



Meeting note

File reference	EN010071
Status	Final
Author	Karl-Jonas Johansson
Date	6 August 2015
Meeting with	North London Heat and Power Project
Venue	Teleconference
Attendees	Planning Inspectorate Tom Carpen (Infrastructure Planning Lead) Karl-Jonas Johansson (Case Officer) Richard White (Assistant Case Officer) Will Spencer (EIA Advisor) Emma Cottam (EIA Advisor) Applicant David Beadle (NLWA) Euston Ling (NLWA) Katie Kerr (Arup) Anita Kasseean (Stephenson Harwood)
Meeting objectives	Project update
Circulation	All attendees and Stephanie Newman

Summary of key points discussed and advice given:

Introduction

The Planning Inspectorate (the Inspectorate) outlined its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s.51 of the Planning Act 2008 (PA 2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

Actions from last meeting

The applicant confirmed that they had received the Inspectorate's comments on their notes relating to the red line boundary change and flexibility around the cooling options.

The Inspectorate agreed to provide feedback week commencing 10 August 2015 relating to contacting stakeholders unable to attend the round table meeting, held on Wednesday 10 June 2015.

Feedback on draft documents

The Inspectorate advised the applicant that the overall quality of the draft documents, including the draft Development Consent Order (DCO), was good, subject to the queries raised by both applicant and Inspectorate regarding the DCO being addressed. It was agreed between the Inspectorate and the applicant that a second review of the draft DCO, the Explanatory Memorandum (EM) and the Statement of Reasons would be submitted for review during the first week of September 2015. The Funding Statement will also be submitted as soon as it has been finalised.

The applicant also asked whether it should resubmit the Consultation Report once this has been updated with material from the second phase of consultation, as the structure remained the same. The Inspectorate advised that it thought the structure allowed straightforward reading to see how issues had been considered, and it was for the applicant to decide if it wanted to submit an updated version. The Inspectorate advised that if the applicant did not submit a further version, to ensure that it had captured and addressed all issues, and for the purposes of any examination tackled any potentially challenging issues as in absence of the draft the Inspectorate would not have the information to advise on the risk of such issues. It was also agreed to that the applicant would send any completed appendices to the Consultation Report for review as the Inspectorate's experience from other projects is that evidence missing from Appendices can lead to an Acceptance risk.

With regard to the submitted draft plans, the Inspectorate was of the opinion that the plans were of suitable standard for the purposes of Acceptance, subject to comments it provided and without prejudice to any Acceptance decision, and that a second review was not necessary.

With regard to Habitats Regulations Assessment, the Inspectorate agreed to review a new section the applicant has drafted on in-combination effects.

Clarification of the Inspectorate's comments on the draft DCO and Book of Reference (BoR)

The applicant sought clarification as to whether the draft DCO requires a definition of "*Other Works*". The Inspectorate advised that where other DCOs had used the definition, the parameters of the works were clearly in the remit of what had been assessed and could be allowed by a DCO.

The applicant advised that it intended to define authorised development so powers granted in the DCO would be curtailed by the red line boundary and that the power sought would be defined in Part 2, Schedule 1, Paragraph 3 of the DCO, to include a suitable definition of other works.

The Inspectorate advised the applicant to cross reference any wording taken from other granted DCOs, as this will aid the understanding of the draft DCO.

It was agreed that the Inspectorate would provide the applicant with written section 51 advice regarding how to incorporate persons listed in Part 3 of the BoR into Part 1, as advised in DCLG guidance on compulsory acquisition of land¹.

¹ [Planning Act 2008: guidance related to procedures for the compulsory acquisition of land](#)

The applicant sought clarification on whether the BoR should include the rights the applicant wanted to interfere with. The applicant's concern was that if the rights were added to the BoR, it would restrict the compulsory acquisition powers sought by the applicant. The applicant also informed the Inspectorate that adding the powers sought to the BoR is not a legal requirement.

It was agreed that the Inspectorate would provide the applicant with further advice on how to present the powers sought in the BoR. The Inspectorate also advised the applicant to look at section 51 advice (regarding the BoR) which has been published following acceptance of other projects for examination.

Summary of phase two consultation

The applicant informed the Inspectorate that phase two consultation is now complete and that they are unaware of any major concerns from local stakeholders. Approximately 120 consultation responses were received. The applicant noted that they did not receive a response from the London Borough of Haringey.

The applicant confirmed that the outreach event held at the Edmonton EcoPark had a beneficial impact on engagement by statutory bodies in the second round of consultation.

