

planning  
transport  
design  
environment  
infrastructure

**Request for a Scoping Opinion for Wheelabrator Technologies Inc.**

**Proposed Wheelabrator Kemsley K3 Power Upgrade and Throughput Increase and Wheelabrator Kemsley North Waste-to-Energy Plant DCO**

September 2018 TS/13141



# Contents

<b>CONTENTS</b> .....	<b>1</b>
<b>1 INTRODUCTION</b> .....	<b>3</b>
1.1 Purpose of this Document.....	3
1.2 Site Description .....	4
Location Plan .....	4
Proposed Development Site .....	4
1.3 Proximity to Sensitive Sites .....	5
1.4 Planning History.....	5
Wheelabrator Kemsley Site .....	6
Wheelabrator Kemsley North site.....	6
<b>2 THE PROPOSED DEVELOPMENT</b> .....	<b>7</b>
2.1 Wheelabrator Kemsley Generating Station (K3) .....	7
Background.....	7
Overview of the permitted Wheelabrator Kemsley Generation Station (K3) .....	7
K3 - Proposed development .....	8
K3 - Neighbouring development .....	9
2.2 Wheelabrator Kemsley North waste-to-energy plant (WKN) .....	9
<b>3 ENVIRONMENTAL IMPACT ASSESSMENT</b> .....	<b>13</b>
3.2 EIA assessment methodology.....	14
K3.....	14
WKN .....	14
3.3 Baseline scenario .....	15
3.4 Determining the significance of effects in the ES .....	15
3.5 Identification of mitigation measures and significant residual effects .....	16
3.6 Cumulative effects .....	16
3.7 General format of the topic chapters .....	16
3.8 Other related legislation .....	17
<b>4 SCOPING AN ENVIRONMENTAL IMPACT ASSESSMENT</b> .....	<b>18</b>
4.1 Background.....	18
4.2 The purpose of scoping.....	18
<b>5 POTENTIAL ENVIRONMENTAL EFFECTS</b> .....	<b>20</b>
<b>6 K3 PROPOSED DEVELOPMENT</b> .....	<b>21</b>
6.1 K3 - Traffic and transport.....	21
6.2 K3 - Air quality .....	28
6.3 K3 - Climate change .....	30
6.4 K3 - Noise and Vibration .....	30
Operational Effects.....	31
6.5 K3 - Human Health.....	32

6.6	K3 - Ground conditions.....	35
6.7	K3 - Landscape and visual resources.....	35
6.8	K3 - Archaeology and Cultural Heritage.....	35
6.9	K3 - Ecology.....	35
6.10	K3 - Water Environment.....	39
6.11	K3 - Risk of accidents and disasters.....	40
<b>7</b>	<b>WHEELABRATOR KEMSLEY NORTH PROPOSED DEVELOPMENT.....</b>	<b>43</b>
7.1	WKN - Traffic and transport.....	43
7.2	WKN - Air quality.....	50
7.3	WKN - Climate change.....	53
7.4	WKN - Noise.....	57
	Construction Effects.....	58
	Operational Effects.....	58
	Decommissioning Phase.....	58
	Cumulative effects.....	59
7.5	WKN - Human Health.....	60
7.6	WKN - Ground conditions.....	63
7.7	WKN - Landscape and visual effects.....	70
	Views.....	70
	Future Baseline Conditions.....	71
	Landscape and Townscape Character.....	72
	Visual Amenity.....	72
7.8	WKN - Archaeology and Cultural Heritage.....	74
	Potential significant effects.....	74
7.9	WKN - Ecology.....	79
7.10	WKN - Water Environment.....	84
	Magnitude of Impacts.....	87
7.11	WKN - Risk of accidents and disasters.....	90
<b>8</b>	<b>CUMULATIVE EFFECTS.....</b>	<b>93</b>
	Swale Borough Council Bearing Fruit 2031 Local Plan 2017 Allocations.....	97
8.2	Alternatives.....	98
<b>9</b>	<b>SUMMARY.....</b>	<b>99</b>
9.2	K3 Proposed Development.....	99
9.3	WKN Proposed Development.....	101

**APPENDIX I – SITE LOCATION PLAN**

**APPENDIX 2 – PHOTOGRAPHS OF THE SITE**

**APPENDIX 3 – SENSITIVE SITES IN PROXIMITY TO THE PROPOSED DEVELOPMENT**

**APPENDIX 4 – K3 PLANNING DECISION NOTICES**

**APPENDIX 5 – K3 APPROVED LAYOUT AND ELEVATIONS**

**APPENDIX 6 –SCHEDULE 4 OF THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017: INFORMATION FOR INCLUSION IN AN ES**

**APPENDIX 7 - MAP OF CUMULATIVE DEVELOPMENTS**

# 1 Introduction

## 1.1 Purpose of this Document

- 1.1.1 Wheelabrator Technologies Inc. (WTI EfW Holdings Ltd – ‘WTI’) intends to make an application to the Secretary of State for a Development Consent Order (DCO) for a power upgrade and tonnage throughput increase to the permitted Wheelabrator Kemsley Generating Station (‘K3’) and for a new waste-to-energy plant on adjacent land Wheelabrator Kemsley North (‘WKN’).
- 1.1.2 Planning permission was granted under the Town and Country Planning Act 1990 by Kent County Council in 2012 for a sustainable waste-to-energy plant (K3). Construction of the plant began in July 2016 and is expected to be completed with the plant operational by August 2019. As consented the K3 facility will have two 102MWth lines, be capable of processing 550,000 tonnes of waste per annum and have a generating output of 49.9MW. The proposed application seeks a Development Consent Order (DCO) to permit the facility to operate to an upgraded power generation level of 75MW and to process an additional 107,000 tonnes of waste per annum. That project is a Nationally Significant Infrastructure Project by virtue of it being an extension to an onshore generating station in England with a generating capacity of over 50MW under Section 14(1)(a) and 15(2) of the Planning Act 2008.
- 1.1.3 Development Consent is also being sought for a proposed new waste-to-energy plant, Wheelabrator Kemsley North (WKN), which would be a single 125MWth line facility capable of processing 390,000 tonnes of waste per annum, with a generating capacity of 42MW. WKN is not therefore a Nationally Significant Infrastructure Project as its generating capacity is below 50MW. Instead WTI made a formal application on the 1st June 2018 to the Secretary of State (SoS) for Business, Energy and Industrial Strategy under Section 35 of the Planning Act 2008 for a direction as to whether the development together with any matters associated with it can be treated as development for which development consent is required. The SoS issued their direction on the 27th June 2018 confirming that WKN is to be treated as development for which development consent is required, as there are clear benefits to K3 and WKN being assessed comprehensively through the same DCO process and the removal of the need for separate consents to be sought.
- 1.1.4 K3 and WKN will be subject to a single DCO sought under a single application to the Secretary of State (SoS) for Business, Energy and Industrial Strategy via the Planning Inspectorate.
- 1.1.5 Both K3 and WKN are developments of a type listed in part 10 Schedule 1 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (hereafter the EIA Regulations) with a capacity exceeding 100 tonnes per day:

*10. Waste disposal installations for the incineration or chemical treatment (as defined in Annex 1 to Directive 2008/98/EC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day.*

- 1.1.6 All development of a type listed in Schedule 1 of the EIA Regulations constitute EIA Development as defined in the EIA Regulations and the application for the K3 and WKN DCO is therefore required to be accompanied by an Environmental Statement (ES), prepared in accordance with the EIA Regulations.
- 1.1.7 For the ease of the examining authority, statutory consultees and interested parties, in addition to the different facilities to which the application relates, the Environmental Impact Assessment will consider the likely significant effects of power output and throughput increase to K3 and the proposed WKN plant individually as well as cumulatively with each other and with other relevant consented and planned projects. This scoping report has been sub-divided as necessary two reflect the two projects and the scope of the ES with respect in each project.
- 1.1.8 This report presents information to assist the Secretary of State in the process of preparing their written opinion on the scope of the information that should be set out in this ES. It outlines DHA Environment and RPS's initial assessment of the potentially significant environmental effects that the EIA would need to examine and the scope of the information that would need to be provided in the ES. DHA Environment in collaboration with RPS has prepared this report on behalf of WTI to inform the Secretary of State's formal EIA scoping opinion under the EIA Regulations.
- 1.1.9 This scoping report constitutes a formal request for a scoping opinion under Regulation 10(1) of the EIA Regulations.

