was the main employment sector in Wisbech, with large facilities including Nestlé, Lamb Weston and Spillers. Several companies had indicated to WisWin that they would need to close if the incinerator was constructed, as they would no longer meet their customer standards. This was mainly as a result of stored waste being held on the incinerator site for up to eleven days, which would attract rats. There were also contamination concerns, and a particular concern was the bottom ash, which would need to be removed in sealed containers as it was carcinogenic. A number of the companies had also indicated they had no interest in the power generated by the incinerator. Concerns had also been raised by

employers regarding air pollution, especially as the Environment Agency (EA) had indicated that they could not accurately measure the pollutants omitted, which posed a risk to both people and animals. Another Member suggested that EA permitting would set standards, and the EA would monitor particulates in emissions.

The Chair advised the speaker that she would receive written confirmation of the responses to her questions within ten working days.

At the invitation of the Chair, Councillor Tierney spoke on the item, as Local Member. Councillor Tierney advised that he agreed with all points raised by the speaker, and highlighted the following concerns:

- the visual effects could not be understated: the proposed plant was gigantic, with a huge pair of chimneys and a massive construction which would put a shadow over the town;
- the school was 1.2km away, which was very close;
- the assertion that the site was surrounded by industrial areas on three sides was misleading, as there were residential properties very close to the site;
- issues around the road network, as the proposed site was near a very busy junction, where traffic was often at a standstill;
- the applicant had acted in bad faith by holding the consultation over Lockdown;
- the Council Motion, supported by all parties, was to oppose the incinerator, and this was not mentioned in the Technical Report. He suggested that it should be alluded to in the background to the report, which should also refer to Fenland District Council, Wisbech Town Council and the local MP being equally opposed to the proposal.

In discussion, Members raised the following questions:

- asked if the plant would be required to meet the stringent Best Available Techniques regulations. It was confirmed that it would, and that the Environment Agency would set specific requirements which would include Best Available Techniques, the detail being based on the type of facility. The Council was liaising with the EA on this and preparing relevant representations. Officers were aware that the applicant had put in their permit application to the EA, and subject to that being received and validated by the EA, there was a strong possibility of twintracking, and they outlined why this would be beneficial;
- agreeing with comments and concerns raised by the public speaker and the Local Member, especially given the proximity to the town centre and homes, asked why the Motion was not mentioned in the report. With regard to the Motion, officers explained that they needed to clearly differentiate between the Council's high level technical response to the Inspectorate, i.e. the case needed to be made on technical grounds,

rather than a political response. However reference could be made to both the Committee's concerns and the Motion;

- In response to a Member question, officers stressed that the focus of the Technical Response were the issues that the Planning Inspectorate would consider. Consultants engaged by the County Council had visited the site, and assessed the landscape and visual zones of influence, which extended 17km from the site. If the Planning Inspectorate and Secretary of State were minded to grant permission, there would be an opportunity for numerous Conditions to be recommended and sought in the draft Development Consent Order that the County Council would certainly request, including real-time monitoring;
- Asked if there was any scope to include a political response? Officers stressed that the document being considered was a purely technical response. Members were actively encouraged to register with the Inspectorate to make individual responses, but they needed to be clear who they were representing. Whilst understanding that the document was a Technical Response, another Member commented that Motions agreed by Council set the policy for Council, and that policy direction was that all possible action should be taken to oppose the incinerator. Officers confirmed that reference could be made to the Council Motion and associated actions. The website had already been updated, to include signposting to the Planning Inspectorate website, and the Council was actively encouraging individuals and businesses to register before the 15<sup>th</sup> November deadline, because unless they were registered, it was unlikely that they could be involved in the Inspectorate's process. As part of the Motion, the Council was securing legal advice, and would be sharing that advice with colleagues at other authorities;
- In response to a Member question on the potential loosening of planning controls by central government, it was confirmed that the early indications were that this would not impact on this application.

In debating the report, a Member observed that officers' advice was that the response needed to provide the hooks on which further information could be provided, and they had done a very good job in achieving that. She also thanked the Public Speaker for her very helpful and thorough consolidation of questions.

A Member commented that the Public Speaker and Local Member had made their arguments very eloquently as to why the incinerator should not be constructed. She drew the Committee's attention to the point made in the report about the very slight greenhouse gas emission advantage being entirely dependent on the basis of burning 'dirty' fuel to generate electricity. This slight advantage was only due to the food in household waste, which creates methane when landfilled, whereas the incinerator would produce Carbon Dioxide, which was slightly less damaging. Embedding a facility which encouraged people to create that waste, rather than addressing the issue of why there was organic waste in bins, was concerning. She suggested that the real issue was that waste should be recycled

and food waste excluded from landfill waste, and the specific arguments in paragraphs 10.6-10.8 should be highlighted, as the viability of the application rested on this premise.

The Chair reminded Members that the initial Technical Response was the first of three submissions to the Planning Inspectorate on this matter. The proposed recommendations gave scope for the draft response to be amended, including reference to the Committee's concerns in light of the Council Motion.

It was resolved unanimously to:

- (a) endorse the draft Relevant Representations in Appendix 3 for submission to the Planning Inspectorate; and
- (b) delegate to the Executive Director (Place and Sustainability) in consultation with the Chair and Vice Chair of the Committee the authority to finalise the technical officer responses and make changes to the themes within the Relevant Representations.

## 97. Schools Low Carbon Heating Programme – First Year's Experience

The Committee received a report on the experience with the Schools Low Carbon Heating Programme to date, the steps that were being taken to address the challenges encountered, and the projected pipeline of future projects.

