
NORTH LONDON WASTE AUTHORITY

NORTH LONDON HEAT AND POWER PROJECT

EN010071

APPLICANT'S COMMENTS ON LOCAL IMPACT REPORTS

The Planning Act 2008 The Infrastructure
Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009
Regulation 5 (2) (d)

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1 Introduction

1.1. Purpose of this document

- 1.1.1. This document relates to the application made by North London Waste Authority (the Applicant) known as the North London Heat and Power Project (the Project) (reference EN010071), which seeks development consent pursuant to Section 37 of the Planning Act 2008 (as amended) for a replacement Energy Recovery Facility (ERF) at the Edmonton EcoPark, London N18 3AG, with associated development (the Application).
- 1.1.2. This document provides the Applicant's comments on the Local Impact Reports (LIRs) written in respect of the Application, which were submitted to the Secretary of State on or before 23 March 2016. In accordance with the timetable issued by the Examining Authority (ExA), these comments are being provided to the ExA on 27 April 2016. References in this document to the "revised draft DCO" are references to the revised draft DCO (AD03.01/REP3-018) submitted by the Applicant to the ExA on 6 April 2016 in relation to Deadline 3 of the Examination timetable.
- 1.1.3. The tables below do not capture all content of the LIRs as some paragraphs within them are simply statements of fact or the Applicant does not consider that they require a response. In some instances paragraphs have been summarised for brevity; however, the full text of the LIRs has been considered in the Applicant's response.

2 Applicant's comments on Local Impact Reports

2.1. London Borough of Barnet (REP3-001)

Paragraph no.	Paragraph text	Applicant response
-	<p>The NLWA have an existing waste transfer facility [the Hendon waste transfer facility] located in the Brent Cross Cricklewood regeneration area which provides a rail linked transfer facility to disposal outlets outside London. The outline Brent Cross Cricklewood Section 73 Consent (F/04687/13) envisaged a 'waste handling facility' which carried out two processes. The first sorting material for recycling [a materials recycling facility - MRF]. The second treating non-recyclable waste (residual waste) enabling it to be converted into a renewable fuel. The facility was also intended to replace the rail link.</p>	<p>The comments from the London Borough of Barnet (LB Barnet) are noted. The Applicant believes that LB Barnet's comments in relation to the Applicant's existing rail linked waste handling facility in Hendon are not directly related to the Application. As identified by the LB Barnet any decision on the future of the facility in Hendon will be subject to ongoing discussions.</p>

2.2. London Borough of Haringey (REP3-002)

Paragraph No.	Paragraph text	Applicant response
2.3	<p>Notwithstanding support in principle and given the pressure on waste management sites in North London as evidenced through the ongoing development of the Joint North London Waste Local Plan, the application should demonstrate more fully how waste capacity within the site, during and following construction, can be maximised (recognising the phasing of the project) in order to avoid displacing existing on site waste management and treatment capacity and to reduce pressure for additional off site treatment and waste management capability to support implementation of the project.</p>	<p>The Project optimises use of the Edmonton EcoPark to deliver waste management and treatment capacity. The authorised development would have capacity to manage up to 890,000 tonnes of waste per annum (see Requirement 7 of the revised draft DCO (AD03.01/REP3-018)). Section 3.4 of the Need Assessment (AD05.04/APP-020) identifies that the proposed ERF would have sufficient capacity to treat all of the seven north London boroughs' residual waste arisings, in line with forecast demand. Further the capacity of the proposed ERF would exceed that of the existing EfW facility which has an existing operational capacity of around 540,000 tonnes of waste per annum. The associated waste management facilities proposed as a part of the DCO are sized to support the operation of the Project and would not result in a displacement of existing treatment or management to off-site locations.</p> <p>The phasing of the authorised development is proposed so as to allow continued operation of waste management and treatment at the Application Site during construction of the proposed ERF. Further, the Project would release land for future waste management and treatment uses, in the area currently occupied by the existing EfW facility.</p>
2.4	<p><u>The suitability of the proposal for supply of heat</u> The Upper Lea Valley Opportunity Area Framework sets out that Edmonton Eco Park is the unique opportunity for a sustainable heat network, delivering cost competitive, low to zero carbon energy, and the preferred location for the supply hub for the Lea Valley Heat Network. Details of the Council's borough wide heat mapping and Decentralised Energy Policies</p>	<p>The Application has been prepared in accordance with the requirements of the Overarching National Policy Statement for Energy (July 2011) (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (July 2011) (NPS EN-3), that is to say the project is Combined Heat and Power (CHP) ready. The CHP Strategy (AD05.06/APP-022) sets out the CHP opportunity and assesses heat demand. The Applicant is negotiating with</p>

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	<p>can be found on our website. In this context the application is supported. It is understood that the plant is designed to be 'heat ready' and that corridors for the laying of pipes to the edge of the site are safeguarded as part of the application. Spatial plans for significant growth identify land (in Haringey) to the south of the North Circular. These development sites fall within areas where development viability associated with significant public sector infrastructure costs (and the needs of affordable housing) serves to potentially undermine the achievement of strategic and local planning objectives for local heat networks. LB Haringey therefore considers that the applicant should go a step further than currently advocated in the application and should provide a connection to the boundary of the site and also to a point to the south of the A406. Failure to secure such a commitment will otherwise be a significant, and potentially prohibitive, cost for future operators and may act as a significant logistical and financial barrier to connection for any future community heat network development proposals within Haringey.</p>	<p>LVHN with respect to an initial heat connection to the proposed LVHN District Heating Energy Centre.</p> <p>The Applicant has made provision for safeguarding of heat pipe routes from the proposed ERF to the edge of the Order land, with one route to the south and one to the north, with indicative routes shown on Figure 2.3 of the CHP Strategy. This approach has been adopted to facilitate ease of delivery of heat pipes as and when heat demand is identified. It would not be appropriate to lay pipes to site boundaries speculatively in advance due to the potential for incompatibility with potential off-takers' specifications.</p> <p>Regarding the request for a connection to a point south of the A406 North Circular Road, this is not considered to be appropriate for the following reasons:</p> <ul style="list-style-type: none"> • This requirement goes further than the policy framework requires. While the Applicant is committed to the provision of heat where there is demand, the infrastructure required for the networks is the responsibility of the heat network operator. This approach ensures that redundant or inappropriate infrastructure is not installed. • Whilst the viability of delivering LB Haringey's development sites may be challenging for it and promoters, the infrastructure costs associated with those projects are not reasonably related to the Project. It might be argued that provision of the Project actually enables delivery of heat networks and their associated benefits that might not otherwise be possible. • The Project is a public sector project. The request would effectively require NLWA's seven constituent boroughs to subsidise regeneration proposals in Haringey, which would not be acceptable or reasonable. • There is no certainty of demand in these locations and the

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		<p>Project should not provide pipework that may be in the wrong location or which could lie redundant indefinitely. The CHP Strategy acknowledges heat demand in Tottenham (See Figure 2.1 AD05.06/APP-022), and the Applicant is aware of no specific proposals. However, the Applicant is willing to discuss the opportunity with any organisation that requires heat. It is acknowledged that recent meetings with LB Haringey have identified the potential demand for heat to service a heat network in north Tottenham and the Applicant is working proactively with the LB Haringey to establish how the proposed ERF could provide the heat.</p> <ul style="list-style-type: none"> Given a location south of the A406 North Circular Road is likely to be within the Meridian Water development area, provision of pipework in this location could be contrary to the emerging regeneration proposals and place undue constraints on that development.
2.4 [sic]	<p><u>Safeguarding for future needs</u> It is appreciated that there is a balance between electricity and heat generation. It is understood that the GLA are in ongoing discussions with NLWA to optimise this balance. The application should be conditioned such that at detailed design an Energy Strategy should be submitted to the Local Planning Authority for approval in consultation with neighbouring boroughs and GLA. This should set out the opportunities for heat in the local area and show how the energy from waste plant could deliver an optimal balance between energy and heat in order to serve these heat needs. The Strategy would include back up boilers and associated space and pump networks required to support community networks, show the carbon intensity for the heat, the turbine specification, and a technical appraisal of the assessment of the heat off take options.</p>	<p>The Statement of Common Ground with the Greater London Authority (GLA) (AD03.04/REP3-012) confirms the agreed position. This does not require the submission of a further Energy Strategy (as proposed by LB Haringey).</p> <p>The Applicant considers that the CHP Strategy (AD05.06/APP-022) sets out part of the information requested by LB Haringey (carbon intensity, turbine specification, assessment of heat off-take options), consistent with the requirements of NPS EN-1 and NPS EN-3. The other information is not considered to be relevant or necessary for the Project (back up boilers and associated space and pump networks) as this should be brought forward by heat network operators consistent with their identified demand.</p>

