



Meeting note

File reference	EN010047
Status	Final
Author	Siân Evans
Date	9 February 2017
Meeting with	NuGen
Venue	Temple Quay House
Attendees	Chris White – Planning Inspectorate Helen Lancaster – Planning Inspectorate Richard Hunt – Planning Inspectorate Kay Sully – Planning Inspectorate Siân Evans – Planning Inspectorate Pauleen Lane – Planning Inspectorate (part attendance) Gideon Amos – NuGen Fergus McMorrow – NuGen Catherine Anderson – NuGen Ian Shrubsall - NuGen
Meeting objectives	Update in relation to the Moorside Project in West Cumbria
Circulation	All attendees

Summary of key points discussed and advice given:

The developer was aware of the Planning Inspectorate's (the Inspectorate) openness policy and that any advice given would be recorded and placed on the Inspectorate's website under section 51 of the Planning Act 2008 (PA2008). Any advice given does not constitute legal advice upon which the applicant (or others) can rely.

The Inspectorate updated NuGen on the following legislation/ policy changes that maybe relevant to the project:

- Infrastructure Planning (Compulsory Acquisition) (Amendment) Regulations 2017
- Air Quality judgement
- Environmental Impact Assessment Regulations
- Wealden District Council judgement

NuGen advised that, depending on the guidance regarding housing within Development Consent Orders, it may consider applying for some of the accommodation that would be required for construction workers to be permanent

housing, rather than temporary. The Inspectorate advised NuGen to consider the implications of this for their next round of consultation.

Transboundary screening was discussed. The Inspectorate confirmed that the screening would include writing to all European Economic Area States to draw their attention to the project but that screening would not be undertaken until after the NuGen consultation report had been released.

NuGen advised that they are currently analysing the responses from their stage 2 consultation and carrying out a full design review including all relevant disciplines to consider potential changes to the Project. NuGen will then decide what extent changes to the scheme are required (if any). The next round of consultation may be more focused, depending on the extent of any project changes. The Inspectorate advised that the consultation report should clearly set out the approach that has been taken.

NuGen advised that while the extent of the Project and redline will be drawn back to the minimum necessary NuGen may potentially need to extend the redline in particular locations from that consulted upon at Stage 2 as the Project evolves and as feedback is fed into the design process. The Inspectorate advised that if a s53 authorisation request for entry on to land is required this can be a lengthy process. NuGen stated that they are aware of this and while it is unlikely it will be necessary they are expanding the in-house land team resource.

In relation to land owners, the Inspectorate advised that NuGen should work on getting as many agreements as possible before submission. In Examinations ExAs look for evidence of engagement with land owners.

The Inspectorate enquired whether any site preparation applications under the Town and Country Planning Act would be required. NuGen advised there may be a small number for some works.

The Evidence Plan for the Habitat Regulations Assessment was discussed. NuGen advised that it would be helpful to have the Inspectorate's involvement with this. The Inspectorate confirmed that, subject to resource availability, they could participate in some of the Evidence Plan meetings, preferably joining by phone. However their level of involvement would depend on the potential for Likely Significant Effects (LSE).

NuGen advised that the assessment of effects on the Marine Coastal Zone (MCZ) and the Water Framework Directive (WFD) would be wrapped up in the Evidence Plan process in which PINS would be involved.

NuGen advised that the outline structure of the Environmental Statement and HRA Screening document exists and the Inspectorate confirmed that it would be useful to see these.

The Inspectorate advised that a turnaround of 3-4 weeks should be allowed for any review of draft documents. While it is not possible to review the full Environmental Statement it would be helpful to see the section that covers the project description. The Inspectorate may also be able to review the draft Habitat Regulations Assessment.

NuGen enquired on the level of assistance or guidance the Inspectorate would provide on the "long list" projects to be included in the cumulative effects assessment. The

Inspectorate advised that it was not for them to advise on this point and that it should ideally be agreed with the local authority in consultation with Statutory Consultees.

NuGen enquired about examples of Examination timetables. The Inspectorate advised that these can vary and the only comparable case is the Hinkley Nuclear Power Station application. The Inspectorate advised that the holding of a DCO Issue Specific Hearing immediately after the Preliminary Meeting has been trialled but there may also be a need to hold one or more further DCO hearings during the Examination period. The Inspectorate also indicated that Inspectors frequently hold an Open Floor Hearing early in the examination.

The Inspectorate advised that it is helpful if an applicant submits their own s55 checklist with their application. It is also helpful if a document listing all of the applicant's submissions is submitted and kept updated throughout the Examination, as documents are updated and superseded. It is useful if this includes the document references from the Inspectorate's Examination Library, as well as the applicant's own reference numbers, as the ExA will be using the Examination Library references throughout the Examination.

NuGen suggested meeting with the Inspectorate towards the end of March 2017 and then regular meetings following that until submission.