Members were reminded that the Committee had agreed the new funding model in 2021, and the way in which projects were funded was outlined. There were currently three schools at the installation stage, from the first round of funding. £1.15M of grant funding had been secured at the second round of funding ("Phase 3a" of the Public Sector Decarbonisation Scheme). This phase of funding covered nine schools in total, four of which had accepted investment grade proposals (IGP) for installation of low carbon heating and associated measures, with works scheduled for the Christmas break. It was expected that IGPs for a further five schools would be finalised next month. Phase 3b of the grant scheme had been launched on 12<sup>th</sup> October, and a further four grant applications had been submitted, covering thirteen schools plus an application for two schools had been prepared for an academy trust.

Officers explained how the grant criteria had evolved, with greater emphasis on the evidence required. In particular, the Phase 3b grant criteria stressed the importance of providing fabric upgrades, such as insulation measures, and to date there had been some issues identifying potential cost effective insulation upgrades.

In terms of funding breakdown, around 50% of total cost was from grant funding, around 20% from the Decarbonisation Fund, with the remainder split between a loan element and boiler like for like contributions from the DfE. Carbon savings on the first twelve projects would save around 4000 tonnes of Carbon Dioxide over 20 years, which represented a 60% reduction in emissions.

The lessons learned were detailed, which included Outline Business Cases (OBCs) taking longer than anticipated, which led to lengthened timescales and other problems. For this reason, it was proposed to skip the OBC stage, but this did mean the Council would be taking the IGP fee was at risk (around £1000 per school) if a school decided not to proceed. Rising material and labour costs has been a big challenge, and the business cases were extremely sensitive to energy prices, which were extremely volatile. In addition, in some cases, there were constraints on electricity grid connection upgrades, which prevented the complete decarbonisation of heating.

Arising from the report:

- In response to a Member question, it was confirmed that the results of the Phase 3b applications were likely to be known in December 2022/January 2023;
- A Member recalled that it had previously been suggested that the Council could keep a temporary boiler, for those school heating systems which failed before their scheduled installation. Officers confirmed that the idea of a temporary boiler either being hired or retained in-house had been discussed earlier in the year. The funding model agreement in 2021 had agreed that the Energy team could build up a surplus of monetised carbon savings. This might be used to fund temporary boiler provision;
- A Member was pleased to see reference made to the noise impact of Air Source Heat Pumps, with the requirement that future specifications to contractors stipulate that low noise versions be used.

The Chair thanked the presenter and the Energy team for their work on these matters.

It was resolved unanimously to:

- i. note the experience with the schools low carbon heating programme to date; and
- ii. agree going straight to Investment Grade Proposal development as soon as grant funding has been confirmed.

## 98. Draft Interim Corporate Tree and Woodland Strategy

The Committee considered the draft Interim Corporate Tree and Woodland Strategy.

Officers explained how trees and hedgerows brought wide ranging benefits to communities, including supporting climate mitigation and adaptation, air quality improvements, flood mitigation, biodiversity enhancement, mental health and wellbeing benefits, supporting education and opportunities for financial benefits.

The Council had committed to the development of a corporate Tree and Woodland Strategy as part of the updated Climate Change and Environment Strategy, approved earlier in the

year. The focus was on County Council land and trees, such as those on or around rural estates, schools and highways assets. The Strategy also included a tree management policy, which should provide greater transparency on how trees would be managed.

Since the report had been published, it had been confirmed that the Council had been successful in securing £300,000 from the Forestry Commission's Woodland Creation Accelerator Fund , which would help resource the delivery of the Strategy.

Arising from the report:

- A Member commented that it was very important for communities to be involved in tree planting, but there were barriers, and shared the example of one of his constituents who had been told that they need to pay £125 if a tree planting went ahead on Council land. Officers agreed to follow up on this case, which they were unaware of, but advised that the Strategy was about targeting resources to work with communities in cases such as these. There was a discussion on ways in which Members could support residents, and how the Strategy could assist in this process;
- A Member commented that residents' concerns about trees in their communities were often referred to Councillors, and whilst welcoming the Strategy, a realistic approach needed to be taken, especially with regard to the resources required for long term maintenance. He also observed that many District Councils no longer employed tree officers directly. Officers agreed that ongoing maintenance needs had not always been adequately assessed in the past, and the Strategy could help define this;
- A Member commented that she had numerous comments to make on the Strategy and it was agreed that she would send these directly to officers. It was also agreed that a workshop would be arranged for Committee Members to input into development of the final strategy next year. **Action required;**
- A Member observed that many Parishes did not have suitable land available for tree planting, and quite often the only suitable land was adjacent to highways;
- A Member commented that it would be helpful if substantial landowners were obliged to engage with neighbours and stakeholders before felling trees. Officers commented that for developments, this was usually covered by Biodiversity Net Gain, and picked up through the planning process;
- In terms of new plantings, such as highway replacement trees, a Member asked if there could be a requirement for irrigational rings to be in tree planting hole, given the problem with establishing trees. Another Member commented observed that there was not usually any provision for watering. Officers commented that again, the right tree in right place was critical, and that planting smaller trees (whips) could be the preferred option, as these were more resilient to drought than standard or semi-standard trees;



- Noting a reference in the Action Plan to “providing greater transparency to residents”, a Member asked whether residents would be provided with information on maintenance on trees on County Council land, and whether there was an estimate on the costs to resource that maintenance. Officers advised that the tree management policy was a starting point, assessing current tree cover on Council land to determine where new planting could bring the greatest benefits for people and nature, and identifying how this could be implemented in practical terms. Ascertaining the resourcing costs was part of the next phase of developing the Strategy.