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2.5	The Section 106 agreement should accordingly make provision for, and recognise the ways in which the roll out of heat networks in the locality may be by way of, more than one provider rather than solely through the Lee Valley Heat Network. This will ensure that the ability of the plant to play a strategic role in supporting low carbon outcomes can be optimised with the diverse development programmes across North London.	The Application is heat ready, consistent with the requirements of policy, as detailed in the CHP Strategy (AD05.05/APP-022) and Planning Statement (AD05.02/APP-018). Therefore it is not necessary to include the suggested provision in the Section 106 Agreement (AD03.03/APP-011). The reference to the Lee Valley Heat Network (LVHN) in the draft Section 106 Agreement (AD03.03/APP-011) is in specific response to the policy requirement set in the Edmonton EcoPark Planning Brief SPD (May 2013).
2.6	<p>Air Quality and Transport impacts of the development</p> <p>The impact of the chimney emissions from incinerating waste needs to be carefully considered having regard to the aspiration to improve significantly upon existing air quality within the area. LB Haringey notes that the proposal, as set out in Volume 2 and Section 2 of the ES, will mitigate nitrogen oxide emissions via a flu gas cleaning system and (subject to appropriate management and maintenance of that capability) that there will not be any adverse impact on Haringey residents. Given the transport information submitted it is also not considered that there will be a long term adverse impact on Haringey. It is requested that LB Haringey are consulted on the Construction Management Plan for the proposal in so far as it is proposed for vehicles to travel through Haringey.</p>	<p>Environmental Statement (ES) Volume 2 (AD06.02/APP-040) contains both air quality (Section 2) and transport assessments (Section 10) of the Project.</p> <p>It is confirmed that the proposed ERF would include flue gas treatment technology to offer the highest degree of air emission abatement in order to minimise emissions into the atmosphere which are strictly controlled. The flue gas treatment system would include selective catalytic reduction abatement of nitrogen oxides. The air quality assessment concludes that effects at receptors would be not significant.</p> <p>The Transport Assessment (TA) (AD05.11/APP-030) also concludes that effects of the Project are not significant. As set out in the Code of Construction Practice (CoCP) (AD05.12/APP-032), the Contractor would be required to produce a Construction Environmental Management Plan (CEMP) and a Construction Logistics Plan (CLP) which would be consulted on and agreed with key stakeholders including LB Haringey.</p>
2.7	<p><u>Employment and Training Provisions in the Section 106 agreement</u></p> <p>Given the scale of the project LB Haringey consider that</p>	The Section 106 Agreement (AD03.03/APP-011) would provide for apprenticeships during the construction of the Project and the advertisement of job opportunities in the local area through

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	<p>provision should be made for providing opportunities for local employment in both the construction and operation of the facility, including a commitment to a level of apprentices and a partnership process with local boroughs for recruitment. Our understanding is that is the intention to incorporate such clauses in a future iteration of the Section 106 agreement, which is welcomed, and LB Haringey looks forward to discussion on these clauses. Alternatively the Section 106 agreement refers to an obligation to submit and Employment Strategy for agreement by Enfield Council, this clause could be expanded to add that consideration of the strategy will be in consultation with adjoining boroughs.</p>	<p>JOBNet and Jobcentre Plus. In setting and implementing any strategy relating to local employment, the Applicant would follow procurement law applicable at the time.</p>

2.3. London Borough of Enfield (REP3-003)

Paragraph no.	Paragraph text	Applicant response
6.29	Accordingly it is the local authority's view that the impact of the proposed development on the Borough in terms of a loss of or undue impact on the daylight, sunlight and overshadowing on existing residential properties and amenity areas would be negative in terms of the use of the River Lee Navigation towpath to the east of the application site.	The River Lee Navigation is located to the east of the Edmonton EcoPark. Given the location of the waterway relative to the Application Site and the lack of obstruction to the east of the River Lee Navigation, the morning sunlight and some of the afternoon sunlight along the towpath would be unaffected by the proposed massing. Sunlight availability at this amenity area would therefore meet the sunlight exposure target (set out in industry standard BRE 209) that at least half of the amenity area should receive at least two hours of sunlight on 21 st March. Building Research Establishment (BRE) 209 does not require consideration of river surface illuminance.
6.38	Accordingly, in order to address the potential issues on this element of ecology as identified by the EA, it is the local authority's view that a minimum 8m Riparian buffer zone is maintained along the banks of all of the Lee Navigation, Salmons Brook and Enfield Ditch, and that the Environmental Commitments and Mitigation Schedule should be updated to reflect this position.	It is noted that along the River Lee Navigation and Salmon's Brook the Project is not changing the existing buffer distance provided. Along Enfield Ditch there are some places where the Project proposals unavoidably encroach into the existing buffer, but an 8m riparian buffer is retained along the majority of the waterway.
6.39	The local authority also notes the EA's comment that the Invasive Species Management Plan is produced (which is a recommendation in the ES) and that the plan, which should detail the proposed removal or long-term management required to prevent the spread of invasive species during all stages of development, should include the temporary laydown area as well as the main part of the application site.	As set out in the CoCP (AD05.12/APP-032), the Contractor would implement appropriate treatment and control of any invasive non-native species in order to comply with legislation and prevent their further spread. This would be undertaken across the Application Site which includes the Temporary Laydown Area.
6.51	The local authority did, however, raise concern with the potential impact of piling on the London Clay as this is important as a barrier to prevent surface contamination from reaching the chalk aquifer. The applicant's ES confirms in	Wording relating to amendments to Article 4 (Limits of deviation) and Requirement 14 (Contamination and groundwater) in the revised draft DCO (AD03.01/REP3-018) is currently being discussed with the EA and any agreed wording will be included in

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	<p>response to this that a Piling Risk Assessment has been completed and is included (at Vol 2 Appendix 7.3). The ES also confirms that a Piling Method Statement will be prepared before any piling works are undertaken and that this would be agreed with the EA. However, as set out in the Deadline 2 Written Representations, in terms of the potential for excavation works the local authority is concerned that the Limits of Deviation set out in the draft DCO, i.e. where there is no downwards limit. As such, it is the local authority's view that a limit must be imposed through the DCO process.</p>	<p>the SoCG with the EA.</p> <p>The Application does not provide for specific downwards limits of deviation (other than the bunkers, set out in Works Plan C_0003) as the precise depth of the works cannot be determined until any necessary further ground investigations have been carried out to inform the Piling Risk Assessments and Piling Method Statements as part of the development of detailed designs. The limits will in effect be secured through Requirement 14, (with the wording set out in the next draft DCO) as the lowest works will be the piling, and these will be covered by this Requirement.</p>
6.65	<p>Once the proposed development becomes operation, the ES sets out that the applicant estimates that it would support a total of approximately 229 FTEs in the UK generally, but that 197 FTEs would be at the local level, with 153 operational jobs directly linked to the project. The project, therefore, would result in a net reduction of around 52 FTE jobs at the local level, with this reduction in direct employment being due to "improvements in the proposed ERF compared to the existing EfW facility, such as operational efficiency and a reduced requirement for maintenance." Of the operational jobs supported by the project, these will include "managerial and specialist positions associated with the ERF, as well as maintenance, transport, administration and support staff." The ES notes that the potential for local people to access employment opportunities will be expected to be similar to the baseline conditions in terms of the range of skills required, and also confirms that that employment policies relating to opportunities for skills and training opportunities would be in line with LB Enfield policies, albeit without direct reference to Enfield's s106 SPD (or emerging SPD) which would be required as per Deadline 2 Written</p>	<p>In response to concerns about the loss of jobs at the site, the Applicant notes that the existing facility is aging and due to reach the end of its operational life in 2025. If the Application is not approved a consequence could be loss of all energy recovery facility related employment on the site as the existing EfW reaches the end of its life.</p> <p>Given the Section 106 Agreement (AD03.03/APP-011) makes provision for training and employment measures, it is not considered necessary to alter the ES (AD06.02/APP-039 to APP-053). Further, the S106 SPD identifies that training opportunities should be agreed by negotiation. Discussions with LB Enfield are ongoing on this point, although the Applicant notes, that any training provision must be proportionate to the scheme and that utilising LB Enfield's draft SPD calculation of "normally one trainee per £1M of capital spend" would be disproportionate as this would be approximately equivalent to the total net additional direct construction jobs that are estimated to be generated by the Project in the greater South East as set out in the ES (AD06.02/APP-039).</p>

