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Ms Katie Kerr

Your Ref: 235271/10

Arup (by email)

Our Ref: EN010071

Date: 24 February 2015

Dear Ms Kerr

Thank you for your email of 3 February 2015 which included a technical note addressing the proposed approach to assessing the potential cumulative effects of the North London Heat and Power Project. The Planning Inspectorate does not as a matter of course conduct detailed reviews of ES methodology ahead of the examination stage, but when possible we do provide some advice as to the approach applicants are proposing. The comments provided below are in addition to those already provided as part of our formal Scoping Opinion issued on 20 November 2014.

Planning Inspectorate comments on Technical Note – Approach to assessment of cumulative effects for the North London Heat and Power Project, 3 February 2015

We welcome and support the level of engagement that is on-going with the relevant local planning authorities, the Greater London Authority and Transport for London to gain consensus on the projects to be included in the cumulative impact assessment. This should continue throughout the course of the DCO process.

We are content that the methodology proposed will identify relevant projects and help to ensure that they are considered in the assessment. It should also help to minimise the potential for issues being raised during any future Examination and the delays that this could cause (e.g. in terms of more assessment work needing to be undertaken). The proposal to update the project schedule following consultation on the Preliminary Environmental Information Report (scheduled for May/June 2015) is therefore also welcomed.

We note and welcome the proposal to include the designated Meridian Water redevelopment area to the south of the site within the assessment. It is noted that the Masterplan for this development will be used as a basis for the assessment but that individual planning applications will also be taken into account if and when they occur. In these circumstances the Environmental Statement (ES) should conduct the assessment based on the best available information and acknowledge any limitations to the assessment as necessary. The assessment should also be based on the potential worst case impacts for these developments.

We note that the proposed Lee Valley Heat Network (LVHN) and the De-centralised Energy Network (known as the energy centre) fall within the draft DCO site boundary, but will be subject to a separate planning application which is expected to come forward before the DCO application. The Planning Inspectorate supports the inclusion of these projects in the cumulative impact assessment. The developments should be assessed in the ES using best available information and irrespective of whether the planning applications are submitted before or after the DCO application. Where precise details remain unknown the assessment should be based on a realistic worst case assumption.

Section 3.2 of the Note explains that a 600 metres radius area from the site has been used to identify other developments to be included in the cumulative assessment. The use of the 600 metre radius area for identification of other developments is based on the locality of residential receptors and is otherwise without justification and appears arbitrary. The Planning Inspectorate expects that impacts, pathways, interactions and receptors are considered in order to determine the study area and other developments to be assessed. The use of a single strictly applied distance does not reflect the dynamic nature of the impacts and receptors concerned. For example it is typical for air quality impacts to extend several kilometres from major emitters. This approach provides greater consideration of other types of receptor (e.g. ecological), which may be affected at a much greater distance from the site through other pathways e.g. water and air.

I hope you find these comments helpful. Please note that they are provided without prejudice to any questions that a future Examining Authority may choose to ask regarding the adequacy of the assessment undertaken.

Please do not hesitate to contact me should you have any queries regarding the comments provided.

Yours sincerely

Will Spencer

Will Spencer
EIA and Land Rights Adviser

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.