It was resolved unanimously to:

- a) note the interim nature of the draft Tree & Woodland Strategy;
- b) note the increased level of ambition incorporated into the draft Strategy;
- c) approve the draft Interim Tree & Woodland Strategy

#### 99. Business Planning Proposals for 2023-28 – opening update and overview

The Committee considered a report relating to the Business Planning proposal for 2023-28. The report set out the current business and budgetary planning position and estimates for 2023-28, the principal risks, contingencies and implications facing both the Committee and the Council’s resources, and the process and next steps for the council in agreeing a business plan and budget for future years.

It was resolved unanimously to:

- a. Note the overview and context provided for the 2023 – 2028 business plan;
- b. Note the initial estimates made for demand, inflationary and other pressures;
- c. Note overview and estimates made for the updated capital programme.

#### 100. Finance Monitoring Report - August 2022

The Committee considered the August 2022 Finance Monitoring Report. Introducing the report, officers highlighted that Place and Sustainability as a whole was forecasting a overspend of £526K at year end, with the main overspend areas being Waste and Energy projects.

A request for a capital virement of £11.8M from 2022/23 to 2023/24, to reflect the updated timelines for the Waterbeach Waste Treatment works, was approved by the Strategy & Resources Committee, so this has now been undertaken.

It was resolved unanimously to review, note and comment on the report.

#### 101. Environment & Green Investment Committee Agenda Plan and Appointments to Outside Bodies and Internal Advisory Groups and Panels

Members considered the Committee agenda plan. The Democratic Services Officer advised that the St Ives Park & Ride Update had been deferred and would be considered at the December meeting.

It was resolved unanimously to:

- i. Note the agenda plan

## Item 4: Relevant Representations for Medworth MVV Energy from Waste Combined Heat and Power Facility Development Consent Order (DCO)

Public questions from Ginny Bucknor, Campaign Co-ordinator, WisWIN - Wisbech Without Incineration

### QUESTION 1:

4.4.4. Visual Impact: *"The assessment has concluded that there would be no significant landscape or townscape effects apart from locally significant effects".*

The incinerator would be surrounded by properties (including already agreed new builds literally adjacent to the site). The two chimneys will be higher than Ely Cathedral and, being in Fenland, will impact not just the local area but for miles around.

### CCC Officer Response:

The terminology in the report is from a technical standpoint and our landscape and visual consultant has advised that:

#### Landscape Effects

- The Guidelines for Landscape and Visual Impact Assessment (referred to as GLVIA3) states that landscape effects are: *"Effects on the landscape as a resource in its own right."*

And that:

- An assessment of landscape effects deals with the effects of change and development on landscape as a resource. The concern here is with how the proposal will affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character.

#### Visual Effects

- GLVIA3 states that visual effects are: *"Effects on specific views and on the general visual amenity experienced by people."*

And that:

- *"An assessment of visual effects deals with the effects of change and development on the views available to people and their visual amenity. The concern here is with assessing how the surroundings of individuals or groups of people may be specifically affected by changes in the content and character of views as a result of the change or loss of existing elements of the landscape and/or introduction of new elements."*

Townscape is described as:

*"The character and composition of the built environment including the buildings and the relationships between them, the different types of urban open space, including green spaces, and the relationship between buildings and open spaces."*

The LVIA (Landscape and Visual Impact Assessment) found that there would be Significant effects on the Wisbech Settled Fen landscape character area.

The Zones of Theoretical Visibility (ZTV) demonstrate that potential visibility of the buildings and the chimneys extends to most of the study area, and it is only the study area boundary that limits representation of the overall extent of potential visibility. The LVIA Study area extends 17km.

In terms of the allocated Residential Sites, the immediate context to the Site is industrial / commercial, with the nearest existing residential property (10 New Bridge Lane) being located approximately 30m south of the boundary of the EfW CHP Facility Site and approximately 190m south of the chimneys and the main building

To ascertain the level of harm in terms of landscape and visual impact. An LVIA follows the below process for each effect / receptor identified:

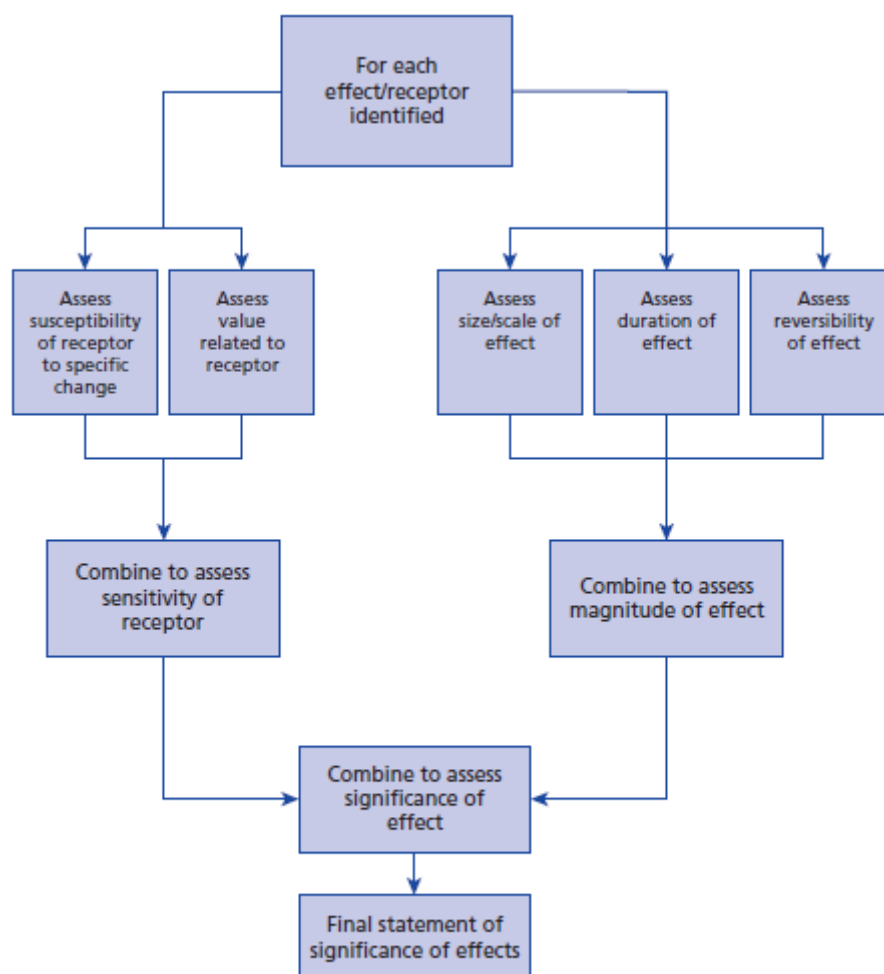


Figure 3.5 Assessing the significance of effects

The sensitivity of a receptor is calculated by combining a receptors susceptibility to specific change by the receptors value.

The magnitude of change (effect) is calculated by combining the assessed size/scale of effect, the duration of effect and the reversibility of the effect.

## QUESTION 2:

### 4.4.7 Hydrology

Employing 700 staff to build will also have an impact. Where would they even be accommodated? Can CCC obtain clarification on full time hours as this figure in itself is meaningless?

## CCC Officer Response:

Environmental Statement Chapter 3 Description of the Proposed Development (Volume 6.2) at Section 3.8.57 states:

- *“Over the duration of construction, there are likely to be around 700 construction personnel from a range of disciplines. During the peak periods of construction for all elements of the Proposed Development, there would likely be up to 500 construction personnel present on-site at any one time”.*

At Section 3.5.53 states:

- *“It is anticipated that up to 40 Full-Time Equivalent (FTE) jobs would be created as a result of the Proposed Development. These would include direct employment opportunities for the operation of the EfW CHP Facility, in a mixture of skilled and unskilled roles, as well as indirect employment opportunities for local services such as cleaning and catering”.*

What the applicant's Environmental Statement therefore does in each topic area is effectively to set out an assessment of the worst-case scenario, and as this text from Chapter 3 of that document highlights, these staff members would be at different phases of the build out, if permission were to be granted, rather than all at once. Nonetheless, it will be for PINS to consider all these pressures and the issues highlighted at both the construction and operational phases if permission is granted.

## QUESTION 3:

### 4.4.9 Socio Economic

Food Factories have stated to MVV they will have to close as they will not meet the hygiene requirements of their customers. One specific company's response was omitted by MVV when reporting to the Planning Inspectorate for which they apologised after the deadline.

## CCC Officer Response:

Whilst we are awaiting comments from Fenland colleagues for this section of the response, which will include input from their Environmental Health Officers, we would strongly recommend that the companies in question register as interested parties with the Inspectorate to ensure that their concerns are articulated. Then in relation to the omission that you state that MVV has apologised for, this should be raised directly with PINS as this is a procedural matter.

## QUESTION 4:

Can CCC establish the impact storage will have on the food factories surrounding this incinerator?

CCC Officer Response:

The Environment Agency are the pollution control authority, and any impacts and necessary mitigation would need to be considered in the permit application, which the applicant is seeking to twin-track with this DCO process. However, we will also ask our colleagues in public health and environmental health to consider if this is within their remit and if it is to add some high-level comments at this stage which can be developed further in the local impact report.

QUESTION 5:

*4.4.12 Education*

The impact of the 4-year build in a built-up area with the identified schools cannot be underestimated. The noise impacting the whole area during piling works alone would be enormous. With regard to vibration, the Environment Agency state an impact assessment is required. Surely this assessment must be done prior to agreement of it going ahead, bearing in mind the schools and homes so close to the proposal?

CCC Officer Response:

The Environment Agency is better placed to comment on this and suggest the correct assessments and control measures. However, as the applicant is seeking to twin-track their permit application with this DCO process, subject to the EA acceptance process it may be possible for this to be considered at the same time, so we will feed this back to our EA colleagues. In addition to this we will also discuss these concerns with environmental health colleagues to see if there are any controls or assessments within their remit that can be done in the interim and if so they can provide some high level comments at this stage which can be developed further in the local impact report.

QUESTION 6:

*5.4 "... followed to ensure good practice and ensure an open and transparent decision-making process ..."*

Can WisWIN be included in the notification process please?

CCC Officer Response:

- If WisWIN or anyone else with an interest in the proposal is registered as an interested party, then PINS will advise them of any updates. However, when officers have updates for elected members about our technical responses then we will get them in the public domain as early as we can

QUESTION 7:

*7.3 Statutory, Legal and Risk Implications*

There has been a personal cost already by residents and the campaign team in engaging with this application as well as Officer time in all the councils. However we believe a significant cost was made in engaging an outside professional for a specific aspect by CCC for the Waterbeach proposal and we would naturally expect that a budget consideration would also be given for Wisbech.

CCC Officer Response:

We can confirm that specialist consultants have already been engaged to provide advice on matters such as air quality and landscape and visual assessments where we do not have the relevant specialism within the County Council or Fenland District Council. In some cases these are the same technical consultants used for the Waterbeach proposal, so there is no difference in the approach of engaging specialist consultants.

#### QUESTION 8:

7.6 "*Local Member Involvement – PINS guidance sets out the role of the local authority, and officers will ensure that local members are kept informed at key stages in the NSIP process.*"  
Can WisWIN be included in such notifications please?