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6.76	Accordingly, it is the local authority's view that the impact of the proposed development on the Borough in terms of transport and highways matters would be neutral subject to a Section 106 Agreement relating to highways mitigation measures. Such discussions are currently ongoing.	The Applicant has agreed to the proposed highways improvement measures requested by LB Enfield and these have been incorporated in the draft Section 106 Agreement (AD03.03/APP-011) that is currently subject to discussion with LB Enfield.
6.86	<p>The Council's SuDS Team have been consulted on the DCO application and reviewed the relevant document. They have provided the following comments in relation to the applicant's Preliminary Surface Water Drainage Strategy:</p> <p><i>"The concept proposed does not maximise above ground features (such as permeable paving, swales, rain gardens), which would significantly improve the water quality discharged into the Enfield Ditch. There is scope to minimise the size of the underground storage tanks (and possibly the amount of oil interceptors) in maximising these features. We agreed that a liner can be used for above ground features to prevent infiltration to the aquifer and contamination. We discussed that the triangular area of land on the east side of the site could potentially be re-landscaped as a wetland feature and detention basin to serve a drainage purpose.</i></p> <p><i>What are the reasons for this option not being explored? Discharge onto permeable paving can manage silt on the surface before discharge into tanks, and is favourable in terms of maintenance regimes. To confirm, the proposed permeable paving is shown to be located above tanks 2 and 3? Will the water that drains into tanks 2 and 3 be draining through the permeable paving first? Are there other areas where permeable paving can be used that have not been identified in the report?</i></p> <ul style="list-style-type: none"> - <i>The green and brown roof plan is acceptable in concept</i> - <i>To confirm, will the limited discharge rate into Enfield Ditch</i> 	<p>As set out in the Preliminary Drainage Strategy (AD05.14/APP-034 Appendix C), in accordance with best practice, a SuDS treatment/ management train approach would be adopted to ensure that the necessary water quality treatment is provided before surface water run-off is discharged to Enfield Ditch. This would be finalised as part of the detailed design.</p> <p>The Preliminary Drainage Strategy sets out a number of above ground SuDS features, such as green and brown roofs, rainwater harvesting, permeable paving, and filter trenches, all of which are considered to be highly sustainable SuDS techniques. Underground tanks are only required to provide the large storage volumes required to attenuate run-off to the greenfield rates requested. The use of underground storage tanks would be minimised as far is practicable within the operational constraints of the site.</p> <p>Whilst additional above ground features, such as a pond, would be capable of providing additional ecological and amenity benefits, there is insufficient space on-site to provide such features and these are not required to meet the water quantity and quality requirements for drainage. Therefore the approach proposed, which would provide significant betterment compared to the existing situation in terms of both water quality and water quantity, is considered to be a suitable approach for the site.</p> <p>The details of this would be determined at the detailed design stage.</p>

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	<p><i>be Greenfield- 168 L/s?</i></p> <ul style="list-style-type: none"> - <i>We agree that the temporary lay down areas should utilise above ground SuDS (and infiltration if possible), with scope for not using below ground features. This requires a preliminary drainage strategy. If swales, rain gardens and ponds are used in these areas (without below ground features) we would prefer if the current land is not reinstated once the area is no longer needed as a temporary lay down. We are happy to engage in further conversations on this.”</i> 	
6.87	<p>The Councils SuDS Team are have also made the following comments</p> <ul style="list-style-type: none"> - <i>The SuDS Strategy must follow the SuDS management train by providing a number of treatment phases corresponding to their pollution potential and the environmental sensitivities of the locality; this will help prevent silt build up in underground tanks.</i> - <i>The discharge / run-off rate has not been agreed. The discharge rate should be based on a runoff rate of 5 L/s/Ha in line with the London Plan. The discharge rate into Enfield Ditch has not been agreed with LB Enfield, and as the river is owned by the EA, the discharge rate must also be agreed with them too. Comments were sent on the Preliminary Drainage Strategy in October 2015, outlining that the strategy did not fully address all of our SuDS requirements. Some information is therefore pending, and includes clarification on the discharge rates off site.</i> 	
6.101	<p>In terms of the plume, as noted above the local authority supports the use of an air cooled condenser system that produces no visible plume. The local authority notes, however, that a plume would be created via one of two technologies being considered for the Flue Gas Treatment (FGT) for the</p>	<p>As described in ES Volumes 1 and 3 (AD06.02/APP-039 and 052), there would be a visible plume from the proposed ERF stack under certain atmospheric conditions. This has been taken into account in the visual assessment which makes worst-case assumptions in terms of the height and frequency of the visible</p>

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	<p>ERF, being either a wet or combined system. The local authority notes that a wet FGT with no reheat has been assumed as it presents the worst-case in terms of height and frequency of a visible stack plume, and that plume visibility depends on ambient meteorological conditions, i.e. air temperature and humidity, as well as flue gas humidity and temperature. However, of greatest concern to the local authority is that the ES sets out that the ERF is likely to generate a visible plume for some periods of the year. Given the proximity of the site to the major regeneration development of Meridian Water as referred to above, it is the local authority's view that the visibility of the plume must be kept to a minimum.</p>	<p>stack plume. This assessment concludes that there would be no significant effects during Stage 4 (operation of the proposed facility) of the Project.</p>
6.107	<p>Whilst in general the local authority supports much of what is in the Design Codes Principles, there is concern that the emphasis is on cost rather than quality; for example, the requirement in Section 2.3 of the Design Codes Principles that materials be "<i>sensitive to the local environmental conditions and surrounding</i>" is expressed as a secondary requirement rather than being on even basis with the requirement for low cost and maintenance. Such wording could entail a situation where the quality of the materials for the proposed development is compromised as the other factors referred to take precedence, and this would then have a negative impact on the overall quality of the scheme.</p>	<p>To date LB Enfield have not specified what constitutes 'high visual quality and appropriate architectural detailing' and the reference to flagship design is a point that has not been previously identified. The Applicant is concerned that LB Enfield is seeking use of materials that are potentially not appropriate for the Edmonton EcoPark or its setting.</p> <p>Section 2.3 of the Design Code Principles (AD02.02/APP-008)) sets out the approach to materials. This clearly identifies that the intent is to deliver buildings that are coherent with the industrial character of the area, that meet performance standards, express the identity of the Edmonton EcoPark and retain the visual integrity of the composition. It is agreed that the General Guidelines identify durable, high performing characteristics, but this is considered to be a strong design response which recognises the function of the site and would deliver a building that maintains its visual integrity as a consequence.</p>
6.108	<p>The local authority's Deadline 2 Written Representations set out concerns with the submitted plans in relation to the Limits</p>	<p>The maximum height of any structure within Works 1b would be 30.5m AOD, so up to 18m above the proposed ground level in this</p>

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	<p>of Deviation. In terms of the height of the ERF building, as noted above this would be a maximum of 56.5m. This is indicated on Drawing C_0003 Rev 00, which indicates the height of the ground on which the building will be based on, expressed as Above Ordnance Datum (AOD), and then the subsequent height of the buildings. However, the subsequent plans that relate to the RRF and EcoPark House do not have similar reference measures – i.e. no ground height is listed, and so an accurate representation of the heights of these building is not clear. This poses serious concerns regarding the potential heights of these buildings.</p>	<p>area. Consent is not being sought for a 50% increase in the height of proposed Works 1b development.</p> <p>The ES (AD06.02/APP-052) has considered a scenario where all structures in this Works area are as shown in the indicative layout for Works 1b in drawing (D_0001) with reasonable assumptions for the height of these works. This is in accordance with the Design Code Principles (AD02.02/APP-008) which require that all buildings (including ancillary buildings as described by Works 1b) are of an appropriate scale and design. For example the general design code principles state:</p>
6.109	<p>Furthermore, and again as set out in the Deadline 2 Written Representation, the local authority has significant concerns regarding the associated development that would support the main buildings and to what extent this, or rather is not, captured in the Limits of Deviation plans. The local authority is concerned that the absence of clearly defined parameters may serve to undermine and increase the impact of development on the sensitivities of the surrounding area including, in particular the land designed as Green Belt, and further serve to undermine relevant mitigation strategies including landscaping.</p>	<ul style="list-style-type: none"> • “the scale and massing of buildings and structures should be appropriate to their function and location; • the height of all buildings and structures should be kept to and minimum and careful consideration should be given to roof lines and forms in order to reduce the visual impact of the Project on the skyline; and • the proposed buildings and structures should be appropriate to their function”. <p>DCP29 also requires that where possible, external structures, buildings or plant should be arranged in an ordered and consolidated way.</p> <p>These Principles will inform the final development of Works 1b.</p> <p>The ES concludes that there would be no significant operational effects on visual receptors.</p> <p>At this stage, flexibility is required so that the precise layout of plant, equipment and structures in this area can be optimised and delivered. The Applicant wishes to note that it will only deliver plant, structures and equipment to meet operational needs and</p>

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		<p>that any constraint on this, at this stage, may fetter the efficient operation of the site.</p> <p>Further detail on the likely layout of this area is shown on Drawing D_0001, with anticipated works shown (and numbered).</p> <p>Given the effects of the works within the submitted parameters and informed by the Design Principles have been assessed, the Applicant queries the need for LB Enfield to require details of plant and equipment. Part of the purpose of a DCO is to speed up the process of delivering Nationally Significant Infrastructure Projects (NSIP) and requirements should only be included where necessary</p>
6.110	<p>A further concern as already expressed by the local authority but reiterated here is the impact on the visual amenity of the development at stage 4 of the project, i.e. when the existing EfW facility has been removed. As is set out in the ES assessment, the visual benefit to the area will be, on the whole, beneficial as the most significant visual impacts occurs when both the existing EfW and new ERF are both present on the site. However, following the demolition of the EfW the proposed development indicates that the space where the existing sites will become 'Temporary Hardstanding' (Design Code Principles Indicative Drawing ref. D_0007).</p> <p>The local authority accepts that at some point in the future some form of development, most likely related to waste management, may be proposed in this location. However, the local authority does not consider that hardstanding is the correct approach for what is a large expanse of area. Accordingly, it is the local authority's view that this element of the proposed development would result in negative impact on the Borough, albeit in a modest localised geographical area. The Design Code Principles document should be amended to</p>	<p>It is noted that as set out in ES Volume 3 (AD06.02/APP-052), the visual effect to the area at Stage 4 of the Project is, on the whole, considered to be negligible (12 of the 20 views) rather than beneficial as reported in the LB Enfield Local Impact Report (para 6.110), with minor adverse effects experienced by four close distance views including views on Lee Park Way and the River Lee Navigation towpath. Minor beneficial effects are experienced by four long distance views.</p> <p>Limited public viewing points exist outside of the Order land from which it would be possible to view the vacant space left following the demolition of the existing EfW facility. In most instances existing or new built form or vegetation would provide screening of the ground treatment of this area. However, it may be possible to obtain views into the site from Lee Park Way and from the River Lee Navigation towpath, in particular during the period when new vegetation proposed around the perimeter of the site is establishing. The impact of the proposed hard surfacing ground treatment of the vacant space following the demolition of the existing EfW facility on views from these locations is considered to</p>

