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North London Waste Authority

Your Ref:

Our Ref: EN010071

Date: 12 October 2015

Dear Ms Kerr

Application by North London Waste Authority for an Order Granting Development Consent for the North London Heat and Power Project

The following comments are provided in response to a request on 4 September 2015 for a second review of draft application documents for the North London Heat and Power Project. The comments relate to the Statement of Reasons and Funding Statement. Advice is also provided in addition to previously issued advice relating to the draft Development Consent Order (DCO) (see meeting note from meeting on 1 October 2015).

Statement of Reasons

The Planning Inspectorate (the Inspectorate) welcomes the updates made to the Statement of Reasons and has the following comments.

The applicant relies upon two documents, the Environmental Commitments and Mitigation Schedule and the Design Code Principles, to set out the detail of how the land will be improved and provide the evidence that the land will be no less advantageous in accordance with Section 132(3) of the 2008 Planning Act (as amended) (PA2008) for the benefit of the Secretary of State. The Inspectorate advises the applicant to summarise very briefly the main evidence from these documents in the Statement of Reasons.

The Inspectorate notes that the list of plots that fall within the definition of open space in paragraph 9.2.3 of the statement has some discrepancies from the plots listed in paragraph 9.2.5 as potential special category land and the list of special category land in paragraph 9.2.7. It is further stated in paragraph 9.2.5 that as a precautionary approach all of these plots are regarded as open space for the purpose of section 5(2)(i)(iv) of the APFP Regulations 2009. It might therefore be prudent of the applicant to clarify which of the plots referred to in paragraphs 9.2.3-9.2.7 it regards as open space land for the purposes of section 5(2)(i)(iv) of the APFP Regulations 2009.

Funding Statement

The Inspectorate has no significant comments to make on this document; the resource implications of acquiring the land and implementing the project are made clear. We note two minor issues: there are references to appendices A and C but no reference to an appendix B; and compulsory purchase is mentioned on occasion when compulsory acquisition should be used in the context of the PA2008.

Development Consent Order

We note that in Schedule 1, Works No 1a states "*an electricity and heat generating station located at the Edmonton EcoPark, fuelled by residual waste and capable of an electrical output of **around** 70 mega watts of electricity (MWe) (gross)*".

The use of the word 'around' suggests that there is possible ambiguity about whether the application documents correctly assess what the application is. A risk to acceptance is presented if there is any discrepancy in project description between the DCO and the Environmental Statement (ES). Therefore, the applicant may wish to specify an upper limit (e.g. 'up to' 70MWe) to ensure that the proposed development reflects the basis of the assessment in the ES. Failing that, the applicant may wish to include a definition of "around" that ties it to the ES.

'Around 70MW' is then quoted in a lot of other documents, including the Statement of Reasons and Funding Statement, so we advise that you amend these accordingly.

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

Yours sincerely

Stephanie Newman

Stephanie Newman

Case Manager

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

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