## 1.2 Site Description

### *Location Plan*

- 1.2.1 Regulation 10(3) (a) requires a request for a Scoping Opinion to be accompanied by "a plan sufficient to identify the land". Such a plan is provided as Plan 9812-0004 in Appendix 1, with Figure 1.1. in Appendix 1 providing a plan which shows the wider context of the site. The location of the K3 and WKN projects therein is shown on Figure 1.2 in Appendix 1.

### *Proposed Development Site*

#### Wheelabrator Kemsley (K3) Site

- 1.2.2 The K3 site is located on land immediately to the east of the Kemsley Paper Mill, located to the east of Kemsley, a residential suburb in the north of Sittingbourne in Kent. It lies adjacent to the Swale Estuary to its east, with the Isle of Sheppey beyond. To the south of the site beyond the permitted K3 lies a capped former landfill site which lies adjacent to the confluence between Milton Creek and the Swale Estuary. The site lies in proximity to A249 which links to both the M2 and M20 motorways to the south and with the Isle of Sheppey to the north.
- 1.2.3 The site benefits from planning permission (KCC/SW/10/444) granted in 2012 for the construction of an energy from waste plant to serve Kemsley Paper Mill

and the site is at an advanced stage of construction and programmed to become fully operational in August 2019. Figure 1.3 in Appendix 2 provides a series of photos showing the site as of July 2018.

- 1.2.4 The consented plant once operational will process between 500,000 and 550,000 tonnes of pre-treated waste per annum, which will comprise Solid Recovered Fuel Waste, Commercial and Industrial Waste and pre-treated municipal solid waste. The energy from waste process essentially involves the combustion of the waste to create high pressure steam which will drive a steam turbine and in turn a generator to produce electricity which is exported to the grid. Low pressure steam as a by-product of the process will be fed to the adjacent Kemsley paper mill, for use within the paper production process.

#### Wheelabrator Kemsley North (WKN) Site

- 1.2.5 The WKN site is located immediately north of the permitted K3 facility which is currently under construction and immediately to the east of the Kemsley Paper Mill located to the east of Kemsley, a residential suburb in the north of Sittingbourne in Kent. The proposed site is currently being used by WTI as a laydown and parking area for the construction of the adjacent K3 facility. The site has been cleared of vegetation and laid to concrete or hardcore with a perimeter fence.
- 1.2.6 To the east of the site lies the Swale Estuary with the Isle of Sheppey beyond. Immediately to the north of the site lie the Kemsley Marshes beyond which lies the Kemsley Paper Mill effluent treatment works and a jetty operated by Knauf for the import of gypsum by barge.
- 1.2.7 The site lies within the ward of Kemsley (0.8km to the south west) and Milton Regis (2.6km to the south west). Sittingbourne is situated approximately 2.6km south of the application site. The site lies in proximity to A249 which links to both the M2 and M20 motorways to the south and with the Isle of Sheppey to the north.
- 1.2.8 An aerial view of the site is provided as Figure 1.4 in Appendix 2.

### **1.3 Proximity to Sensitive Sites**

- 1.3.1 The nearest statutory designation with regard to ecological interest is the Swale Special Protection Area and Site of Special Scientific Interest which lies approximately 100m east of the sites at its closest point. Milton Creek Local Wildlife Site is also less than 400m and 550m respectively from the K3 and WKN sites. A designated Scheduled Monument 'Castle Rough' a former Medieval moated site lies approximately 500m and 650m approximately 500m south west of the K3 and WKN sites respectively. The sites lie over 7km from the North Downs Area of Outstanding Natural Beauty. Statutory designations in proximity to the site are shown on Figure 1.5 in Appendix 3.

### **1.4 Planning History**

### ***Wheelabrator Kemsley Site***

- 1.4.1 Planning permission was first granted on 6th March 2012 by Kent County Council under reference KCC/SW/10/444 on land to the north east of Kemsley Paper mill in Sittingbourne for the 'development of a Sustainable Energy Plant to serve Kemsley Paper Mill, comprising waste fuel reception, moving grate technology, power generation and export facility, air cooled condensers, transformer, bottom ash handling facility, office accommodation, vehicle parking, landscaping, drainage and access'. A full Environmental Impact Assessment of the development was undertaken, submitted and approved as part of the application for this development.
- 1.4.2 The applicants for the purposes of that application were St Regis Paper Co. Ltd and E.ON Energy from Waste UK Ltd. The developer and operator of the facility is now K3 CHP Ltd, a subsidiary company of WTI.
- 1.4.3 An amendment to the original consent was permitted on 21st April 2015 to vary the permitted hours of delivery such that the facility could operate for 24 hours, 7 days a week (KCC/SW/14/50668).
- 1.4.4 An amendment to that consent was then permitted on 23rd August 2018 to vary Condition 16 to allow for an amended surface water management scheme, under reference KCC/SW/17/502996, which represents the current planning permission for the site.
- 1.4.5 A further amendment is currently sought from KCC (KCC/SW/0103/2018) to Condition 3 to increase the maximum permitted HGV movements allowed by 45 vehicles per day (90 movements), from a previously consented maximum of 258 movements to 348 movements. This application has not yet been determined by KCC.
- 1.4.6 A range of non-material amendments have also been made since the original consent, for matters including changes to the site layout, removal of the IBA facility and the repositioning of surface water ponds, together with applications to form an improved access road and to discharge planning conditions.

### ***Wheelabrator Kemsley North site***

- 1.4.7 An application for a standalone IBA facility on the proposed site of WKN was submitted in 2016 and approved by Kent County in February 2017 (planning ref. KCC/SW/0265/2016). The facility has not been constructed and WTI have decided not to implement this planning permission and will be looking to surrender their IPPC permit for the facility shortly.

## 2 The Proposed Development

### 2.1 Wheelabrator Kemsley Generating Station (K3)

#### *Background*

- 2.1.1 The Development Consent Order sought would permit the K3 facility to operate to an upgraded power generation level of 75MW and to process an additional 107,000 tonnes of waste per annum.
- 2.1.2 Planning permission was granted under the Town and Country Planning Act 1990 by Kent County Council (KCC/SW/10/444 as amended) in 2012 for the K3 energy from waste plant. Construction of the plant began in August 2016 and is expected to be completed with the plant operational by August 2019. As consented the K3 facility will have two 102MWth lines, be capable of processing 550,000 tonnes of waste per annum and have a generating output of 49.9MW. The relevant decision notices pursuant to this development (as amended) are provided as Appendix 4 to this report and the permitted layout and elevations of the facility provided in Appendix 5.
- 2.1.3 The existing conditioned consent (KCC/SW/10/444 as amended) reflects the conclusions of the ES submitted as part of the original application and the mitigation measures proposed to avoid, reduce or offset potential significant adverse environmental effects together with any proposed enhancements to the environment.
- 2.1.4 The DCO, if granted, would become the consent under which the K3 plant would operate in its upgraded state. Relevant planning conditions currently attached to the KCC/SW/10/444 would therefore be replicated within the draft DCO as appropriate to take forward any operational mitigation measures secured through that original consent.

#### *Overview of the permitted Wheelabrator Kemsley Generation Station (K3)*

- 2.1.5 The K3 facility will combust the waste imported to the site to generate hot gases that in turn are used to produce steam and ultimately electricity. All waste will be brought to the site in HGVs or in Refuse Collection Vehicles via Barge Way from the north of the Paper Mill.
- 2.1.6 There are several key steps associated in this process as set out below:

#### Waste Fuel Bunker

Waste will be brought to the site in HGVs and articulated vehicles and deposited into the waste fuel bunker. This waste material can vary widely in moisture content and energy content, so it is continually managed in the bunker to ensure consistency for the combustion process.