Paragraph no.	Paragraph text	Applicant response
	<p>overcome to this concern. The emphasis is to break up the sheer expanse of the area while acknowledging the need for efficient operations and the Design Code Principles should be updated to reflect alternative landscaping and material options for the area of the former EfW facility – this would include the reference to the area on page 35 of the document and Indicative Drawing ref. D_0007).</p>	<p>make only a small contribution to the overall impact on the views arising from the new development. This is because it is considered not to be out of context with the wider commercial/industrial backdrop in these views and would soften into the view quickly as the perimeter vegetation becomes established and as the hard standing becomes colonised by ruderal vegetation. While the use of alternative landscaping and material for the area of the existing EfW facility may soften and break up the sheer expanse of the area it is considered that it would not change the overall assessment of the effects views at Stage 4 of the Project from that identified in the ES, as these effects predominantly arise from the size and scale of the new ERF buildings in the views.</p> <p>On this basis it is not considered that any changes are required to the Design Code Principles, with the findings of the visual assessment unaffected by the cover provided on the existing EfW facility footprint area.</p>
7.3	<p>There are a number of impacts that would arise that are identified as having a negative impact on the Borough. These are (in no particular order):</p>	
7.3	<p>- Minor impact on the Linnett protected bird species through loss of habitat;</p>	<p>There are no feasible measures that could be implemented to mitigate the temporary significant adverse effect on linnets due to the Project. It was considered during the design process whether retaining fringe planting around the edge of the Temporary Laydown Area would help mitigate the significant effect but concluded that the level of disturbance to linnets (using this retained habitat) would still be significant due to the clearance and construction works on the remainder of the Temporary Laydown Area (e.g. it would not provide suitable habitat conditions for linnets to nest at this location). The temporary effects of disturbance and habitat loss on linnets during construction cannot therefore be</p>

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		avoided.
7.3	- Loss of a number of jobs associated with the operation of the existing Energy from Waste facility and a net reduction in overall jobs needed for the operation of the new Energy Recovery Facility;	Please refer to the Applicant's response to Paragraph 6.65 of LB Enfield's LIR.
7.3	- Lack of an appropriate strategy for the Temporary Laydown Area in terms of its restoration following the completion of the project, with particular regards to the lack of an appropriate Sustainable Urban Drainage Scheme and potential flood compensation measures for the Meridian Water regeneration development;	Regarding reinstatement proposals LB Enfield has confirmed (in discussion) that it wishes to benefit from any Sustainable Drainage Systems (SuDS) measures installed as a part of the Temporary Laydown Area and for these to be retained as part of the permanent reinstatement. In discussions, LB Enfield has advised that it is not seeking the Project to contribute to delivery of the Meridian Water proposals (i.e. not to "have regard to the plans for flood storage/open space being progressed at that point in time") or additional works to achieve this, but to consider what efficiencies can be achieved. In principle the Applicant would be content to leave in situ any SuDS measures from the Temporary Laydown Area; however, the ExA has seen the written representations from Thames Water (refer to Section 2.9) as the owner of the majority of the land that would form the Temporary Laydown Area (the Temporary Laydown Area is defined in the revised draft DCO (AD03.01/REP3-018) as covering plots 16 (owned by Thames Water), 17 (owned by the Canal and River Trust (CRT)), 18 (owned by Thames Water), 19 (owned by Thames Water), 20 (unregistered) and 21 (owned by LVRPA)) and its requirements for reinstatement and its position on the Meridian Water proposals. Thames Water, CRT and LVRPA have set out their positions on reinstatement from discussions with the Applicant, and in developing the Project the Applicant has and would respect those positions. Article 27(5) of the revised draft DCO also requires the undertaker to restore the Temporary Laydown Area to the reasonable satisfaction of the owner and the Applicant intends to amend this article further in the next revision

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		<p>of the draft DCO so that the restoration is to a standard that is no worse than that land's current condition. As such the Applicant does not believe that it is appropriate for LB Enfield to have control over the restoration of the Temporary Laydown Area and the Applicant therefore does not agree to the inclusion of the suggested wording of the new Requirement.</p>
7.3	<p>- Lack of agreement of SuDS Strategy including drainage and run-off rate</p>	<p>In relation to the SuDS design, the Applicant is committed to providing a SuDS solution to manage surface water run-off at the Edmonton EcoPark and the Temporary Laydown Area to the east of the River Lee Navigation. The Preliminary Surface Water Drainage Strategy (Appendix C of Flood Risk Assessment, AD05.14) sets out the SuDS components that would be included in the design (including green and brown roofs, rainwater harvesting and permeable paving). However, as the Application Site is designated for intensive development, there are constraints on the areas of land which are available for surface based SuDS features. For example, as illustrated on drawing D_0007 (Indicative Soft and Hard Landscaping), the triangular section of land to the south of the proposed ERF has been allocated as grassy meadow with the expectation that this area would be used during demolition of the existing EfW facility and as a laydown area in the future for redevelopment of the EfW area.</p> <p>Infiltration to ground is not appropriate since the Application site is a waste site overlying a Source Protection Zone which protects public groundwater supplies. Permeable paving has been included in the Preliminary Surface Water Drainage Strategy; it is a suitable feature for car parks and areas of light traffic use, but not for areas which would be subject to frequent use by heavy waste vehicles. The car park areas are shown in areas 1, 2 and 3 of Figure 5.2 of the Preliminary Surface Water Drainage Strategy while the access road for visitors (light traffic) is shown in Figure 5.1. It is intended that runoff from the Application Site would drain through the</p>

Paragraph no.	Paragraph text	Applicant response
		<p>permeable paving in areas 1, 2 and 3 and then into the attenuation tanks beneath. At this stage it is not considered that any further areas are suitable for permeable paving, but this would be confirmed at detailed design stage.</p> <p>The precise detail and extent of SuDS features at the Application Site (including the Temporary Laydown Area) and the SuDS management train (to include managing flow rates and water quality) would be determined during detailed design. This would allow the volume of underground tank storage required to be minimised where appropriate. The Temporary Laydown Area has been addressed at a lower level of technical detail because there are fewer constraints on SuDS compared to that imposed by the Edmonton EcoPark layout. Section 5.3 of the Preliminary Surface Water Drainage Strategy describes the activities to be undertaken in the area including the approximate impermeable area. Paragraph 5.3.4 states that "The attenuation and treatment for this area could be provided by SuDS, in the form of swales, filter strips, below ground tanks or a retention pond". This would be set out in further detail at the detailed design stage.</p> <p>Limiting discharge rates for surface run-off from the Application Site have been designed in line with requirements set out in the LB Enfield Development Management Document (DMD). The Preliminary Surface Water Drainage Strategy states that the limiting discharge rate from the site would be 170 l/s, based on greenfield rates, but as noted in the Statement of Common Ground, this would be discussed further with LB Enfield.</p>
7.3	<p>- Visual impacts in terms of the design of the proposed development, with particular regard to the proposed hardsurfacing treatment of the vacant space following the demolition of the existing Energy from Waste facility, and concerns regarding the impact of the proposed observation</p>	<p>It is noted that as set out in ES Volume 3 (AD06.02/APP-052), the visual effect to the area at Stage 4 of the Project is, on the whole, considered to be negligible (12 of the 20 views) rather than beneficial as reported in the LB Enfield Local Impact Report (para 6.110), with minor adverse effects experienced by four close</p>

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	<p>platform on top of the Tipping Hall where this disrupts the visual pattern of the dropping down in height and massing of the other two elements of the Energy Recovery Facility (the Processing Hall and the Crane Hall)</p>	<p>distance views including views on Lee Park Way and the River Lee Navigation towpath. Minor beneficial effects are experienced by four long distance views.</p> <p><u>Visual impacts with regard to the proposed hard surfacing treatment of the vacant space following the demolition of the existing EfW facility</u></p> <p>Limited public viewing points exist outside of the Order land from which it would be possible to view the vacant space left following the demolition of the existing EfW facility. In most instances existing or new built form or vegetation would provide screening of the ground treatment of this area. However, it may be possible to obtain views into the Application Site from Lee Park Way and from the River Lee Navigation towpath, in particular during the period when new vegetation proposed around the perimeter of the site is establishing. The impact of the proposed hard surfacing ground treatment of the vacant space following the demolition of the existing EfW facility on views from these locations is considered to make only a small contribution to the overall impact on the views arising from the new development. This is because it is considered not to be out of context with the wider commercial/industrial backdrop in these views and would soften into the view quickly as the perimeter vegetation becomes established and as the hard standing becomes colonized by ruderal vegetation. While the use of alternative landscaping and material for the area of the existing EfW facility may soften and break up the sheer expanse of the area it is considered that it would not change the overall assessment of the effects views at Stage 4 of the Project from that identified in the ES, as these effects predominantly arise from the size and scale of the new ERF buildings in the views.</p> <p><u>Visual impacts with regard to the proposed observation platform</u></p>