#### CCC Officer Response:

When officers have updates for elected members about our technical responses then we will get them in the public domain as early as we can.

#### QUESTION 9:

Newbridge Lane Access.

In item 3.2 it states "*The principle of widening/ extension of Newbridge Lane is acceptable.*" Further on 3.9: "*The existing carriageway of Newbridge Lane is highly unlikely to be of suitable construction for retention and will need to be removed in its entirety or completely reconstructed to the County Council Distributor road specification, particularly beyond the unit adjacent Salters Way*".

The description of this small road - the word "Lane" expresses it more accurately. The proposed access is immediately opposite the large Tesco store and the Lane is currently heavily used as far as is accessible. However, as stated in the Council's report, this disappears into a pedestrian path which is used locally, particularly by students from the Thomas Clarkson Academy as a safe short cut from one side of Wisbech to homes near the other side. Tesco is also objecting to this access because of the impact it will have on their business.

#### CCC Officer Response:

We will ask our colleagues in transport assessment, rights of way and highway development management to consider these points as part of their technical comments to feed into our Relevant Representation response wherever possible. This will then allow us to expand on our submission as part of the Local Impact Report and engage further with the applicant on our concerns raised.

#### QUESTION 10:

Volume 3.1 Draft DCO

3.13 "*The proposed DCO will require review by County Council Managers and legal representatives ...*"

Criticisms of the lack of information are made throughout this section of the Council's report and this is shared by businesses and residents too. Whilst there was no comment in this part of the report with regard to traffic volumes to New Bridge Lane, the campaign team undertook a formal traffic survey in a 12-hour period from 7.00 am to 7.00 pm identifying the already heavy use of the Cromwell Road by New Bridge Lane. However this was done during Covid. During the normal summer months the A47 by the Cromwell Road is very heavily used by visitors heading to the North Norfolk Coast (including caravans). Getting an ambulance to our main hospital in King's

Lynn during these summer holiday congestion periods is challenging, let alone when there would be an additional 360 daily lorry movements from the proposed Incinerator site.

CCC Officer Response:

The proposal is being assessed by a number of technical colleagues, including the transport modelling assumptions made by the applicant, but early discussions with them indicate that they would have no concerns over the impact of the MVV development subject to the (already proposed) enhancements to Newbridge Lane and also the signalisation of the Cromwell Road / Newbridge Lane junction. However, this will be expanded upon and added to the Relevant Representation response in due course. CCC have not yet received any comments from National Highways although it is understood that they are also looking at the proposals and will send through comments in due course.

QUESTION 11:

3.32 *"The application site is proposed to be serviced by five key routes ..."*

As above but has consideration also been given to the proposed 22-25% of additional **sealed** lorries leaving the site to remove the toxic ash?

CCC Officer Response:

ES Chapter 3 Description of the Proposed Development (Volume 6.2) (the proposed development that has been assessed within the Environmental Statement) at Section 3.5.38 to 3.5.41 states:

Incinerator Bottom Ash (IBA):

- *"The wet IBA remaining after combustion equates to approximately 26.5% by weight of the input waste. This equates to approximately 165,600tpa assuming a maximum waste throughput of 625,600tpa.*
- *IBA including metals, which represent approximately 3.5% by weight of the IBA, would be discharged from the end of the combustion grate directly into the ash quench bath. From there, the IBA would be transferred by means of IBA extraction conveyors into one storage bunker with a storage capacity of seven days minimum (>2,800m<sup>3</sup>). The bunker would have a drainage system so that surplus quench water runs back into a collection sump and can be returned to the quench bath from time to time. The ash retains approximately 20%, by weight, of the water from the quench bath.*
- *Within an enclosed area (ID04f), the IBA would be loaded by means of a semi-automatic travelling overhead grab crane into a collection vehicle. The collection vehicle would be an enclosed or sheeted HGV.*
- *The IBA would be sent to a suitably licenced facility in the UK for recycling, where metals contained within the IBA would be extracted and the remainder reclaimed for use as secondary aggregate".*

At Section 3.5.42 to 3.5.46 states:

APC (Air Pollution Control) Residues:

- *"The residue from the bag filters, which contains fly ash – the reaction products from the acid gas neutralisation process and activated carbon with the adsorbed metals and organic compounds – is considered hazardous waste. The APC residues are not dissimilar to powdered cement in this respect, which is routinely transported by road in the same type of vehicles that would transport the APC residues.*



- *The APC residues would be conveyed from the filter hoppers to an intermediate storage silo. This part of the APC residues would be returned to the reactor to improve the utilisation of hydrated lime.*
- *The balance is conveyed to one of four closed APC residue storage silos. Combined, the silos would have a capacity of 720m<sup>3</sup> which allows a minimum of seven days' storage. The silos would be insulated, and the lower cone would be electrically heated to prevent agglomeration of the residue and to ensure a free flow during the discharge process. The APC residues have a very low moisture content. The silo is vented through a bag filter to ensure there are no fugitive emissions from the system.*
- *The APC residues amount to approximately 5% of the total waste by volume. This equates to approximately 31,280tpa assuming a maximum waste throughput of 625,600tpa. The APC residues would be sent to a suitable licenced facility and in the UK where possible, for disposal.*
- *The APC residues would be transported on the road in sealed bulk powder carriers which are pneumatically loaded and emptied. It is the intention to arrange for some of the APC residue loads to be transported in the bulk powder carriers which have delivered hydrated lime to the EfW CHP Facility, which would reduce vehicle movements”.*

Both IBA and APC movements have been factored into the Environmental Statement and therefore assessed as part of the proposals.