### Combustion

Overhead cranes transfer the waste from the waste bunker into a feed hopper to the boiler. Inside each boiler, an inclined, reciprocating, metal grate slowly moves the waste through a thermal (heating) process, where temperatures exceed 850°C.

### Electricity Production

The hot combustion gases resulting from the burning of the waste are passed through a series of boiler tubes filled with water, creating high-pressure steam. This steam is used to drive turbine generators and produce electricity for sale to local utilities. Low pressure steam is extracted from this process for export to the adjacent Kemsley Paper Mill.

### Air Quality Control

After heat in the combustion gas is absorbed in the boiler to produce steam, the gas exits the boiler to be treated. The flue gas is denitrified by a process which turns nitrogen oxides to nitrogen and steam. The reducing agent is ammonium hydroxide which reacts with the nitrogen dioxide of the flue gases.

The flue gas is further treated by a spray absorber which injects water slaked lime into the flue gases which facilitates the separation of chloride and sulphur dioxide. Dry charcoal and lime are then injected into the flue gas which separate heavy metals, dioxin and furans by absorption. Finally, the gas is passed through a fabric filter that collects any fly ash and additives in the flue gas. Clean exhaust gas is then transported to the stacks and into the atmosphere.

### Metals Recovery

- 2.1.7 Residual ash from the waste combustion process is either landfilled or used as an aggregate by the construction industry. Prior to safely landfilling the inert ash, ferrous metals such as iron and steel, and non-ferrous metals, such as copper and aluminum, are extracted from the ash residue and sent to recycling facilities. Around 20 – 25% of the waste burnt results in a bottom ash residue. This comprises 80% of the total ash produced (the remainder is fly ash).

### ***K3 - Proposed development***

- 2.1.8 The proposed application seeks a Development Consent Order to permit the facility to operate to an upgraded power generation level of 75MW (an additional 25.1 MWe) and to process an additional 107,000 tonnes of waste per annum ('the K3 Proposed Development').
- 2.1.9 These are purely operational changes to the facility and do not require any changes to the built form as permitted (KCC/SW/10/444 as amended) or to the layout of the site. The operational change to the plant would be facilitated by derestricting the flow of steam to the turbine and reconfiguring the central control system.

- 2.1.10 The additional waste will be brought to the site in HGVs or in refuse collection vehicles via Barge Way Mill. It is anticipated that the increase in throughput will generate an additional 68 HGVs per day Monday to Saturday including waste delivery, IBA removal and all process inputs.

### ***K3 - Neighbouring development***

- 2.1.11 The original permission for the Wheelabrator Kemsley Generating Station (SW/10/444) included an Incineration Bottom Ash (IBA) processing building. The non-material amendment application that was approved in September 2013 (planning ref. PAG/MC/SW/10/444/R) removed the IBA building from the consented scheme.
- 2.1.12 A subsequent application for a standalone IBA facility adjacent to the K3 site (planning ref. KCC/SW/0265/2016) was submitted in 2016 and approved by Kent County in February 2017. The facility has not been constructed and WTI have decided not to implement this planning permission and will be looking to surrender their environmental permit for the facility.

## **2.2 Wheelabrator Kemsley North waste-to-energy plant (WKN)**

- 2.2.1 The proposed application seeks Development Consent to construct and operate a new waste-to-energy plant, Wheelabrator Kemsley North (WKN) ('the WKN Proposed Development').
- 2.2.2 The facility would comprise a single 125MWth line facility capable of processing 390,000 tonnes of waste per annum, with a generating capacity of up to 42MW.
- 2.2.3 Whilst the design of the facility is not yet finalised it will for all intents and purposes be a smaller single line version of the adjacent K3 two-line waste-to-energy plant. The plant will essentially comprise a series of interlinked buildings. The key buildings comprising the WKN Proposed Development will be as follows:
- fuel reception and storage facilities, consisting of a tipping hall, a shredder, storage bunker and cranes;
  - a combustion system housed within a boiler hall comprising a single combustion line and associated boilers;
  - a steam turbine and generator housed within a turbine hall;
  - a bottom ash handling system, including storage hall and ash collection bay;
  - a flue gas treatment system, including residues and reagent storage silos and tanks;
  - a stack and associated emissions monitoring systems;

- a cooling system comprising air cooled condenser (ACC) units;
- Other associated supporting facilities.

2.2.4 As with the adjacent K3 facility all waste will be brought to the site in HGVs or in Refuse Collection Vehicles via Barge Way from the north of the Paper Mill. Once arriving at the site, the lorries access the facility via a weighbridge and then manoeuvre on site and enter the tipping hall. The WKN facility will then combust the waste imported to the site to generate hot gases that in turn are used to produce steam and ultimately electricity.

2.2.5 There are several key steps associated in this process which is essentially identical to that of K3 but re-provided here for ease of reference:

#### Waste Fuel Bunker

Waste deposited from the HGVs and Refuse Collection Vehicles in the tipping hall will be transferred into the waste fuel bunker. The waste material can vary widely in moisture content and thermal value, so it is continually managed in the bunker to ensure consistency prior to the combustion process.

#### Combustion

Overhead cranes transfer the waste from the waste bunker into a feed hopper to the boiler. Inside each boiler, an inclined, reciprocating, metal grate slowly moves the waste through a thermal (heating) process, at temperatures between 850-950°C.

#### Electricity Production

2.2.6 The hot combustion gases resulting from the burning of the waste are passed through a series of boiler tubes filled with water, creating high-pressure steam. This steam is used to drive turbine generators and produce electricity for sale to local utilities. The electricity produced will be exported to the distribution network, owned and operated by UK Power Networks. The grid connection will be via the existing substation located within the DS Smith paper mill site to the immediate west. Power output will be influenced by the Net Calorific Value of the waste throughput (NCV) of the fuel which will vary depending on the fuel type and content.

2.2.7 Once the steam has passed through the turbine generators it is cooled by way of transfer to the air-cooled condenser units and recycled in the waste-to-energy process.

#### Air Quality Control

2.2.8 Once heat from the hot combustion gas is absorbed into the boiler tubes to produce steam, the gas exits the boiler into the gas treatment facility. The flue gas is denitrified by a process which turns nitrogen oxides to nitrogen and steam. The reducing agent is ammonium hydroxide which reacts with the nitrogen dioxide of the flue gases.

- 2.2.9 The flue gas is further treated by a spray absorber which injects water slaked lime into the flue gases which facilitates the separation of chloride and sulphur dioxide. Dry charcoal and lime are then injected into the flue gas which separate heavy metals, dioxin and furans by absorption. Finally, the gas is passed through a fabric filter that collects any fly ash in the flue gas. Clean exhaust gas is then transported to the stack and dispersed into the atmosphere.

#### Metals Recovery

- 2.2.10 Residual ash from the waste combustion process is either landfilled or used as an aggregate by the construction industry. Prior to safely landfilling the ash, ferrous metals such as iron and steel, and non-ferrous metals, such as copper and aluminium, are extracted from the ash residue and sent to recycling facilities. Around 20 – 25% of the waste burnt is converted to ash, 80% of the which is bottom ash and the remainder fly ash.

#### **WKN - Hours of Operation**

- 2.2.11 The facility, as with the adjacent K3 plant, will operate 24 hours per day, 7 days per week with programmed offline periods for maintenance.

#### **WKN - Access and Transport**

- 2.2.12 The additional waste will be brought to the site in HGVs or in refuse collection vehicles via Barge Way from the north of the Paper Mill. It is estimated that there will be on average 250 HGVs per day Monday to Saturday associated with the operation of the plant including waste delivery, IBA removal and deliveries of process inputs.

#### **WKN - Chemical Storage**

- 2.2.13 The Proposed Development will use a number of raw materials during the combustion and processing operation including hydrate lime, solid urea, activated carbon and low sulphur diesel. All chemicals will be stored in fully bunded areas.