Paragraph no.	Paragraph text	Applicant response
		<p><u>on top of the Tipping Hall</u></p> <p>The observation platform accommodates the lift core part of the day-to-day staff access route to the administration area avoiding conflicts with operational vehicular movements. In addition, this structure has the added benefit of enabling visitors to access the proposed ERF as part of tour of the facility, including the terrace above the tipping hall with views over the Edmonton EcoPark and Lee Valley Regional Park.</p> <p>It is acknowledged that the proposed observation platform on top of the Tipping Hall would provide a minor interruption to the overall visual pattern of the dropping down in height and massing of the other two elements of the proposed ERF (the Processing Hall and Crane Hall).</p> <p>Retaining the stepping down of proposed ERF roofs undisrupted would require the increase in height of the Tipping hall roof to the height of the observation platform, therefore increasing the visual impact of the proposed ERF.</p> <p>It is considered that the omission of the observation platform on top of the Tipping Hall would not change the overall assessment of the effects on views at Stage 4 of the Project from that identified in the ES, as these effects predominantly arise from the overall size and scale of the new ERF buildings including the proposed ERF stack in the views.</p>
7.3	<p>- Need for an unqualified commitment to the use of high quality materials with no over riding caveat that the decisions on this are driven by costs at the expense of other factors.</p>	<p>To date LB Enfield have not specified what constitutes 'high visual quality and appropriate architectural detailing' and the reference to flagship design is a point that has not been previously identified. The Applicant is concerned that LB Enfield is seeking use of materials that are potentially not appropriate for the Edmonton EcoPark or its setting.</p>

Paragraph no.	Paragraph text	Applicant response
		<p>Section 2.3 of the Design Code Principles (AD02.02/APP-008)) sets out the approach to materials. This clearly identifies that the intent is to deliver buildings that are coherent with the industrial character of the area, that meet performance standards, express the identity of the Edmonton EcoPark and retain the visual integrity of the composition. It is agreed that the General Guidelines identify durable, high performing characteristics, but this is considered to be a strong design response which recognizes the function of the site and would deliver a building that maintains its visual integrity as a consequence.</p>
7.4	<p>The local authority accepts that the impacts identified are, on the whole, modest, but respectfully requests that there are changes to the draft DCO to overcome these. The changes requested are:</p>	
7.4	<p>- Removal of the proposed observation platform from the draft DCO;</p>	<p>A structure is needed in this location to house the lift core required to provide level access to the offices and control room by staff, and the roof area by visitors. The lift is an essential part of the development. The Applicant is also committed to promoting education and understanding of waste management (and energy generation) and believes the provision of the viewing platform would be a useful resource for visitors.</p> <p>In terms of scale the proposed structure would be up to 6m above the height of the tipping hall (which would be up to 31.5m) and would be 17m by 13m, and as shown on the photomontages and illustrations would not be a dominant feature.</p>
7.4	<p>- Revisions to the Design Codes Principles to amend references to the hardsurfacing of the area of the existing Energy from Waste facility following its demolition;</p>	<p>As set out in the response to the First Written Questions (FWQ) (1.13) it is envisaged following demolition and prior to redevelopment the existing EfW facility, the site would be a central cleared space, with appropriate hard landscaping to ensure that it is not unsightly, while maintaining the potential for future waste</p>

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		<p>management use.</p> <p>Building on that point and following discussions with LB Enfield, the proposed hard landscaping would comprise a permeable surface (See DCP44 materials palette in the Design Code Principles (AD02.02/APP-008)), and as indicated on the Indicative Application Site Proposed Masterplan (E_0002) this area would be partially shielded by rows of trees alongside the new access road from Lee Park Way and surrounding the area of car parking to the south.</p> <p>The Applicant maintains the Edmonton EcoPark is an established waste management facility that is also Strategic Industrial Land (FALP). Proposals for landscaping should be in keeping with the core use of the site and their temporary nature.</p>
7.4	<p>- Revisions to the Design Codes Principles to secure an explicit commitment to high quality materials, and the installation of PV or heat generating panels;</p>	<p>To date LB Enfield have not specified what constitutes 'high visual quality and appropriate architectural detailing' and the reference to flagship design is a point that has not been previously identified. The Applicant is concerned that LB Enfield is seeking use of materials that are potentially not appropriate for the Edmonton EcoPark or its setting.</p> <p>Section 2.3 of the Design Code Principles (AD02.02/APP-008)) sets out the approach to materials. This clearly identifies that the intent is to deliver buildings that are coherent with the industrial character of the area, that meet performance standards, express the identity of the Edmonton EcoPark and retain the visual integrity of the composition. It is agreed that the General Guidelines identify durable, high performing characteristics, but this is considered to be a strong design response which recognizes the function of the site and would deliver a building that maintains its visual integrity as a consequence.</p>

Paragraph no.	Paragraph text	Applicant response
		The point on installation of PV or heat generating panels is not agreed. This amendment is not necessary as there is no policy requirement to incorporate the installation of photovoltaic (or heat generating) panels. Therefore, these works would be subject to a value for money assessment by the Applicant at detailed design stage.
7.4	- Revised and additional wording is proposed to the draft DCO in Appendix A to address the issue of the Temporary Laydown Area.	This proposed wording is not agreed. Please see the Applicant's response to Appendix A, point 3 below.
7.5	With respect to the concerns expressed regarding the use of the wording 'commercial arrangement' and a reference to 'economic viability' in connection with the connectivity to the Lee Valley Heat Network, Appendix A sets out the local authority's suggested changes to the draft DCO to overcome this	Please see the Applicant's response to Appendix A, point 2 below.
Appendix point 1	A, Schedule 1, paragraph 2(e)(x) be amended to read as follows: "restoration of the temporary laydown area to include suitable landscaping, Sustainable Urban Drainage Scheme and compensatory flood storage."	This is not agreed as the Applicant's proposals are in no way linked to the proposed development at Meridian Water.
Appendix point 2	A, Schedule 2, paragraph 19, removal of the following text from this requirement: "...should a commercial arrangement be identified for combined heat and power which is economically viable."	This amendment has been made to requirement 19 in the revised draft DCO (AD03.01/REP3-018).
AppendixA, point 3	Schedule 2, additional paragraph: Temporary Laydown Area "23. — (1) The restoration of the Temporary Laydown Area shall be in accordance with a scheme submitted to and approved by the relevant planning authority. No works of this stage of the development shall take place prior to the approval of the scheme. (2) The scheme referred to paragraph (1) shall include details	The proposed wording is not acceptable. The Temporary Laydown Area is defined in the revised draft DCO (AD03.01/REP3-018) as covering plots 16 (owned by Thames), 17 (owned by the Canal and River Trust (CRT)), 18 (owned by Thames), 19 (owned by Thames), 20 (unregistered) and 21 (owned by LVRPA)). Thames Water, CRT and LVRPA are setting out their positions on reinstatement during their private agreement discussions with the Applicant, and in developing the Project the

Paragraph no.	Paragraph text	Applicant response
	<p>of the following—</p> <ul style="list-style-type: none"> (a) suitable soft landscaping; (b) a Sustainable Urban Drainage Scheme; (c) compensatory flood storage. <p>(3) The relevant stage must be carried out in accordance with the details approved pursuant to requirement 23(1)</p>	<p>Applicant would respect those positions. Article 27(5) of the revised draft DCO requires the undertaker to restore the Temporary Laydown Area to the reasonable satisfaction of the owner (hence the current private agreement discussions with the owners on details of restoration) and the Applicant intends to amend article 27(5) further in the next revision of the draft DCO so that the restoration is to a standard that is no worse than that land's current appropriate for LB Enfield to have control over the detail of restoration of the Temporary Laydown Area and the Applicant therefore does not agree to the inclusion of the suggested wording of the new requirement.</p>
Appendix B Schedule of Issues with draft DCO	The comments in Appendix B mirror the comments on the draft DCO in Annex 1 of LB Enfield's written representations.	Please see the Applicant's response to Appendix 1 of LB Enfield's written representations.