#### QUESTION 12:

3.33 *"Whilst the proposal is to create a new access from New Bridge Lane, a significant amount of the non-HGV traffic will be using the existing road network passing the TCA site and also in close proximity to the Cambian Education Foundation Learning Centre (CEFLC) and the Riverside Meadows Academy (RMA) school locations. Therefore, this will potentially have an impact on all these schools, particularly during peak times (drop off and pick up times) and to not acknowledge the location of these schools is of concern".*

We appreciate the Report has recognised this and is a major concern to parents with children at the three schools in the immediate area. This area is already challenging with many lorries going from Weasenham Lane (where the schools are located) into Algores Way already (one child being killed by a lorry. Additionally, it would appear that due to the Fen soil, Weasenham Lane has had the road collapse several times recently. Has significant consideration been given to this?

#### CCC Officer Response:

Highways colleagues are aware of the Fen soil and implications this has on the construction and maintenance elements of roads in the area, which is why they are seeking to ensure that if permission is granted the sufficient infrastructure and commuted sums are secured to ensure it is delivered effectively.

#### QUESTION 13:

3.34 As above and highlighted in this paragraph.

Is the Council aware this is also the route to the many businesses along Algores Way AND it is not unusual for a queue of cars along Algores Way to enter the Recycling Centre?

#### CCC Officer Response:

Highways colleagues are indeed aware of the commercial nature of this area and the potential for queueing cars on the highway when the Household Recycling Centre needs to close briefly to allow for skip changes etc.

QUESTION 14:

*4.4 The baseline assessment has used noise monitoring data from November 2021 which is within the Covid-19 lockdown period and therefore should not be considered a true representation of the baseline noise levels.*

A great deal of MVV's work was done during Covid - not least the "consultation period" where very few people were prepared to attend.

Can anyone explain to Wisbech residents how adequate consultation can be considered acceptable to the Planning Inspectorate? Equally given that Wisbech has 30%+ residents from Eastern Europe, there were NO explanation whatsoever in any other language.

CCC Officer Response:

The technical methodologies agreed during the pre-application stage take account of any adjustments required to account for any known anomalies that exist through Covid, so this has already been considered by technical officers and will be assessed by PINS before a decision is reached. However, we cannot comment on the process undertaken by PINS, which includes their acceptance of the proposal.

QUESTION 15:

*5.6 In Table 8B4.3 Odour concentration 3,000 OUe/m<sup>3</sup>, the source of this assumption should be provided.*

*5.7 With reference to Table 8B4.3 Odour release rate 133,333 Oue/m<sup>3</sup>, based on the other parameters stated in this table, the odour release rate appears to be incorrect.*

Does this refer or include the proposed 11 days of storage that MVV want which is a major concern of the food factories and residents in the surrounding area?

CCC Officer Response:

We can check this with our air quality consultant, but I would suggest it includes the whole proposal and the design features for the storage of waste. However, any storage of waste would only be proposed within the building which the EA permit would seek to control through the use of negative air pressure, so this should not pose an unacceptable risk – but we will nonetheless draw these concerns to the attention of both the EA and our EHO colleagues for their awareness also.

QUESTION 16:

*6.2 "The Proposed Development would recover useful energy in the form of electricity and steam from over half a million tonnes of non-recyclable (residual), non-hazardous municipal, commercial and industrial waste each year. The Proposed Development has a generating capacity of over 50 megawatts and the electricity would be exported to the grid. The Proposed Development would*

*also have the capability to export steam and electricity to users on the surrounding industrial estate. The maximum parameters of the main building are 52m in height, 177m in length and 102m in width. The maximum parameters of the 2 chimneys are 90m".*

Please note when we directly raised this with the Managing Director, he stated that the chimneys would be higher than 90 meters to allow for a larger concrete platform to be built to mitigate issues when building on this flood plain. Has this been recognised by the Council with regard to its responses?

CCC Officer Response:

ES Chapter 3 Description of the Proposed Development (Volume 6.2) at Section 3.4.2 states:

- *"All heights are referenced from the Finished Floor Level (FFL) i.e., 0m. Unless otherwise stated, FFL for the purposes of the EIA is set at 3.0m Above Ordnance Datum (AOD)..."*

Figure 3.15 EfW CHP Facility Vertical Limits of Deviation (ES Chapter 3 Description of the Proposed Development (Volume 6.3)) in the figure's key states the FFL of 3.0m AOD.

Parameters for the Assessment

- 3.4.91 Maximum dimensions that have been assumed for particular key components of the EfW CHP Facility are set out below in Table 3.1 EfW CHP Facility Limits of Deviation (LoD) and illustrated on Figures 3.6 EfW CHP Facility Site Layout and Figure 3.15 EfW CHP Facility vertical Limits of Deviation (both Volume 6.3). The LoD for the key components of the EfW CHP Facility Site are required to accommodate the detailed design phase and any consequential adjustments to building(s)/structure(s) dimensions and ancillary roof-mounted equipment and enclosures for these.
- 3.4.92 To allow for minor variations in the final positioning of buildings and structure, a lateral LoD of 5m is proposed and illustrated on 3.16 EfW CHP Facility lateral Limits of Deviation (Volume 6.3).

This continues across to the LVIA, where it is stated at para 9.4.5:

- 9.4.5 The Zones of Theoretical Visibility (ZTV) that were produced for the Preliminary Environmental Impact Report (PEIR) have been recalculated using the revised height data for key buildings/structures and chimneys at the EfW CHP Facility with reference to Figure 3.6 EfW CHP Facility Site Layout and Table 3.1 EfW CHP Facility Limits of Deviation (Volume 6.3), to utilise the data on the plume visibility provided in Chapter 8: Air Quality (Volume 6.2), and to take account of the adoption of the Underground Grid Connection (UGC) replacing the previous Over Head Line (OHL) Grid Connection options presented in the PEIR.