#### **WKN - Wastewater and Drainage**

- 2.2.14 The facility will be a net consumer of water and there is therefore no regular requirement to discharge water from the waste-to-energy process.
- 2.2.15 A connection to the foul sewer will be needed for sanitary connection from Offices/ Admin.
- 2.2.16 The onsite surface water drainage network for the site will be split into two separate drainage systems. The first drainage system will collect clean surface water runoff (for example from building roof areas) and store it in the lagoon. The second drainage system will collect 'dirty' runoff (for example from the FGT area) and store it in the 'dirty' water tank. This 'dirty' water will then be used in the process as required (for example for ash quenching). The clean water will be stored in the lagoon and used to top up the 'dirty' water tank. If the lagoon

has reached the maximum acceptable capacity it will be discharged at a controlled rate into the Swale Estuary.

#### **WKN - Employment**

- 2.2.17 It is anticipated that during the operational phase, the Project will generate 50 full-time permanent Jobs.

#### **WKN - Construction of the Proposed Development**

- 2.2.18 The entire site preparation and construction programme is anticipated to take approximately 40 months from commencement to take over. This will comprise the following key stages:

- Civil engineering works (month 0-38)– the physical works associate with constructing the facility
- Process works (month 12-38) – mechanical and electrical installation, fit out and commissioning of the plant
- Commissioning of the facility (month 30 – 40)

- 2.2.19 With the exception of construction using the concrete slip-forming method, construction using constant pore methods for concrete laying and internal process works relating to mechanical and/or electrical equipment installation, construction activities shall only take place between 07:00 and 19:00 hours Monday to Friday inclusive and 07:00 and 16:00 hours Saturday and Sunday with no construction activities to take place on Bank or Public Holidays subject to any prior written variation as approved by the Waste Planning Authority. The designated route for delivery of construction plant and materials is via Barge Way.

- 2.2.20 A designated construction laydown area is proposed north east of the site adjacent to the Knauf Jetty as shown on figure 1.2 in Appendix 1.

### 3 Environmental Impact Assessment

3.1.1 The EIA Regulations require development applications for a specified range of projects, termed EIA developments, to be accompanied by an ES that reports the findings of an EIA of the development's significant environmental effects. The Department for Communities and Local Government's (DCLG) online National Planning Practice Guidance defines the purpose of EIA:

*"The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process."*

3.1.2 Whilst DCLG guidance relates principally to the Town and Country Planning (Environmental Impact Assessment) Regulations, the principal purpose of the 22 sets of EIA Regulations in the UK remains the same and guidance is therefore considered relevant where it relates to the core principles of EIA, notwithstanding the procedural differences across the various sets of Regulations.

3.1.3 Regulation 4(2) of the Infrastructure EIA Regulations 2017, in accordance with the 21 sets of other EIA Regulations, prohibits development consent for EIA development unless an EIA has been carried in respect of that application.

3.1.4 The environmental information gathered to undertake an EIA and its outcomes are reported in a document referred to as the ES. The ES then accompanies the application for the development consent for the proposed development.

3.1.5 There is no standard format for an ES. The EIA Regulations require that an ES at least contains the information specified in Schedule 4 of the Regulations, a copy of which is provided in Appendix 6 of this report for information.

3.1.6 The EIA process for the proposed development will take account of the guidance provided by PINS in the form of the non-statutory National Infrastructure Advice Notes. These provide advice and information on a range of issues arising throughout the whole life of the application process as set out below:

- Advice Note Three: EIA consultation and notification (the Planning Inspectorate, 2017);
- Advice Note Seven: Environmental Impact Assessment, Preliminary Environmental Information, Screening and Scoping (the Planning Inspectorate, 2017);
- Advice Note Nine: Rochdale Envelope (the Planning Inspectorate, 2018);

- Advice Note Ten: Habitat Regulations Assessment (the Planning Inspectorate, 2017);
- Advice Note Twelve: Transboundary Impacts (the Planning Inspectorate, 2018); and
- Advice Note Eighteen: The Water Framework Directive (The Planning Inspectorate 2017)

### **3.2 EIA assessment methodology**

3.2.1 An environmental effect is an alteration, positive or negative, to some aspect of the environment (sensitive receptors<sup>1</sup>) that occur as a result of a proposed development.

#### ***K3***

3.2.2 The EIA for the K3 Proposed Development will assess the likely positive and negative significant environmental effects of the development resulting from the increase in throughput and energy generated. The Proposed Development is already permitted in terms of its extant planning permission and its built form, throughput and energy generation capacity. Construction of the plant in accordance with the extant permission began in July 2016 and is expected to be completed with the plant operational by August 2019.

3.2.3 The changes sought to the permitted facility relate to the operation of the facility and do not consequentially affect the construction of the facility to which no changes are sought. It is therefore proposed that the ES only assesses the effects of the proposed increase in energy output and throughput tonnage during the operational phase of the development beyond that already permitted. The ES will also consider the potential for planned maintenance of the plant during its lifetime to result in significant environmental effects. The potential effects of any demolition of the plant at a future date will also be considered. The re-assessment of construction effects is not proposed.

3.2.4 Where significant effects are identified, the relevant Technical Chapter will identify mitigation measures (i.e. ways of avoiding, limiting or offsetting potentially significant effects) where possible.

3.2.5 The proposed methodologies for the specific topics that require assessment are discussed under the relevant headings in section 5 of this report.

#### ***WKN***

3.2.6 The EIA for the WKN Proposed Development will consider the likely positive and negative significant environmental effects during the construction of the development, once the development is operational, during any planned maintenance activities and the potential effects of any demolition of the plant

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<sup>1</sup> A receptor is a part of the natural or man-made environment, such as a river, woodland, protected species, a person or a building etc., that is affected by an impact.

at a future date will also be considered. These effects will be reported in the ES, taking into account the baseline environment and drawing upon the findings of a variety of studies which have all contributed to the EIA process.

- 3.2.7 The assessment methodologies employed will typically distinguish between the sensitivity of the receptor in the baseline and the type and size of change that will affect the receptor, either directly or indirectly. Where significant effects are identified, the relevant Technical Chapter will identify mitigation measures (i.e. ways of avoiding, limiting or offsetting potentially significant effects) where possible.
- 3.2.8 The proposed methodologies for the specific topics that require assessment are discussed under the relevant headings in section 5 of this report.

### **3.3 Baseline scenario**

- 3.3.1 K3 is advanced in terms of construction and anticipated to become fully operational in accordance with its extant planning permission before the examination of the proposed Development Consent Order for the K3 and WKN Proposed Development.
- 3.3.2 On this basis and given that there is little doubt that K3 will come forward and become operational in accordance with its planning permission it is considered that K3 as constructed and operational (at 550,000 tonnes per annum of waste and 49.9MW) is the appropriate baseline against which to assess the K3 and WKN Proposed Developments. There is considered to be no merit in assessing the Proposed Development against a baseline whereby K3 is in an advanced stage of construction and not operating as ultimately this will not reflect the reality at the time of the DCO decision making process i.e. K3 as permitted will have been constructed and operating in accordance with its extant planning permission.
- 3.3.3 The effect of the K3 and WKN Proposed Development in combination will be addressed as part of the cumulative effects assessments for each topic.

### **3.4 Determining the significance of effects in the ES**

- 3.4.1 The purpose of the ES is to identify the significant positive and negative environmental effects of a scheme. The evaluation of the significance of an effect is fundamental to the EIA process. The degree of an effect i.e. significant or not-significant determines the resources that should be deployed in avoiding or mitigating an adverse effect. Conversely it identifies the degree of value of a beneficial effect.
- 3.4.2 Typically the degree of an effect is determined by the interaction of two factors: (i) the magnitude, scale, severity or probability of an impact or change, and (ii) the value, importance or sensitivity of the resource being affected. This is then used to determine whether an effect is significant or not.
- 3.4.3 As a general rule significance is determined taking into account a variety of factors. These include:



- the value of the resource (e.g. whether it is of international, national, regional and local level importance);
- the magnitude of the impact;
- the duration involved;
- the reversibility of the effect; and
- the number and sensitivity of receptors.