2.4. Greater London Authority (REP2-008)

Paragraph no.	Paragraph text	Applicant response
33	In reviewing the waste processes in the submission and based on discussions between NLWA and the GLA Waste Management, GLA officers would like to clarify that incinerator bottom ash, produced as a residue from the EfW incineration process is not considered to contribute towards local recycling rates, and consequently does not count towards meeting apportionment. Waste going for energy recovery in London does count towards apportionment. Criteria for what activities count towards apportionment are set out in Policy 5.17 para 5.79.	The Applicant agrees that all waste sent to energy recovery in London counts towards the meeting of waste apportionment. The Applicant also agrees that incinerator bottom ash produced as a residue from the EfW incineration process is not considered to contribute towards local recycling rates. However, the Applicant considers that the quantity of incinerator bottom ash should not be deducted from the quantity of waste sent to energy recovery to derive apportionment; although this material does not count towards recycling rates, it is used as a replacement for virgin construction materials.
37	The applicant needs to demonstrate how they will support NLWA waste collection authorities collectively meet their 50 per cent recycling target by 2020 through front end kerbside recycling in addition to the proposed pre-treatment processes onsite.	<p>The Applicant actively encourages and promotes waste minimisation and prevention measures across north London through its in-house waste prevention team as an ongoing activity (see - paragraph 2.4.19 to 2.4.25 and Appendix A of the Need Assessment (AD05.04/APP-020)).</p> <p>In addition, the Resource Recovery Facility (RRF) would incorporate a Recycling and Fuel Preparation Facility (RFPF) as well as a Reuse and Recycling Centre (RRC). The RFPF would enable the Applicant to identify and separate out materials for recycling at a bulk level, while the RRC would promote the separation of recyclable materials by householders level and small businesses.</p>
50/51	The Need Assessment (AD05.04/APP-020), October 2015, states in section 2.2 the approach taken to calculate the carbon intensity floor (CIF). Having reviewed this, the calculation is based on known heat demand derived from the LVHN project meeting the minimum CIF requirement, and not	<p>The request is noted and our response is:</p> <p>a. The minimum carbon intensity floor of 400gCO₂/kWh (paragraph 2.2.7 of the Need Assessment (AD05.04/APP-020)) was identified as achievable with a minimum heat offtake capacity of</p>

Paragraph no.	Paragraph text	Applicant response
	<p>the based on the actual energy output of the facility. However, there are expectations of the steam turbine capacity to be maximized and consistent with the economic production of heat that would allow achievement of the CIF.</p> <p>The CIF can be met on the optimisation of the turbine and not the demand of the LVHN. The applicant is asked to supply a CIF assessment based on the design specification and output capacity.</p>	<p>12MWth. This was intended to set the context and does not represent the final design level of heat offtake from the turbines, but indicates that there appears to be sufficient prospective heat demand to meet the minimum CIF.</p> <p>b. The Mayor's Green House Gas Calculator was also used to show that the expected heat demand of 34MWth would result in a lower CIF of 300gCO₂/kWh.</p> <p>c. The actual CIF of the completed facility will be calculated on the basis of the actual level of annual heat supplied from the proposed ERF steam turbines. An updated estimate of the CIF based on the turbine design specification cannot be provided, as the specification is not yet developed. The specification will be subject to an optimisation process and will be finalised in liaison with the GLA as agreed in the Statement of Common Ground (SOCG), Paragraph 3.3.4 (AD03.04_GLA/REP3-012).</p> <p>d. The SoCG also supports the commitment to meet the minimum CIF of 400gCO₂/kWh and acknowledges the anticipated design point for the proposed ERF that would offer the potential to achieve a CIF of circa 300gCO₂/kWh (paragraph 3.3.5).</p> <p>In view of the above, we propose no further action is required; although the Applicant is willing to meet with GLA officers to provide further explanation.</p>
60	<p>The policy basis to secure these measures though the SoCG are to ensure compliance with London Plan paragraph 5.85B – Examples of 'demonstrable steps' as outlined in Policy 5.17 B e would be:</p> <ul style="list-style-type: none"> • "a commitment (via a Section 106 obligation) to deliver the necessary means for infrastructure to meet the min CO₂ standard, for example investment in the development of a heat distribution network to the site boundary, or technology modifications that improve plant efficiency; 	<p>The GLA's advice is noted and will be taken up where appropriate.</p>

Paragraph no.	Paragraph text	Applicant response
	<ul style="list-style-type: none"> • An agreed timeframe (via a S106) as to when proposed measures will be delivered; • The establishment of a working group to progress the agreed steps and monitor and report performance to the consenting authority.” <p>To assist in the delivery of ‘demonstrable steps’ the GLA can help to advise on the heat demand opportunities for waste to energy projects, particularly where these are linked to GLA supported Energy Master Plans.</p>	
62	<p>The S106 is with Enfield Council, however the specification of equipment which would be the driver of the heat network is as explained above and therefore the GLA consider this matter crucial as part of its agreement with the NLWA and is drafting wording in the SoCG to that effect.</p>	<p>Since submission of the written representations the GLA and the Applicant have submitted a SoCG (AD03.04/REP3-012) to the ExA. In respect of heat the SoGC states that the heat supply to be made available shall be provided from a steam turbine and that a condensing extraction turbine would be suitable. The Applicant agrees that a steam turbine specified with controlled extraction would cost more and have a higher heat capacity when compared with the same steam turbine specified with uncontrolled bleeds. The Applicant also agrees that the proposed ERF would incorporate a steam turbine which is designed to enable heat off-take from the commencement of operations. This feature shall not be retrofitted at a later date. The decision on whether to specify controlled extraction points or uncontrolled bleeds would be deferred until a point where it is required for procurement. In reaching this decision, the Applicant would continue to liaise with the GLA regarding the two heat off-take options, their soft-market testing and the final specification of the steam turbine for optimal heat supply. The Applicant and the GLA agree with this approach.</p>
65	<p>TfL is the freehold owner of some land within the Site that is included in the draft DCO. TfL objects to this land being compulsorily purchased. The land in question is outside TfL’s current highway boundary and adjacent local authority</p>	<p>Transport for London (TfL) is the freehold owner of plots 24, 26, 27, 28, 29 and 31. To clarify, it is not the Applicant’s intention to compulsorily acquire TfL’s freehold title to plots 24, 26, 27, 28, 29 and 31.</p>

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	<p>highway. TfL's need for this land to fulfil its duty as a transport and highway authority in the future is unknown, and TfL has a wider interest in how construction may on the highway network.</p>	<p>Plots 24, 26 and 27 form part of the land to the east of the River Lee Navigation and the Applicant proposes to carry out and maintain landscaping works over these plots. As explained on page 91 of the Statement of Reasons (AD04.01/APP-012), the Applicant is applying for powers to carry out and maintain landscaping on this part of the Application Site in order to: (i) manage the visual impact of the proposals; (ii) enhance biological diversity and visual amenity on Lee Valley Regional Park (LVRP); and (iii) as part of the maintenance of the open space within LVRP, to ensure there is no degradation of green space as a result of the proposals. It should also be added that during pre-consultation stages Lee Valley Regional Park Authority (LVRPA) requested the Applicant landscape this area of the Application Site. Table 4 of the Statement of Reasons (AD04.01/APP-012, pages 70 and 71) explains that plots 24, 26 and 27 are intended to be subject to the power to compulsorily extinguish rights in order to preserve the landscaping works that are to be carried out and maintained. For example, TfL may wish to carry out works on these plots at a time when the Applicant is carrying out the landscaping works. TfL may also wish to carry out works that would have a negative impact on the Applicant's landscaping works, once completed.</p> <p>Plots 28 and 29 form part of the pavement on either side of the junction between Lee Park Way and Advent Way. TfL's rights over plots 28 and 29 are intended to only be temporarily interfered with whilst works are carried out to and around that section of Lee Park Way.</p> <p>Plot 31 forms part of Advent Way. Plot 31 is required to form part of the Application Site in order to facilitate the works proposed to the existing southern entrance to the Edmonton EcoPark and works</p>

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		<p>proposed over the Enfield Ditch. Plot 31 may need to be temporarily stopped up, either partially or entirely, in order to allow the Applicant to place construction equipment (such a cranes) connected with the proposed works to the existing southern entrance to the Edmonton EcoPark and connected to the proposed works over the Enfield Ditch.</p> <p>It is clear from the above that it will not be possible to exclude plots 24, 26, 27, 28, 29 and 31 from the Order Land as these form important parts of and cover a significant part of the Application Site. The Applicant is currently in discussions with TfL and it is hoped a private agreement can be reached to address TfL's concerns. If a private agreement is not reached, the Applicant would need the ability to extinguish or temporarily suspend any rights belonging to TfL (as the case may be) that would conflict with the Applicant's powers under the DCO to carry out the relevant parts of the authorised development.</p>
66	TfL's view is that agreement about the use of TfL owned land will allow both TfL and the Applicant to plan for London's future waste and transport needs more easily.	The Applicant is currently in discussions with TfL about how the authorised development would affect its interests and rights and it is hoped a private agreement can be reached to address TfL's concerns. If a private agreement is not reached, the Applicant would need the ability to extinguish or temporarily suspend any rights belonging to TfL (as the case may be) that would conflict with the Applicant's powers under the DCO to carry out the relevant parts of the authorised development.
67	TfL would like to work with the applicant, to exclude TfL land from the order limies within the DCO and instead agree a transfer of land or rights required, or make the land available temporarily for construction by agreement	It will not be possible to exclude TfL's land from the Order limits. The Applicant does not require title to TfL land, only the ability to carry out and (where relevant) maintain the Authorised Development. The Applicant is currently in discussions with TfL about how the Authorised Development will affect TfL's interests and rights and it is hoped a private agreement can be reached to address TfL's