The applicant highlighted two issues raised by consultees, regarding the viewing platform on the ERF and the height of EcoPark House. Design amendments are being considered to address these points.

The applicant advised that the consequent update to the Consultation Report is ongoing. The Inspectorate advised that the Consultation Report should show how the applicant has had regard to all issues raised by stakeholders. If any issues were unresolved after the consultation period closed, the Consultation Report should clearly set out why it was not possible to reach agreement between the parties.

Decommissioning

The applicant informed the Inspectorate that the second draft of the DCO would clarify how the decommissioning of the existing Energy from Waste facility would be controlled in the DCO.

Visual Impact

A draft of the Design Code Principles is to be provided to London Borough of Enfield (Enfield) for comment in the week commencing 10 August 2015. The applicant informed the Inspectorate that some of the design issues raised by Enfield at the stakeholder meeting in June have not been raised again by Enfield during phase two consultation. The Inspectorate advised that the design issues raised at the stakeholder meeting might still become an issue during the examination and the applicant should prepare for this eventuality.

Rochdale Envelope

The Inspectorate requested that the applicant expand the notes relating to Article 3 in the draft DCO, to clarify how the powers sought would comply with the principles of the Rochdale Envelope and the design code principles, and sought and received assurance that the mechanism in the DCO for moving from parameters to detailed

design was being discussed with the London Borough of Enfield. The Inspectorate clarified that its draft document advice was to ensure that there was no ambiguity around changes to the scheme being within the parameters of the consent. The wording as drafted appeared to give the relevant authority the scope to approve something different, and the wording should be re-considered. The Inspectorate advised that the scope of the detail appeared reasonable, without prejudice to anything an Inspector may wish to examine.

The Inspectorate also sought an update on the cooling options for the power station. The applicant explained that it was still possible that two cooling options would be included within the DCO, but that the decision on the cooling options was expected to be finalised in September 2015, taking account of comments received in consultation.

Grid Connection

The Inspectorate advised the applicant to compare its DCO with the DCOs for the Hirwaun and Progress Power Stations, in order to get a greater understanding of how the Secretary of State prefers the grid connection to be controlled in the DCO.

The Inspectorate asked for an update on any works outside the DCO boundary and the process for their approval

The applicant advised the Inspectorate that they are engaging with UK Power Networks Ltd (UKPNL) regarding the grid connection. The outcome of these negotiations has formed the basis of the Grid Connection Statement and the Statement of Common Ground (SoCG) between the applicant and UKPNL. Works outside the DCO boundary would be within the scope of Permitted Development for UKPNL.

The applicant advised that once the Grid Connection Statement had been finalised it would be possible for it to send for review as part of the draft documents.

The applicant also informed the Inspectorate that there were no issues with connecting the new project to the gas network and this was all contained within the Utilities Strategy.

Combined Heat and Power (CHP)

The applicant advised that discussions with the Greater London Authority (GLA) are progressing well and the GLA is supportive of the need for the CHP element to be economically viable. The applicant also informed the Inspectorate that the Lee Valley Heat Network's comments regarding future proofing the heat supply had been taken into account.

Permitting

The applicant informed the Inspectorate that following discussions with the Environment Agency (EA), they will apply for a bespoke single permit which covers the entire site. The permit application is anticipated to be submitted to the EA by the end of November 2015. The applicant explained that as the permit doesn't need to be in place before 2025, no problems are envisaged with applying for the permit in November 2015.

The applicant confirmed that they have received a signed discharge consent from Thames Water. The applicant has agreed with the EA that an abstraction licence would not be necessary if cooling water is to be abstracted from the Deephams Sewage works discharge point.

AOB

It was agreed to hold the next meeting via teleconference at the end of September but discussions on draft documents would continue until then.

The applicant confirmed that the application is still anticipated to be submitted in October 2015.

Specific decisions / follow up required?

- The Inspectorate is to update the applicant regarding contacting stakeholder who did not attend the round table meeting in June;
- The Inspectorate is to provide section 51 advice regarding how to incorporate Part 3 persons into Part 1 of the BoR;
- The Inspectorate is to provide the applicant with advice on how to present the powers sought in the BoR; and
- The applicant would submit the following documents to the Inspectorate for review:
 - DCO, EM and Statement of Reasons (first week of September 2015);
 - Funding statement (as soon as it is ready);
 - Grid connection statement; and
 - Updated consultation report and any completed appendices.