The important bit is that the ZTVs were produced in line with Figure 3.6 EfW CHP Facility Site Layout and Table 3.1 EfW CHP Facility Limits of Deviation (Volume 6.3).

The LVIA continues by stating at para 9.4.6:

- The ZTV's generated for the EfW CHP Facility include the following figures:
- Figures 9.2i: EfW CHP ZTV within 5km of the centre of the main building in the EfW CHP Facility & 9.2ii: EfW CHP ZTV within LVIA Study Area and Figures 9.3i: Chimneys ZTV within 5km of the centre of the main building in the EfW CHP Facility (Volume 6.3). The parameters used for the ZTV include the furthest extents of the roofline of the boiler house building at 52m above Finished Floor Level (FFL) that represents the worst-case scenario under the LoD adopted;

- Figure 9.3ii: Chimneys ZTV within the LVIA Study Area (Volume 6.3), a ZTV of the chimneys at a height of 90m FFL within an area up to 5km of the centre of the boiler house building at the EfW CHP Facility and Figure 9.3ii: EfW CHP Facility Chimneys ZTV within LVIA Study Area (Volume 6.3) for the 17km Study Area. The use of the chimney heights at 90m FFL represents the worst-case scenario under the LoD adopted;

What this basically means, is that they have a 3m FFL across the Site, and then an (upto) 90m (above FFL) chimney on top. The text above sets out that these are the parameters that have been used to generate the ZTVs, and ultimately their assessment.

This is confirmed on the attached ZTV extract from Chapter 9, which states:

This drawing is based upon a computer generated Zone of Theoretical Visibility (ZTV) using the viewshed analysis in the ESRI ArcGIS Suite.

The ZTV is created using Environment Agency 2m LiDAR Digital Surface Model (DSM) data.

The figure has been based on the following parameters where there is an assumed base level of 3 m AOD (above ordnance datum):

Boiler house x 4 nodes at 52m  
Waste bunker x 2 nodes at 38.5m  
Turbine hall x 2 nodes at 27m  
Air cooled condenser x 2 nodes at 30m  
EfW CHP Facility northern edge x 2 at 18.5m  
EfW CHP Facility southern edge x 2 at 33m  
Top of chimney x 2 nodes at 90m

#### QUESTION 17:

6.7 "The Consultant's assessment has concluded that there would be no significant landscape or townscape effects apart from locally significant effects within the landscape character area closest to the Proposed Development, which is the Wisbech Settled Fen landscape character area. As set out above, there would be many significant visual effects during construction and operation. Significant effects have also been identified to arise from the decommissioning phase."

We could not disagree more with this opinion. Wisbech, in Fenland, is flat. We have 266 Listed Buildings, including three Grade 1 within the town, just a few minutes from this site. The two chimneys will be higher than Ely Cathedral. As already stated, MVV advised they will require to build the concrete base higher to mitigate for building on a flood plain. Surely therefore the Consultants comments are not an assessment but more a conjecture.

We would ask councillors and officers to go on line, type in Manheim Incinerator and see the impact on that City which has a population more than 10 times bigger than Wisbech.

#### CCC Officer Response:

These comments are made from a landscape and visual perspective. However, the heritage impact assessment comments will be added by Fenland District Council colleagues in due course, which will view it from the historic landscape setting perspective.

#### QUESTION 18:

*6.8 In the Landscape and Visual Assessment (Chapter 9) of the Environmental Statement, it states that the pupils and staff at the TCA would experience a 'Very Low' and 'Low' magnitude of change at both construction and operational phases. The only elements of the proposal that would be visible from the TCA would be the 90 metre chimney columns and upper section of the building. Even though no viewpoints have been prepared from TCA or Weasenham Lane, there will be a change to the skyline when looking south from the TCA and Free School site, although they would be of low level of magnitude."*

This is at odds with the Transport Section on noise and pollution. Environmentally, this incinerator will be surrounded on three sides by residential properties as well as the local schools. This is NOT in a field out of town but IS surrounded by properties and schools in the town of Wisbech. We would therefore ask the comments to be amended to more accurately reflect the m will have on the local residents and schools.

#### CCC Officer Response:

The Site is immediately surrounded by industrial / commercial uses, with the nearest existing residential property (10 New Bridge Lane) being located approximately 30m south of the boundary of the EfW CHP Facility Site and approximately 190m south of the chimneys and the main building. The TCA is located approximately 1.2km northeast of the Site.

The LVIA methodology sets out the following definitions for Low and Very Low visual Magnitude of Change:

- Low: A noticeable or small change, affecting a limited part of the view, that may be obliquely viewed or partially screened and/or appearing in the background of the view. This category may include rapidly changing views experienced from fast moving road vehicles or trains.
- Very Low: A small or negligible change to the view that may be obliquely viewed and mostly screened and/or appearing in the distant background or viewed at high speed over short periods and capable of being missed by the casual observer.

The following two extracts from Appendix 9B 10 & 16 of the LVIA Chapter of the Environmental Statement should help to explain this further:



Table 9B.8 Magnitude of visual change

Magnitude of visual change	Key determining criteria
High	A large and prominent change to the view, appearing in the fore to middle ground and involving the loss/addition of a number of features, which is likely to have a strong degree of contrast and benefits from little or no screening. The view is likely to be experienced at static or low speed and is more likely to be continuously/sequentially visible from a route.
Medium	A moderate and prominent/noticeable change to the view, appearing in the middle ground and involving the loss/addition of features and a degree of contrast with the existing view. There may be some partial screening. The view is likely to be experienced at static or low to medium speed and is more likely to be intermittently or partially visible from a route.
Low	A noticeable or small change, affecting a limited part of the view that may be obliquely viewed or partly screened and/or appearing in the background of the view. This category may include rapidly changing views experienced from fast-moving road vehicles or trains.
Very Low	A small or negligible change to the view that may be obliquely viewed and mostly screened and/or appearing in the distant background or viewed at high speed over short periods and capable of being missed by the casual observer.