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		concerns. If a private agreement is not reached, the Applicant would need an ability to extinguish or temporarily suspend any rights belonging to TfL (as the case may be) that would conflict with the Applicant's powers under the DCO to carry out the relevant parts of the Authorised Development.
68	TfL is responsible for the operation of all traffic signals in London, including signals over which the Applicant seeks powers.	The Applicant is not proposing to make changes to any existing traffic signals. Land within the Application Site which contains traffic signals has been included to ensure that any necessary junction works can be undertaken. Appropriate consultation with TfL would be undertaken via the relevant planning authority pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018) on any proposed junction works and traffic management measures.
70	TfL has various interests in the Site as indicated above. TfL has not been invited to be party to a s106 obligation. TfL therefore seeks to secure commitments from the Applicant which will address its concerns. These commitments could be secured within the DCO, through the s.106 obligation or by separate legal agreement between TfL and the Applicant. TfL would expect as strategic highway and transport authority for London to be consulted by the local planning and highway authorities in relation to discharge of requirements, especially those referred to in this advice note, and will seek assurances from those bodies that this will be the case.	<p>Commitments which address TfL's concerns (surrounding minimising the impact on the local transport network) are secured through Requirement 12 of the revised DCO (AD03.01/REP3-018), CoCP (AD05.12/APP-032) and the Section 106 Agreement (AD03.03/APP-011). These include the preparation of Travel Plans (for construction employees and operational employees), and the preparation of a Construction Logistics Plan (CLP) and a Servicing Management Plan. The Applicant is also in discussions with TfL to reach a private agreement that should also address any remaining concerns that TfL may have, where appropriate.</p> <p>With regard to TfL's representation about consultation, Article 37(6) of the revised draft DCO (AD03.01/REP3-018) requires the relevant planning authority to consult with all other relevant and appropriate statutory consultees.</p> <p>The Section 106 Agreement would bind LondonWaste Limited's land, which comprises the bulk of the Application Site. No land owned by TfL would be bound by the Section 106 Agreement, and so it is not</p>

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		appropriate for TfL to be party to that agreement.
73	The Transport Assessment (TA) report produced by the Applicant as part of the submission should be in line with TfL's 'Transport Assessment Best Practice Guidance'. TfL has reviewed the Transport Assessment and confirms the submission is generally in accordance with TfL specific advice and guidance. The Applicant should therefore be required to comply with the TA's findings in preparing documents to discharge requirements in the DCO or obligations in a s106 obligation, subject to using the most appropriate data at the time.	The Applicant would comply with the findings of the TA (AD05.11/APP-030) in preparing documents to discharge requirements of the DCO (AD03.01/REP3-018) or obligations of the Section 106 Agreement (AD03.03/APP-011), subject to using the most appropriate data at that time, notwithstanding the potential for currently unforeseen significant changes to the baseline and future baseline. This would be secured by Requirement 6 of the DCO.
75	TfL is concerned however that the Proposed Development will have a detrimental impact on TLRN and local bus services if the access arrangements are not implemented in accordance with the TA assumptions as summarised above. TfL requests that its strategic transport interests are safeguarded by a requirement within the DCO or through the s106 obligation, and we are both kept informed and consulted when new information or documents are prepared.	<p>The Applicant would implement the details of the management of accesses in accordance with:-</p> <ul style="list-style-type: none"> a. the assumptions set out in Sections 4.2 and 4.3 of the TA (AD05.11/APP-030) taking account of any changes to the highway network outside of the control of the Project at that time; and b. the details approved pursuant to Requirement 12, <p>subject to using the most appropriate data at that time which would account for any significant changes to the baseline and/or future baseline.</p> <p>With regard to TfL's representation about consultation, Article 37(6) of the revised draft DCO (AD03.01/REP3-018) requires the relevant planning authority to consult with all other relevant and appropriate statutory consultees.</p>
76	<p>The design of the junctions, cycle routes and other transport aspects of the scheme have been undertaken in accordance with the following relevant guidance:</p> <ul style="list-style-type: none"> a. Design Manual for Roads and Bridges (HE, 2015); 	The Applicant would apply this guidance (or any guidance that has superseded that at that time) to the detailed design of accesses, on-site routes, junctions and other transport aspects. This would be secured through Requirements 4 and 12 of the DCO. TfL would be

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	<p>b. London Cycle Design Standards (TfL, 2014); c. Manual for Streets (DfT, 2007); and d. Traffic Advisory Leaflets (DfT, various). TfL would expect the Applicant to apply this guidance to the detailed design of the access and on site routes. TfL would want oversight of this process via consultation on discharge of requirements or through s106 obligations.</p>	<p>consulted by the relevant planning authority on the relevant elements of the detailed design that would have strategic considerations and on documents on which it would have an interest. This has been provided for through the insertion of Article 37(6) in the revised draft DCO (AD03.01/REP3-018).</p>
79	<p>Walking, cycling and public transport access requirements may change in relation to other proposals in this area. TfL would seek options to improve access to the Site and encourage mode shift where practicable for the operational and construction phases. This adaptability could be allowed through s106 obligations including specific controls to safeguard existing cycling and walking links and enable future routes to be developed over the next 10 years.</p>	<p>The Applicant is committed to the promotion of walking, cycling and public transport and this is a key theme of the Framework Construction Travel Plan (Appendix J of the TA (AD05.11/APP-031)) and Framework Operational Travel Plan (Appendix K of the TA (AD05.11/APP-031)). Specific financial contributions to walking (including pedestrian routes to public transport) and cycling are provided for in the current draft of the Section 106 Agreement (AD03.03/APP-011). Please note that the draft Section 106 Agreement submitted as part of the Application is currently being negotiated by the Applicant - on behalf of itself and LondonWaste Limited – with the London Borough of Enfield (LB Enfield) and may be amended to reflect these issues.</p>
80	<p>TfL would expect a Delivery and Servicing Plan to be prepared for the Proposed Development. The Service Management Plan included in the s106 obligation would achieve that same purpose. This would need to be updated over time and in relation to phasing. TfL understands that the Applicant's ability to influence collection authorities is limited but TfL would nevertheless expect the Applicant to take reasonable endeavours to influence collection authorities accessing the site alongside other vehicle movements to minimise environmental and transport impact. This could be secured in the s106 obligation or by way of a requirement in the DCO. TfL expect to be consulted on the discharge of this requirement.</p>	<p>As acknowledged by TfL a Servicing Management Plan (SMP) would be prepared to manage all ancillary servicing of the site and provision for this is included in the current draft of the Section 106 Agreement (AD03.03/APP-011). TfL would be consulted by LB Enfield, as appropriate, on the content and reviews of the SMP. Reviews of the SMP would be undertaken in accordance with the mechanism set out in the Section 106 Agreement updates undertaken as required to reflect any significant changes to how the Application Site would be serviced.</p>

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85	<p>The Applicant and TfL accept that water freight is unfeasible for the Proposed Development based on the current knowledge and the existing infrastructure on the River Lee Navigation. The Applicant and TfL agree that water freight access is not ruled out for this site in the longer term as it is influenced by factors outside of the control of either TfL or the Applicant. The Applicant and TfL will work together to promote water freight to the Application Site in the longer term and it is accepted that this would be outside of the scope of the DCO.</p>	<p>TfL's position with respect to water freight is noted and the Applicant agrees that any work to promote the movement of freight by water in the long term would be undertaken outside of the scope of the DCO.</p>
87	<p>As previously stated, the provision and management of this parking needs to be secured by a s106 obligation or as a requirement of the DCO.</p>	<p>The provision of parking (in terms of detailed design) would be secured through Requirement 4 of the revised draft of the DCO (AD03.01/REP3-018) and management of parking would be secured through the the operational travel plan, which would be secured through the Section 106 Agreement (AD03.03/APP-011).</p>
88	<p>There are a number of implementation matters which are currently being discussed between the Applicant and TfL.</p> <ul style="list-style-type: none"> a. the Delivery and Servicing Plan (DSP) that will be prepared for the site prior to implementation, an outline of which is included in the TA (Section 8); and b. the proposed approach to traffic management measures during construction of the Project, included in paragraph 11.3.3 of the CoCP, which sets out a range of traffic management measures for implementation, where required, during construction, which TfL suggests may need further development prior to implementation to allow TfL to measure and monitor compliance appropriately. <p>The CoCP should seek to minimise peak hour traffic movements as far as practicable, encourage best practice for driver behaviour, management of lorry movements and lorry routing, and encourage car sharing, walking, cycling and public transport use for construction workers. These will be undertaken through</p>	<p>The traffic management measures included in the CoCP (AD05.12/APP-032) would be developed in the future, where required, to respond to conditions at that time. This should be considered in conjunction with Requirement 12 of the DCO. The Applicant would ensure that any TfL monitoring can be undertaken in the most efficient manner.</p> <p>The measures included in the CoCP (AD05.12/APP-032), Construction Workers Travel Plan (CWTP) and Construction Logistics Plan (CLP) would address any impacts on the highway network at all times of the day, including the peak hours. The use of public transport, walking and cycling would be promoted through the Framework Construction Travel Plan (Appendix J of the TA (AD05.11/APP-031)).</p>