3.4.4 As far as possible, standard words will be used to define degrees of effect (i.e. "very substantial", "substantial", "moderate", "slight" and "negligible"), but not so rigorously as to remove the flexibility of professional judgement. It is noted that several topics e.g. air quality and ecology have their own individual requirements and professional body guidance with regard to impact classification and degree of significance. Therefore, in accordance with best practice guidance, significance will be determined on the basis of expert judgement and industry specific guidelines. Where possible to ensure that the way significance has been attributed is transparent and repeatable, the aforementioned standard words will be used where feasible to define the degrees of effect.

### **3.5 Identification of mitigation measures and significant residual effects**

3.5.1 Where appropriate, the identification of significant effects will guide the mitigation measures proposed. The effects of the proposed development with the proposed mitigation in place will then be reassessed to determine the significance of effect post mitigation i.e. the residual effect. At the end of each environmental assessment, where relevant, a residual effects table will be presented. A summary chapter collating all significant residual effects will be provided.

### **3.6 Cumulative effects**

3.6.1 The effects of the K3 and WKN in combination and with other schemes that are operational / constructed, consented or for which planning permissions are currently being sought, will be assessed within the EIA where appropriate.

3.6.2 Cumulative effects will be considered on an issue-by-issue basis and the scope of the EIA will be expanded, if necessary, to include any cumulative issues that arise in the future. The cumulative effects of other developments will be considered only where sufficient information is available, i.e. when a project is within the planning domain and there is adequate information publicly available. See section 5 of this report for further details.

### **3.7 General format of the topic chapters**

3.7.1 The ES topic chapters are intended to be structured in general as follows:

- Introduction
- Legislation and policy (brief summary only)
- Methodology (including standards, guidance and criteria used in the assessment, and any problems experienced)
- Baseline conditions (including identification of sensitive receptors)
- Effects of the K3 Proposed Development during operation, planned maintenance and in the event of any future demolition of the facility
- Mitigation measures
- Residual effects
- Effects of the WKN Proposed Development during construction, operation, planned maintenance and in the event of any future demolition of the facility
- Mitigation measures
- Residual effects
- Cumulative effects
- Summary

### **3.8 Other related legislation**

- 3.8.1 In producing this Scoping Report due regard has been had to other related environmental legislation including the Conservation of Habitats and Species Regulations 2017 (as amended), the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Environmental Permitting (England and Wales) Regulations 2010 which transpose the Industrial Emissions (Integrated Pollution Prevention and Control) Directive (Recast) (IE(IPPC)D) (Directive 2010/75/EU).
- 3.8.2 Where relevant the requirements of the EIA Regulations and related environmental legislation will be co-ordinated and cross referenced as appropriate.
- 3.8.3 An amended IPPC Environmental Permit will be sought to reflect the proposed power upgrade and increase, and throughput sought for K3.
- 3.8.4 An IPPC Environmental Permit will be sought for the proposed WKN facility. This will be submitted at the same time as the DCO application or at least sufficiently progressed by the point of examination that the Environment Agency will be able to advise the SoS of the likelihood of a permit being secured.

## 4 Scoping an Environmental Impact Assessment

### 4.1 Background

- 4.1.1 The advice given in the DCLG EIA guidance (under the section “What Information should the Environmental Statement contain”) is that:

*“Whilst every Environmental Statement should provide a full factual description of the development, the emphasis of Schedule 4 is on the “main” or “significant” environmental effects to which a development is likely to give rise. The Environmental Statement should be proportionate and not be any longer than is necessary to assess properly those effects. Where, for example, only one environmental factor is likely to be significantly affected, the assessment should focus on that issue only. Impacts which have little or no significance for the particular development in question will need only very brief treatment to indicate that their possible relevance has been considered.”*

- 4.1.2 This approach is reinforced by case law. Judgements have stated that, even in relation to the minimum requirements for an ES, not every possible effect has to be considered. The focus should be on the main effects and on remedying the significant adverse effects. The Milne judgement (R v Rochdale MBC ex parte Milne) states that:

*“the environmental statement does not have to describe every environmental effect, however minor, but only the main effects or likely significant effects”.*

### 4.2 The purpose of scoping

- 4.2.1 There is no statutory provision as to the form of an Environmental Statement however; it must contain the information specified in Schedule 4.
- 4.2.2 The Secretary of State’s scoping opinion (provided pursuant to Regulation 10(1) of the EIA Regulations) represents their formal opinion on the information that needs to be presented in the ES. The SoS must consult the consultation bodies for a period of 28 days prior to adopting a scoping opinion.
- 4.2.3 The purpose of scoping is to ‘scope in’ only those aspects considered to have likely significant environmental effects. Where a particular environmental feature, or component of it, has not been included within the proposed scope of the EIA, this is not to suggest that there will be no associated effects; rather that these are not considered to be among the significant effects. These effects will be given brief treatment (within this scoping report) to indicate that their possible relevance has been considered, but no detailed assessment work is proposed for them.
- 4.2.4 As required under the EIA Regulations, scoping is an identification process that will need to be kept under review throughout the EIA process, ensuring any

new potentially significant environmental effects are identified and included. DHA Environment will amend the scope of the EIA as required and, in the event of a significant change to the proposals or the baseline conditions, may approach the Secretary of State for a further scoping opinion.

- 4.2.5 In accordance with Regulation 14(3) (a) the ES must be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject of that opinion).

## 5 Potential Environmental Effects

- 5.1.1 Decisions about the likely significant effects of the K3 and WKN Proposed Development and therefore the scope of the assessment have been based upon professional judgement, with reference to the project description, and using information about:
- the receptors (people and environmental resources) that could be affected by the proposed development;
  - the activities involved in operating, maintaining and decommissioning the proposed development;
  - changes that could result from these activities (e.g. changes in traffic flows or land cover as a result of the proposed development);
  - the expected magnitude and other characteristics of the environmental changes that could result from these activities and that could affect important receptors;
  - the susceptibility of important receptors to exposure to these changes;
  - the extent to which the design of the proposed development avoids or reduces any potential effects (where applicable).
- 5.1.2 If the information that is available does not enable a robust conclusion to be reached that a potential effect is not likely to be significant, then in accordance with the precautionary principle the effect is then taken forward for further assessment in the ES. Impacts that are not considered to result in likely significant effects are proposed to be scoped out of the ES.
- 5.1.3 This process has been based on available details of the proposed development, the currently available baseline data and the judgment of experienced EIA practitioners.
- 5.1.4 The scope of the assessments of the K3 and WKN Proposed Developments are set out separately below. The effects of the K3 and WKN in combination and cumulatively with other schemes that are operational / constructed, consented or for which planning permissions are currently being sought, will be assessed in each technical assessment.
- 5.1.5 Chapter 8 of this scoping report summarises all the matters that will be addressed in the EIA.

## 6 K3 Proposed Development

### 6.1 K3 - Traffic and transport

#### Background

- 6.1.1 As set out in Section 3.2 the baseline for the assessment will be K3 as permitted and operational.
- 6.1.2 The DCO application seeks to permit the facility to upgrade its power generation level and process an additional 107,000 tonnes of waste per annum. The delivery of the additional waste by Heavy Goods Vehicles (HGVs) and Refuse Collection Vehicles (RCVs), and the removal of additional IBA by HGVs may give rise to changes in the degree of effect upon sensitive receptors along the adjacent road network, for example pedestrians walking along footways.
- 6.1.3 The decommissioning of K3 was assessed under the permitted planning application and therefore will not be included in this assessment. Therefore, the assessment will be undertaken for the operational phase of the development only including maintenance operations.
- 6.1.4 The existing consented K3 facility will be operational in August 2019 and therefore 2019 will form the baseline position and the future year assessment will include the vehicle movements associated with the consented K3 facility. The chapter will assess the effects of the additional HGV and RCV vehicle trips upon the baseline position to determine any significant effects.
- 6.1.5 The permitted IBA facility has not been constructed and it has been decided not to implement the planning permission and the IPPC permit for the facility will be surrendered. If this is confirmed during the preparation of the DCO application the associated 84 daily vehicle movements will be removed from the baseline.