## 9B 10



- 1.3.2 Examples and further guidance on the evaluation of the magnitude of landscape change are described in **Table 9B.4 Magnitude of landscape change**.

Table 9B.4 Magnitude of landscape change

Magnitude of landscape change	Key determining criteria
High	<p>A large-scale change that may include the loss of key landscape elements/characteristics or the addition of new uncharacteristic features or elements that would alter the perceptual characteristics of the landscape.</p> <p>The size or scale of landscape change could create new landscape characteristics and may change the overall distinctive landscape quality and character, typically, but not always affecting a larger geographical extent.</p>
Medium	<p>A medium scale change that may include the loss of some key landscape characteristics or elements, or the addition of some new uncharacteristic features or elements that could alter the perceptual characteristics of the landscape.</p> <p>The size or scale of landscape change could create new landscape characteristics and may lead to a partial change in landscape character, typically, but not always affecting a more localised geographical extent.</p>
Low	<p>A small-scale change that may include the loss of some landscape characteristics or elements of limited characterising influence, or the addition of some new features or elements of limited characterising influence. They may be a small partial change in landscape character, typically, but not always affecting a localised geographical extent.</p>
Very Low	<p>A very small-scale change that may include the loss or addition of some landscape elements of limited characterising influence. The landscape characteristics and character would be unaffected.</p>

- 1.3.3 The assessment also identifies areas where no landscape change is predicted. In these instances, 'No Change' has been inserted into the magnitude of change column of the assessment tables and the resulting level of effect identified as 'No Effect'. This commonly occurs where no intervisibility (presence of a line of sight between two locations) or other perceptual effects pathway exists between the landscape Receptor and the proposed development.

QUESTION 19:

*7.5 "Fenland District Council's Conservation Officer and Historic England will provide comment on the impact to Conservation Areas and Listed Buildings as we do not comment on these matters in relation to infrastructure schemes. We are awaiting this information which will be included in the final submission. There are no scheduled monuments in Cambridgeshire that will be directly or negatively affected by the scheme."*

We have 266 Listed Buildings, including three Grade 1. The two chimneys will be higher than Ely Cathedral and the incinerator itself will be a huge visually imposing blot on the surrounding properties. Can Cambridgeshire County Council advise when they expect a comprehensive report from Fenland District Council?

CCC Officer Response:

Colleagues at Fenland District Council are aware of the urgency of this and will be providing comments on the heritage matters in advance of our deadline on 15 November. However, it is likely that the real detail will follow for the Local Impact Report, so the initial response will act as a 'hook' to highlight it is a concern for the Inspector, but for more detailed comments to follow.

QUESTION 20:

*9 Hydrology (ES Chapter 12)*

NO mention has been made of building on this Flood Plain and unclear and no mention of liaison with the relevant Drainage Board. May we have clarification please.

CCC Officer Response:

We have been in discussion with the lead officer at the Middle Level Commissioners on behalf of the Internal Drainage Board, and whilst they are likely to register as an interested party in their own right, as their remit is very different to our own Lead Local Flood Authority, we will look to add their high level comments to our Relevant Representations response, in a similar way to what we are trying to do with the Fire Service for Cambridgeshire, to ensure that we are working together with our partner authorities as much as possible.

QUESTION 21:

*10.5 "Carbon Capture and Storage (CCS) has not been included in the proposal. CCS is probably necessary in order to reach net zero.*

*10.6 The scale of emissions is huge, in both scenarios, with and without. the main source of emissions from either waste disposal method (landfill or incineration) are in the same ballpark of around 11 million tonnes CO2e over 40 years.*

**10.6 The scale of the emissions is huge."**

Fenland is known as the "Bread-basket of England". Our farmers are equally concerned about the emissions. There appears little mention of the polluting impact this Incinerator will have on the surrounding fields. Is this outside the Council's remit?

CCC Officer Response:

We would strongly recommend that the local farmers in question register as interested parties with the Inspectorate to ensure that their concerns are articulated. Agricultural matters are covered by

Natural England and emission control is covered by the Environment Agency, so other than the comments provided by our air quality consultant, and colleagues in public health and environmental health, this would need to be covered by the lead government agencies.

QUESTION 22:

For the Council's information, there is a proposal to build an Incinerator in Boston by the docks. It has included carbon capture. It was due for a decision by the Secretary of State by the 6th October. This has been deferred, presumably because of the new Cabinet.

CCC Officer Response:

Noted, thank you.

QUESTION 23:

*12 Health (ES Chapter 16)*

*12.1 Wisbech already has a higher than the National average of residents with asthma; the town is below sea level.*

Would the Council please give consideration to providing further data in this regard from NHS?

CCC Officer Response:

We can certainly discuss this with colleagues in public health, who already work closely with the NHS and have already referenced datasets that they would expect the applicant to use.

QUESTION 24:

*14. Waste Policy matters, including Waste Availability and Composition*

We are concerned there has been no mention of the additional sealed lorries that will be removing the toxic waste to another site. What consideration has the Council given to this aspect?

CCC Officer Response:

As already discussed in response to paragraph 3.32 both the IBA and APC movements have been factored into the Environmental Statement and therefore assessed as part of the proposals.