



# The Planning Inspectorate Yr Arolygiaeth Gynllunio

## Meeting note

<b>File reference</b>	EN010071
<b>Status</b>	<b>Final</b>
<b>Author</b>	Karl-Jonas Johansson
<b>Date</b>	10 June 2015
<b>Meeting with</b>	North London Waste Authority and invited stakeholders
<b>Venue</b>	EcoPark, Edmonton, London, N18 3AF
<b>Attendees</b>	<b>The Planning Inspectorate</b> Tom Carpen (Infrastructure Planning Lead) Stephanie Newman (Case Manager) Karl-Jonas Johansson (Case Officer) Will Spencer (EIA Advisor)  <b>London Borough of Enfield</b> Andy Higham Richard Laws Thomas Rumble Lauren Laviniere Robert Singleton  <b>London Borough of Haringey</b> Stephen Kelly Emma Williams  <b>Environment Agency</b> Anna Von Borzyszkowska  <b>Natural England</b> David Hammond  <b>Lee Valley Regional Park Authority</b> Claire Martin  <b>Greater London Authority</b> Sukhpreet Khull Peter North  <b>Epping Forest</b> Jeremy Dagley  <b>North London Waste Authority</b> Ursula Taylor

**Meeting  
objectives  
Circulation**

Euston Ling  
David Beadle  
Ben Stansfield (Stephenson Harwood LLP)  
Nicola White (Arup)

Project update and to discuss stakeholder issues

All attendees and Nick Ray (London Borough of Waltham Forest)

## **Welcome and Introduction**

After opening the meeting the Planning Inspectorate (the Inspectorate) gave an introduction to the 2008 Planning Act (PA2008), which was followed by a project update by the North London Waste Authority (the applicant) (See attached slides). After the presentations the Inspectorate informed the stakeholders that under section 51 of the PA 2008 a note of the meeting will be produced and placed on the National Infrastructure pages of the Planning Portal website. This note will be circulated to all attendees for comments before publication.

## **STAKEHOLDER SPECIFIC ISSUES**

### **Statement of Common Ground**

Epping Forest requested clarification over the timing of Statements of Common Grounds (SoCGs), and the process for producing these. The Inspectorate clarified that the responsibility lies with the applicant to instigate negotiations on the SOCGs which it thinks are necessary for the project, and that the Examining Authority (ExA) will set out in the examination timetable, issued at the start of examination, when SoCGs are due. The Inspectorate also advised that the parties should try to reach agreement as soon as possible on what they have agreed or not agreed upon as the SoCG are requested by the ExA early in the examination process.

### **Waste use**

The Inspectorate informed the stakeholders that the National Policy Statements for Energy guide the decision maker in their understanding of the need for a project. The applicant stated that the application documents will contain a Needs Assessment which will set out the rationale for the project, to demonstrate how it is in accordance with the Policy Statements.

The London Borough of Haringey (Haringey) asked about the modelling approach used to forecast future waste trends to inform the capacity requirements of the new plant, and the implications of any deviations from the forecast. The applicant clarified that the projected waste supply was modelled on a decrease in the amount of household waste going to landfill from 70% to 50%. On a technical level, the applicant advised that the throughput is constrained by the Calorific Value (CV)<sup>1</sup> of the waste which relates to the physical and thermal capacity of the boilers. The Inspectorate explained that on a regulatory level, the maximum output of the plant will be set by the DCO

---

<sup>1</sup> CV is the amount of energy produced by the complete combustion of a material or fuel. Measured in units of energy per amount of material, e.g. kJ/kg.

and will need to be based on levels consulted on, and assessed in the ES, as well as the environmental permit, and these parameters will indirectly place a limit on the quantity of waste that will be possible to input. The Inspectorate advised that waste modelling may become an issue during the examination, in which case the ExA would explore it further either through written questions or by holding an Issue Specific Hearing on the matter.

## **Design**

The Inspectorate clarified that it is appropriate with NSIPs to produce indicative design drawings for the purposes of applying “Rochdale Envelope”<sup>2</sup> principles. This principle allows the applicant to set parameters for the project that can be developed in detail after consent for the project has been given. However, the drawings must be marked as indicative, it must be clear what the parameters are that the applicant would like consent for, and that these parameters have been assessed in the ES. The Inspectorate advised the applicant to ensure a suitable mechanism for developing the detailed design is established in the draft Development Consent Order (DCO) and advised Local Authorities to ensure they can comment on the suitability of the mechanism before submission.