#### Currently known baseline

- 6.1.6 The site is located to the north of Sittingbourne on the Sittingbourne Relief Road B2005 (Swale Way), Kemsley. The site is broadly bounded by the Kemsley Paper Mill and Swale Way to the west, Barge Way to the north, the Swale Estuary to the east and Milton Creek to the south.
- 6.1.7 The A249 is located approximately 2 km to the north and west of the site and is accessed via Swale Way. The A249 connects with both the A2 west of Sittingbourne and the M2 at Junction 5 approximately 8 km south of the site. To the north, the A249 provides access to the Isle of Sheppey.
- 6.1.8 The first section of the Sittingbourne Northern Relief Road routes broadly west to east and links the southern roundabout of the A249 'Dumbbell' junction

north of Kemsley to the Kemsley Paper Mill. The second section was completed in 2011 and routes broadly north to south from the Kemsley Paper Mill to the Eurolink Industrial Estate. The purpose of the Northern Relief Road is to relieve the A2 that runs east to west through Sittingbourne.

- 6.1.9 Vehicular access to K3 has been established from an existing roundabout on Barge Way to the north of the site with vehicles routing east from the A249 along the first section of the Relief Road, north along Barge Way via an existing roundabout and then east along Barge Way on an existing roundabout.
- 6.1.10 Traffic flows collected in 2016 show that there are up to approximately 19,000 vehicle movements per day on Swale Way and up to approximately 6,000 vehicle movements per day on Barge Way. Given the strategic nature and trunk road status of the A249, traffic flows are far higher and in the region of double those on Swale Way.

#### Potential significant effects

- 6.1.11 The proposed development has the potential to result in likely significant traffic and transport related effects. In order to determine whether these effects are likely to be significant the effects of operational traffic (HGVs and RCVs) on driver delay, severance of routes, pedestrian delay and amenity, accidents and road safety and hazardous, dangerous and Abnormal Indivisible Loads has been examined in the scoping process.

#### Proposed assessment methodology

- 6.1.12 Relevant guidance to the assessment of traffic and transport are set out in the following documents:
- Planning Practice Guidance: Travel Plans, Transport Assessments and Statements in Decision Taking (PPG, 2014);
  - Guidelines for the Environmental Assessment of Road Traffic (IEMA, 1993); and
  - The Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment (Highways Agency et al. 2008).
- 6.1.13 A desktop review and site visits will be undertaken to identify the key locations where transport issues may be raised. The routes for delivery vehicles have been established through the K3 facility planning process. The assessment of impacts on the adjacent road network will assess the traffic flows predicted as a result of the traffic generated by the additional 107,000 tonnes of waste per annum against forecast baseline traffic flows. The scope and duration of predicted impacts will be quantified.
- 6.1.14 Roads and infrastructure within the study area will be identified from Ordnance Survey (OS) mapping and site visits and will include Barge Way, Swale Way, the A249 north of Swale Way and the A249 south of Swale Way, the M2 east of the A249 and the M2 west of the A259.

- 6.1.15 On refinement of the traffic and transport study area, existing traffic flow information will be obtained from the Local Highway Authority (Kent County Council), and Highways England (HE) where relevant, and from recent traffic surveys undertaken for other projects and applications nearby (including the Kemsley Paper Mill Combined Heat and Power Plant and the consented K3 facility) to identify the current capacity and potential constraints of the road network. This will include results from Automatic Traffic Counts (ATC), Manual Classified Counts (MCC) and Annual Average Daily Flow (AADF) calculations.
- 6.1.16 Personal Injury Accident (PIA) data for highway accidents will be obtained from the Local Highway Authority.
- 6.1.17 Records of existing bus service routes, cycle paths and train services will be obtained from Kent County Council, Swale Borough Council, Network Rail and relevant service operators.
- 6.1.18 Site visits will also be undertaken to audit the transport networks within the traffic and transport study area.
- 6.1.19 The significance of transport environmental effects is assessed by considering the interaction between the magnitude of the impacts and the sensitivity of the receptors in the vicinity of transport corridors. This assessment compares the baseline situation with the development, taking into account other schemes that are likely to affect future baseline conditions.
- 6.1.20 Consistent with the above IEMA guidance (Guidelines for the Environmental Assessment of Road Traffic), the following will be considered in this chapter:
- Driver Delay;
  - Severance of Routes;
  - Pedestrian Delay;
  - Pedestrian amenity;
  - Accidents and Road Safety; and
  - Hazardous, Dangerous and Abnormal Indivisible Loads.
- 6.1.21 The IEMA guidance recommends two rules to be considered when determining whether the impact of traffic should be assessed on a road link:
- Rule 1: Include highway (road) links where traffic flows will increase by more than 30 % (or the number of heavy goods vehicles will increase by more than 30 %); and
  - Rule 2: Include any other specifically sensitive areas where total traffic flows have increased by 10 % or more.
- 6.1.22 The 30 % threshold is based upon research and experience of the environmental effects of traffic, with less than a 30 % increase generally



resulting in imperceptible changes in the environmental effects of traffic. The guidance considers that projected changes in total traffic flow of less than 10 % creates no discernible environmental effect.

6.1.23 The guidance considers the following receptors to be sensitive to the potential impact of traffic increase:

- People at home;
- People in work places;
- Sensitive groups such as children;
- The elderly or the disabled;
- Sensitive locations such as hospitals, churches, schools or historical buildings;
- People walking or cycling;
- Open spaces;
- Recreational sites;
- Shopping areas;
- Sites of ecological/nature conservation value; and
- Sites of tourist/visitor attraction

6.1.24 The determination of the sensitivity of receptors to environmental effects will be broadly based on the criteria of value, adaptability, tolerance and reversibility. In terms of transport impacts, receptors comprise people living, using facilities and using transport networks in the area. Given that all persons are deemed to be of equal value, sensitivity to changes in transport conditions is generally focussed on vulnerable user groups who are less able to tolerate, adapt to and recover from those changes. Vulnerable groups would include school children and the elderly. The following table summarises the general criteria for identifying receptor sensitivity by relating the presence of vulnerable groups to identifiable physical features within the environment.

Sensitivity	Definition
Very High	Those receptors with high sensitivity with site-specific reasons for being particularly sensitive to changes in traffic flows (e.g. community with high incidence of mobility impairment requiring to cross roads to access essential facilities).
High	Receptors of greatest sensitivity to traffic flows (e.g. schools, colleges, playgrounds, accident black spots, retirement homes, urban/residential roads without footways that are used by pedestrians, etc.).

Medium	Traffic flow sensitive receptors (e.g. congested junctions, doctors' surgeries, hospitals, shopping areas with roadside frontage, roads with narrow footways, un-segregated cycle ways, community centres, parks, recreation facilities, etc.).
Low	Receptors with some sensitivity to traffic flow (e.g. places of worship, public open space, nature conservation areas, listed buildings, tourist attractions and residential areas with adequate footway provision, etc.).
Negligible	Receptors with low sensitivity to traffic flows and those sufficiently distant from affected roads and junctions.

6.1.25 Magnitude is defined in general terms in guidance contained in Volume 11 of DMRB and is summarised in the context of transport in Table 3.2.