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	the CoCP, Construction Workers Travel Plan (CWTP) and Construction Logistics Plan (CLP).	
89	The DSP, CWTP and CLP will be prepared in accordance with TfL guidance and TfL will be consulted on drafts of both documents. It has been agreed with the Applicant that any reasonable suggestions that TfL may have on the drafts will be incorporated.	The Applicant would incorporate any reasonable suggestions into the Servicing Management Plan, Framework Construction Travel Plan (Appendix J of the TA (AD05.11/APP-031)) and CLP. The CLP would be secured through the CoCP (AD05.12/APP-032) and Requirement 16 of the DCO.
90	The DSP, CWTP and CLP will be submitted and agreed with LB Enfield and a monitoring programme will be agreed. TfL accept this position and expects to be consulted on them.	Article 37(6) of the revised draft DCO (AD03.01/REP3-018) requires the relevant planning authority to consult with all other relevant and appropriate statutory consultees.
92	TfL can confirm that the impact on bus services is negligible. However, during construction phases it may be necessary to change local services to i) support sustainable travel; ii) minimise disruption to existing bus services and iii) enable all workers and visitors access to site. TfL provides bus services by contract with bus operating companies. If the Applicant requests specific changes at this stage or in the future those arrangements would need to be agreed with TfL as would permits to run specific services to site. Any such agreed changes should be at no additional cost to TfL or bus operators.	The Applicant accepts that any changes to the bus services requested by the Applicant to support the Project would be funded by the Applicant. However, it is not currently envisaged that any such changes would be required. Provision is made for a CWTP which would include relevant measures to manage the impact on bus services. The CWTP is included in the current draft of the Section 106 Agreement (AD03.03/APP011).
93	TfL is concerned about construction impacts. These have been assessed in the TA and mitigation proposed including provision of CLP and other measures.	TfL's concern about construction impacts is noted. The Applicant agrees that the potential construction impacts have been assessed and appropriate mitigation proposed.
96	TfL's oversight of this process [the CoCP] relies on TfL being consulted on specific stages of the project by the contractor or the Applicant and the contractor and/or the Applicant being willing and able to follow TfL's advice. TfL recommends this is set out in the s106 obligation and protocols agreed with TfL. TfL would accept that the formal discharge of conditions would	Compliance with the CoCP (AD05.12/APP-032) is a requirement of the DCO (please see Requirement 16(1) of the revised draft DCO (AD03.01/REP3-018)). Many of the measures set out in the CoCP (AD05.12/APP-032) would require approval from the local highway and/or planning authority (i.e. LB Enfield and TfL) as set out in Section 11 of the CoCP.

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	be by the local planning authority after consulting TfL.	
97	TfL recommends the draft DCO is amended to reflect TfL strategic interest as follows:	
	Definition of Code of Construction Practice in article 2 (or requirement 16) should include specific requirements to minimise peak highway travel by heavy goods vehicles on Advent Way and other access roads; reduce risk of vehicles stopping on adjacent highways while waiting access to the site and encourage driver best practice.	The ExA requested that the definition of "Code of Construction Practice" (CoCP) in Article 2 be amended so that it does not refer to what the CoCP (AD05.12/APP-032) would cover. Please see Item 2 of the Agenda for the DCO Hearing held on 18 March 2016. The Applicant has amended the definition of "code of construction practice" in the revised draft DCO (AD03.01/REP3-018) to comply with the ExA's request. TfL's request is not in line with the ExA's requested amendment to the revised draft DCO (AD03.01/REP3-018). The specific requirements being requested by TfL are already covered in the CoCP (AD05.12/APP-032).
	The Applicant should understand the Network Management Duty and ensure any works to the highway or their maintenance should be managed in accordance with best practice. Schedule 2, paragraph 12 refers to consulting TfL on access; TfL considers that this will be sufficient provided the Applicant understands this duty.	The Applicant understands the Network Management Duty and would ensure that any appointed Contractor also understands this. This is in accordance with the CoCP (AD05.12/APP-032) which requires TfL to be consulted on any aspect of the scheme that affects the highway for which it is responsible. Requirement 12 in the revised draft DCO (AD03.01/REP3-018) has been amended to delete the express reference to consultation with TfL. This is in line with the ExA's request made during the hearing on the draft DCO on 18 March 2016. Instead, Article 37(6) has been inserted into the revised draft DCO requiring the relevant planning authority to consult all relevant and appropriate statutory consultees.
	Schedule 2, paragraph 16: refers to consulting TfL on the draft Code of Construction Practice. TfL would want to ensure that TfL requirements are embedded into this document and welcomes the commitment to consult TfL. TfL suggests prior to construction commencing a highway/transport authority stakeholder liaison group is set up.	Requirement 16 of the revised draft DCO (AD03.01/REP3-018) has not and does not state that consultation with TfL is required. As mentioned above, Article 37(6) has been inserted into the revised draft DCO requiring the relevant planning authority to consult all relevant and appropriate statutory consultees and this would include TfL if what is being proposed would affect TfL as a statutory

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		consultee. This obligation would be relevant should the CoCP (AD05.12/APP-032) need to be updated. The Applicant would also give consideration to the setting up of a highway/transport authority stakeholder liaison group prior to the commencement of construction of the Project.
	Schedule 2, paragraph 8: TfL would like to be consulted on this provision so that it can understand how the development is being implemented, or be assured that it will be consulted by Enfield Council.	Requirement 8 in the original submitted draft of the DCO (AD03.01/APP-009) is now Requirement 3 in the revised draft DCO (AD03.01/REP3-018). This requirement relates to stages of construction of the authorised development. If what is being proposed would affect TfL as a statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO.
	Schedule 2, paragraph 10: provision of landscaping and maintenance of landscaping. TfL would like to be consulted on this aspect, or be assured that it will be consulted by Enfield Council. TfL would like to consider the detail as it may impact directly or indirectly on the A406. This could be that positive aspects are encouraged e.g. wayfinding, pedestrian, cycle access (where we encourage best practice), reduce air pollution, or it could relate to or negative aspects e.g. driver distraction, inappropriate lighting, visibility, maintenance liabilities (which TfL want to discourage)	If what is proposed would affect TfL as a statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018). In addition, it is anticipated that the private agreement currently being negotiated with TfL will deal with TfL's specific concerns relating to landscaping.
	Schedule 2, paragraphs 10 and 11: any trees planted within land currently controlled by TfL or near land controlled by TfL that may impact on the operation of the highway or on TfL's ability to manage the land should be presented to TfL and agreed. TfL provides guidance on this aspect in our Streets Toolkit'.	If what is proposed would affect TfL as a statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018).
	Schedule 2, paragraph 13: TfL would like to be consulted on the written details of this provision, or be assured that it will be consulted by Enfield Council. This is to ensure that the discharge	Where TfL is a relevant or appropriate statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018).

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	of this provision does not impact on the operation of the local road network or the A406.	
	Schedule 2, paragraphs 20 and 21: TfL would like to be consulted on this provision, or be assured that it will be consulted by Enfield Council.	Where TfL is a relevant or appropriate statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018).
	TfL would recommend that prior to submission of specific documents relevant to TfL that the Applicant consults TfL or the local planning authority consults TfL appropriately as recommended throughout this report.	Where TfL is a relevant or appropriate statutory consultee, the relevant planning authority would be obliged to consult TfL pursuant to Article 37(6) of the revised draft DCO (AD03.01/REP3-018).
99	TfL's principal concern would be that during operation or construction, traffic generated by the development, traffic management or overspill parking by employee cars or delivery vehicles causes knock-on impacts onto the A406 North Circular Road or on local bus routes.	The TA (AD05.11/APP-030) concludes that the impact on the A406 North Circular Road from operation or construction of the Project would be negligible and further that there would be a negligible impact on the operation of bus routes.
100	TfL accepts this risk is greatest during the construction phase. If the Construction Logistics Plan is prepared and TfL is consulted upon it and it fairly reflects our requirements as requested in this note (and is then adhered to) then TfL will be satisfied that the impact of the Proposed Development has been mitigated.	The CLP would be prepared in accordance with all reasonable TfL requirements and TfL would be consulted appropriately on the CLP through the CoCP (05.12/APP-032).
101	TfL would like to be consulted on matters related to the operation of the A406, local bus services, construction and promotion of travel by bus, cycle and foot.	Should there be any impacts on matters as identified in paragraph 39, TfL would be consulted by LB Enfield pursuant to Article 37(6) where TfL is a relevant statutory consultee.
104 / 114	The applicant should be required to refer to guidance relating to non-road mobile machinery (NRMM) contained within the Control of Dust and Emissions During Construction and Demolition SPG. This will meet the requirements of policy 7.14 of the London Plan. This should be set out in the DCO.	Section 5.2 of the CoCP (AD05.12/APP-032) commits to using non-road mobile machinery (NRMM) listed on the Energy Saving Trust's NRMM Register where reasonably available. This is considered appropriate to comply with the GLA Control of Dust and Emissions During Construction and Demolition SPG for the outer London location of the Application Site. The Application Site sits outside of the GLA's Central Activity Zone where tighter controls apply.

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