The applicant informed the stakeholders that the plans are currently indicative but that the overarching features have been fixed. The applicant also advised that the limits of deviation for the buildings are shown in the book of plans that was issued with the consultation material sent out to all the section 42 consultees.

The Inspectorate advised the stakeholders that it is possible to change the design of the project but that the procedural requirements are different depending on the stage the project is at in the PA2008 process. During the pre-submission stage it is for the applicant to decide if a change to the design is outside the remit of parameters it has set for the project and consulted on. It is for the applicant to decide whether any changes require further consultation and whether anyone would be prejudiced by not being consulted, having regard to Government guidance on pre-application and any advice we may give.

The Inspectorate advised that the above process for changes during examination are due to come into force in July, and it will be issuing a new advice note on the matter at the same time. If changes to the design occur after the application has been accepted for examination it is for the ExA to decide if the change is material or non-material. If a change is deemed material, the changes will be assessed in a process that closely mirrors the NSIP examination process. There is a similar process for consented projects; for these the relevant Secretary of State decides whether the change is material or not and conducts the examination if the change is considered material. Enfield indicated at the meeting that it would like the project to strike a good balance between minimising the size and the visual impact of the plant and stated that they agreed in principle with most of the design concepts. In addition Enfield noted the possibility of turning the stack into a visual landmark for the borough.

---

<sup>2</sup> Case law (for example Rochdale MBC Ex. Parte C Tew 1999) provides a legal principle that indicative sketches and layouts cannot provide the basis for determining applications for an EIA development. The “Rochdale Envelope” is a series of maximum extents of a project for which the significant effects are established. The detailed design of the project can then vary within this ‘envelope’ without rendering the Environmental Statement inadequate.

To facilitate a design outcome that would be acceptable to both parties, it was agreed that the applicant and Enfield would further discuss how the final design of the project will be controlled.

## **Water use**

The applicant noted that water use information is contained within the Preliminary Environmental Information Report and informed the stakeholders that it is currently in discussions with Thames Water regarding the water cooling option with the intention of finalising the cooling options before the project is submitted in October 2015. In response to a query from Enfield it was further clarified that the water would come from the Deephams Sewage works and that this arrangement would not impact on the water levels in Salmons Brook.

The Inspectorate informed the stakeholders that the parameters that govern the amount of water used by the project should be set out and assessed in the ES. The Inspectorate also advised that the stakeholders should raise any queries regarding water use during the statutory consultation, with reference to policy and evidence where appropriate, as the applicant has to have regard to any issues raised during this period.

## **Air quality**

The Inspectorate advised that the currently drafted air quality requirement might need to be more specific regarding monitoring air quality and that the requirement should take into account what levels the environmental permit sets.

The applicant clarified that its ambition was to not just to meet the required air quality standard but to try to lower the project's emissions as much as possible by using best available techniques. The applicant also mentioned that the stack height would be 100m to ensure maximum dispersal of flue gases.

Since some of the applicant's information about the air quality modelling (relating to the area of dispersion) was not available at the meeting, the Inspectorate advised the stakeholders to raise any concerns regarding air quality, with reference to policy and evidence where appropriate, during the consultation period as the applicant would have to have regard to them.

## **Lee Valley Heat Network**

In accordance with the National Policy Statement for Energy all new Fossil Fuel generating stations need to be Combined Heat and Power (CHP) ready and the decision maker needs to have regard to how the applicant has assessed the option for CHP.

The applicant stated that London Borough of Enfield is understood to be applying for planning permission to connect the current facility to the Lee Valley Heat network early next year. If consented, when the new plant is fully operational it will be linked to the old plant's heat network connection, subject to a commercial agreement. The new plant would be able to provide ~35 MW of thermal energy, which would be bled from the turbines to ensure that the exported heat is of a high quality. It was further clarified that the new plant could provide a maximum of 160 MW thermal but that the electrical output would then be reduced to 15 MW.