Magnitude	Definition
High	<p>Substantial or total loss of capability for movement along or across transport corridors, loss of access to key facilities and loss of highway safety. Severe delays to travellers (adverse).</p> <p>Large scale improvement in the capability for movement along and across transport corridors, major improvement in access to key facilities, in highway safety and in delays to travellers (beneficial).</p>
Medium	<p>Moderate loss of capability for movement along or across transport corridors, loss of access to key facilities and loss of highway safety. Severe delays to travellers (adverse).</p> <p>Moderate improvement in the capability for movement along and across transport corridors, major improvement in access to key facilities, in highway safety and in delays to travellers (beneficial).</p>
Low	<p>Some measurable loss of capability for movement along and across transport corridors, some measurable loss of access to key facilities and some measurable loss of highway safety. Some measurable increase in delays to travellers (adverse).</p> <p>Some measurable increase in the capability for movement along and across transport corridors, some measurable increase in access to key facilities and some measurable increase in highway safety. Some measurable increase in delays to travellers. Reduced risk of negative impacts occurring (beneficial).</p>
Negligible	<p>Very minor loss of capability for movement along and across transport corridors, very minor loss of access to key facilities and very minor loss of highway safety. Very minor increase in delays to travellers (adverse).</p> <p>Very minor increase in capability for movement along and across transport corridors, very minor increase in access to key facilities and very minor increase in highway safety. Very minor decreases in delays to travellers (beneficial)</p>

No Change	No loss of capability for movement along and across transport corridors, no change of access to key facilities and highway safety. No delays to travellers.
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6.1.26 With particular reference to severance for highly trafficked roads the above categories of magnitude of impact can be defined by the percentage change ranges set out in the Table below. The Table is based on IEMA Guidelines for the Environmental Assessment of Road Traffic (1993), paragraph 4.31.

Change in Traffic Flow	Magnitude (adverse or beneficial)
Change in total traffic or HGVs flows over 90%	High
Change in total traffic or HGVs flows 60 – 90%	Medium
Change in total traffic or HGVs flows 30 - 60%	Low
Change in total traffic or HGVs flows of less than 30%	Negligible

6.1.27 Transport environmental effects will also be assessed in terms of their duration, their frequency and in terms of their reversibility and these will be taken into account in identifying the significance of transport environmental effects of K3.

6.1.28 The significance of effects would be evaluated, taking into consideration the relevant policy context and the likely changes to baseline conditions. The significance levels would also be informed by the sensitivity and magnitude of effects and the significance matrix set out in the Table below.

Sensitivity	Magnitude of Change				
	No change	Negligible	Low	Medium	High
Negligible	Negligible	Negligible	Negligible or Minor	Negligible or Minor	Minor
Low	Negligible	Negligible or Minor	Negligible or Minor	Minor	Minor or Moderate
Medium	Negligible	Negligible/Minor	Minor	Moderate	Moderate or Major
High	Negligible	Minor	Minor or Moderate	Moderate or Major	Major or Substantial
Very High	Negligible	Minor	Moderate or Major	Major or Substantial	Substantial

Source: HA 205/08, DMRB Volume 11, Section 2 Part 5, Table 2.4

6.1.29 For the purposes of the assessment, those effects identified as being of 'moderate' or greater significance will be regarded as being significant. Effects of 'minor' or lesser significance will be identified but are not considered significant. Effects will either be adverse or beneficial.

6.1.30 A Transport Assessment will be prepared alongside the ES Chapter. The Transport Assessment will assess the impact of the traffic generated by the proposed development on the capacity of junctions on the highway network. Scoping for the Transport Assessment will be undertaken by a formal meeting with the local Highway Authority and Highways England.

Cumulative effects

6.1.31 Cumulative impacts on traffic arising from the project alongside other projects within the area will be considered within the Environmental Statement.

6.1.32 The following cumulative assessments will be undertaken:

- K3 + cumulative developments excluding WKN; and
- K3 + WKN + cumulative developments

## 6.2 K3 - Air quality

### Background

6.2.1 The proposed K3 Proposed Development has the potential to give rise to air quality impacts at sensitive receptors in the vicinity of the site through changes in emissions to air from the stack and changes in vehicle-related emissions associated with additional road trips.

### Currently known baseline

6.2.2 The local authority, Swale Borough Council (SBC), has designated four areas as Air Quality Management Areas (AQMAs):

- AQMA 1 – Newington AQMA, 6 km west of application site
- AQMA 2 – Ospinge Street, Faversham, 9.7 km southwest of application site
- AQMA 3 – East Street, Sittingbourne, 3 km south of application site
- AQMA 4 – St Pauls Street, Sittingbourne, 2.8 km south of application site

6.2.3 The K3 site is not located within a designated AQMA. As such, air quality at the site is likely to be good.

6.2.4 Current air quality in the area will be characterised with specific regard to the findings of Swale Borough Council's Review and Assessment process, the results of available local monitoring and data available in the Defra maps.

### Potential significant effects

6.2.5 The following effects from the K3 power upgrade and the increased waste throughput will therefore be assessed in the EIA.

- Changes in the residual emissions from the flue gas treatment system and their effects on human health and ecological receptors
- Changes in emissions from vehicle movements generated by the operation and maintenance of the proposed development

6.2.6 Dust effects during demolition of K3 at a future date will be similar to dust effects during the construction of the permitted K3. With the implementation of the same dust mitigation and control measures, the effects are not expected to be significant and will not be considered further. Dust effects during maintenance of K3 will be similar or less than the dust effects during the construction and demolition phases. With the implementation of suitable dust mitigation and control measures, the effects are not expected to be significant and will not be considered further.

Proposed assessment methodology

- 6.2.7 The effects of emissions from the K3 Proposed Development will be evaluated using the ADMS 5 dispersion model. Emissions would be modelled at the concentration limits in the Industrial Emissions Directive (IED). The dispersion modelling will take account of terrain, local building and meteorology effects. Five years of hourly sequential meteorological data collated at Gravesend will be used within the model.
- 6.2.8 Process Contributions will be predicted for a grid of receptors centred on the stack and sensitive human-health receptors and compared with the Process Contributions presented in the Environmental Statement for the permitted K3 development. For pollutants where the Process Contributions decreases, the impacts will be considered to not have a significant effect. For pollutants where the Process Contributions increases, the significance of the illustrated effects will be described using professional judgement and relevant criteria, including those set out in: the Environment Agency online guidance entitled 'Environmental management – guidance, Air emissions risk assessment for your environmental permit' and the IAQM/EPUK 'Land-Use Planning & Development Control: Planning for Air Quality'.
- 6.2.9 Process Contributions will be predicted for nitrogen oxides, sulphur dioxide, ammonia, nutrient nitrogen deposition and acid deposition rates for a grid of receptors at the Swale Special Protection Area (SPA) and Ramsar, Medway Estuary and Marshes SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar; and Queendown Warren Special Area of Conservation (SAC) and compared with the Process Contributions presented in the Environmental Statement. For pollutants where the Process Contributions decreases, the impacts will be considered to not have a significant effect. For pollutants where the Process Contributions increases, the significance of the illustrated effects will be described using professional judgement and relevant criteria, including those set out in: the Environment Agency online guidance entitled 'Environmental management – guidance, Air emissions risk assessment for your environmental permit'.
- 6.2.10 For traffic-related emissions, traffic generated by the upgraded K3 will be compared with the relevant threshold criteria in the IAQM/EPUK 'Land-Use Planning & Development Control: Planning for Air Quality'. If the threshold criteria are not exceeded, the impacts will be considered to not have a significant effect. If the threshold criteria are exceeded, air pollution levels will be predicted at locations around the site using the detailed dispersion model, ADMS Roads. The significance of the illustrated effects will be described using professional judgement and relevant criteria, including those set out in the IAQM/EPUK 'Land-Use Planning & Development Control: Planning for Air Quality'.

Cumulative effects

- 6.2.11 Cumulative air quality effects arising from the project alongside other projects within the area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment.

### Transboundary Effects

- 6.2.12 It is not considered that there is any potential for significant transboundary effects to occur as a result of the project. The potential for this will however be reviewed following the results of the modelling exercise identified above.

## **6.3 K3 - Climate change**

- 6.3.1 As discussed above, K3 is already permitted in terms of its extant planning permission and its built form, throughput and energy generation capacity. Its consent was granted taking into consideration the assessment of greenhouse gas (GHG) emissions made at the time.
- 6.3.2 The proposed changes to the consented development would increase waste (fuel) input by 19% (from 550,000 tpa to 657,000 tpa) but increase the electricity output by 50% (from 49.9 MW to up to 75 MW electricity; heat output would be unchanged at 56 MW). This is a straightforward increase in the efficiency of electricity generation per tonne of waste fuel input by 26% and increase in overall efficiency of energy generation by 4%.
- 6.3.3 Improving the facility's efficiency by this amount reduces the GHG emissions intensity per MW of energy generated in the same proportion, and also benefits net total GHG emissions (considering also displacement of alternative energy generation) by a similar amount.
- 6.3.4 As the principle of K3 emitting GHGs from combustion of waste to generate energy is already consented, and the proposed changes represent a straightforward improvement to the efficiency of that process and hence reduction in GHG emissions intensity, further detailed assessment of GHG emissions and the beneficial effect is proposed to be scoped out of the EIA.
- 6.3.5 As there are no physical or construction changes proposed, there is no change in risks to the facility from climate change between the consented and proposed development. Assessment of climate risks or adaptation/resilience measures is therefore proposed to be scoped out of the EIA.