The Inspectorate advised that any variation to electrical and thermal output needs to be covered in the application documents.

The Greater London Authority (GLA) queried the ratio of power in to heat out (Z factor) and whether this impacted the commercial viability of CHP. The GLA advised that it would like to consider how this may relate to the feasibility of supplying heat on a commercial basis. The GLA and the applicant agreed to hold a separate meeting to discuss this matter in detail.

### **Relationship between Planning and Permitting**

Natural England (NE) explained that they did not expect the applicant to need any additional permits or licenses from them. The Environment Agency (EA) stated that the permitting process was progressing well. The EA had provided advice to the applicant in relation to reviewing the assumptions in the impact models the applicant was developing (for example air dispersion, noise impact models etc), however the actual assessment of any models will only be fully reviewed and assessed by the EA once the application for the environmental permit was submitted and the application had been received and duly made for permitting assessment. The applicant has indicated that they will be forwarding details of the assumptions made and models for review and comment by the EA. The applicant has been advised that it is not possible for the EA to fully assess any impact models prior to the actual application of the permit.

### **Habitats regulations**

NE stated that the project is not expected to result in significant effects on European sites.

The Inspectorate advised the applicant to ensure it had assessed all projects that might have in-combination effects on European sites. The applicant stated that NE had raised no concerns over the in-combination assessment and that the result from the assessment would form part of the matrices submitted with the HRA report.

The Inspectorate advised all attendees to consider the proposed phasing of the development when determining and commenting upon its likely effects on the environment. The Inspectorate also asked the attendees to help ensure that the applicant had identified all relevant sites and projects for their in-combination assessment.

### **Transport and Traffic**

The applicant noted that Transport and Traffic information is contained within the PEIR and stated that it is discussing with both Enfield and Transport for London (TfL) on how to mitigate the impact on the traffic network including minimising single occupancy of cars. The Inspectorate advised that if the application is accepted, an ExA may wish to assess these issues by looking at the traffic modelling used and any SoCGs the applicant might have agreed with Enfield, TfL and other relevant stakeholders.

Haringey requested that the applicant supply them with more information regarding the traffic modelling used, as they assumed the traffic would increase rather than stay the same as the applicant's model predicted. Haringey also expressed an interest in more information regarding how the traffic would impact on the borough's air quality.

The parties agreed to hold a separate meeting to which both Enfield and the GLA would be invited.

Lee Valley Regional Park Authority advised the Inspectorate that they are also in discussion with the applicant regarding traffic and transport.

Enfield requested that the applicant explored the use of water courses for transporting materials to the site to which the applicant stated that it had considered this but concluded that this was not economically viable. The application documents will contain a report to evidence this.

## **AOB**

In the context of a discussion about socio-economic impacts, Haringey and Enfield agreed to further discuss construction training requirements with the applicant.

The Inspectorate advised the councils to use those meetings and others agreed today as a basis for the issues they might cover in the Local Impact Report (LIR) and SOCGs.

The Inspectorate informed the stakeholders that all meeting notes from previous meetings between the applicant and the Inspectorate can be accessed from the [North London Heat and Power project page on the planning portal](#).

## **Future Contacts**

No further meeting was agreed between the Inspectorate and the stakeholders. However, if the stakeholders feel there is a need for one at a later stage before the application is submitted, one can be arranged. In the meantime the Inspectorate is available to advise all stakeholders with any queries they may have in relation to procedures and making representations on this project.

## **Site Visit**

Following the meeting, the Inspectorate, Sukhpreet Khull (Greater London Authority), David Hammond (Natural England) and Jeremy Dagley (Epping Forest) attended a tour of the EcoPark led by two officials from LondonWaste Ltd, the service provider responsible for operating the site. The site visit lasted approximately two hours and included a tour of the Compost, Waste Transfer and Energy Centre. Discussed focused on how the existing facility operates and the siting of proposed new facilities.

## **Specific decisions / follow up required**

- The applicant and Enfield to hold further meetings regarding the final design;
- The applicant and the GLA to hold further meetings regarding providing CHP;
- The applicant, Enfield, Haringey and the GLA to hold further joint meetings regarding traffic and transport;
- The applicant, Enfield and Haringey to hold a joint meeting regarding construction training requirements arising from the project.