## **6.4 K3 - Noise and Vibration**

### Background

- 6.4.1 This section of the Scoping Report considers the assessment of noise and vibration effects of relevance to the K3 Proposed Development and considers the potential impacts and likely significant effects from the operation, maintenance and decommissioning of the project in terms of noise and vibration effects on prescribed receptors, including residential and ecological receptors in the area.

Currently known baseline

- 6.4.2 Baseline noise data gathered to support previous ES assessments consented K3 facility will be retained as a representative baseline noise level, informed by the predicted operational noise of K3 as permitted. No further noise surveys are considered necessary in regard to K3.
- 6.4.3 No measurement of baseline vibration is required, as vibration assessment will be made against absolute levels, assuming no significant existing vibration.

Potential significant effects

- 6.4.4 It is proposed that the EIA includes an assessment of noise effects associated with the change in operating parameters of the facility in the context of the baseline, K3 as permitted. The assessment will establish whether the existing mitigation is sufficient and whether further mitigation is required.
- 6.4.5 The potential noise impacts associated with the project include:
- Operational noise associated with operational and maintenance vehicles on the existing road network.
- 6.4.6 No operational noise increase will occur from facility fixed or mobile plant on site as a result of increase power output or tonnage throughput.
- 6.4.7 Operational vibration will be controlled at source and would be most unlikely to be perceptible beyond the immediate structure of the buildings. Operational vibration is also unlikely to change significantly from K3 as permitted. A qualitative assessment, scoping out detailed predications is considered to be appropriate but will be confirmed and reviewed within the EIA.
- 6.4.8 No significant construction work is associated with the K3/WKN proposals, and so no construction noise or vibration assessment is considered necessary.

Proposed assessment methodology

- 6.4.9 The baseline sound environment would be determined from the results of data acquired from measurement surveys undertaken following the guidance contained within BS 7445-1:2003, BS 7445-2:1991 and BS 4142:2014. Locations would be representative of the nearest noise sensitive receptors.
- 6.4.10 Due regard would be given to the Noise Policy Statement for England (NPSE), National Planning Policy Framework (NPPF) and published Planning Practice Guidance on Noise (PPGN).

***Operational Effects***

- 6.4.11 Noise levels arising from the operation of the project would be predicted using SoundPLAN modelling software, implementing the methodology contained within ISO 9613-2. Broadband internal noise levels for the areas containing the most significant noise generating plant and Sound Reduction Indices (SRIs) of



the facades of the building will be provided by the project engineers. Assessment would be made using the methodology within BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'.

- 6.4.12 Operational effects will also be considered in the context of the wider industrial area, so as to quantify any potential cumulative effects, including road traffic.

#### Decommissioning Phase

- 6.4.13 The potential effects during decommissioning will be qualitatively compared with those associated with the permitted facility.

#### Cumulative effects

- 6.4.14 The potential cumulative effects will be qualitatively assessed for potential effects of the Proposed Development with other schemes that are operational, constructed, consented or for which planning permissions are currently being sought.

### **6.5 K3 - Human Health**

#### Background

- 6.5.1 This section of the Scoping Report considers health determinants relevant to the K3 Proposed Development, and the likely significant human health effects (both adverse and beneficial) from the operation of the K3 Proposed Development on local community receptors.

#### Currently known baseline

- 6.5.2 Evidence suggests that different communities have varying susceptibilities to health impacts and benefits as a result of social and demographic structure, behaviour and relative economic circumstance. The following paragraphs outline baseline data from the study area with the aim of putting local health and socio-economic circumstance into context, drawing information from available statistics for the communities surrounding the proposed development.
- 6.5.3 There are nearby residential receptors to the west of the K3 Proposed Development which are located within Swale local authority district, Kent. The human health chapter will analyse baseline data, including socio-economic parameters such as population structure, employment and economic activity, qualifications and occupations, housing, and deprivation and health parameters such as life expectancy, mortality, lifestyle factors (physical activity, obesity, alcohol and smoking etc.) and mental health at the local authority level as data is not readily available at a higher spatial resolution (i.e. at ward level).
- 6.5.4 There is a larger percentage of residents aged 65+ and under 18 within Swale compared to the national average. Life expectancy for both males and females

within Swale is below the national average. Under 75 mortality rate for all causes and cancer is higher than the national average while under 75 mortality rate for cardiovascular disease is lower than the national average.

- 6.5.5 Lifestyle factors vary; excessive alcohol intake (measured using alcohol-related harm hospital stays as a proxy) is lower than the national average. However, smoking prevalence and excess weight in adults are both higher than the national average, while the level of physical activity participation (aged 19+) is lower than the national average.
- 6.5.6 In terms of socio-economic indicators, the total number of unemployed individuals within Swale is 3,100 (4.5% of the total population); this increases to 33,500 within Kent (4.3% of the total population). There is a higher proportion of the population who are unemployed within Swale and Kent compared to the regional average. Qualification attainment within Swale is generally low, whereby there is a lower proportion of the population attaining NVQ1+ to NVQ4+ qualifications and a higher proportion of the population with no qualifications. However, average income within Swale is higher than the national average but lower than the regional average.

Potential significant effects

- 6.5.7 Based on currently available project information, the potentially relevant health determinants which are likely to be assessed are identified in the Table below. Identification of a potentially relevant health determinant at this stage does not necessarily indicate that there would be a significant effect. A significant effect would depend on the magnitude of change and sensitivity of receptors.

**Table: Potential Health Determinants**

Potential Health Determinant	Potential Implication	Distribution
Operation		
Changes in air quality (PM10, PM2.5 and NO2 from on-site activities and associated transport movements delivering waste)	Adverse	Local
Changes in local transport nature and flow rates (severance and risk of accident and injury)	Adverse	Local/regional

- 6.5.8 Only operational changes are associated with the K3 proposed development; as a result, no construction and future decommissioning health determinants have been considered.
- 6.5.9 Operational noise and socio-economic health determinants would be expected to be scoped out on the basis that they are not expected to materially differ from what is currently permitted at the facility. However if significant noise changes were predicted, these determinants would be considered. Air quality and transport movements have been scoped in as the increase in associated

throughput has the potential to materially change these health determinants and so that community health concerns can be more effectively responded to. Regard will be had to the Health Protection Agency Advice Note 'The Impact on Health of Emissions to Air from Municipal Waste Incinerators' (September 2009).

- 6.5.10 The list of health determinants to be assessed will be further refined following receipt of the formal scoping opinion and local community engagement to ensure all health-related concerns and perceived risks are addressed.

#### Proposed assessment methodology

- 6.5.11 The human health assessment will draw from and build upon outputs from the wider technical disciplines, and information collected a part of the health baseline section, to assess the magnitude, distribution and significance of potential health outcomes (both adverse and beneficial) that would be directly attributed to the proposed development.
- 6.5.12 Where possible, the human health assessment will apply internationally recognised quantitative assessment methods. However, as a minimum the assessment is anticipated to include the following:
- quantitative assessment for air quality impacts, taking the worst-case change in air quality at any residential receptor to investigate any material change in hazard exposure and associated risk to health; and
  - qualitative assessment of changes in local transport flows to appraise impact on severance and risk of accident and injury.

#### Cumulative effects

- 6.5.13 Due to the inter-relationship between human health and the wider technical disciplines, potential cumulative effects will already be considered within the technical outputs from which the human health assessment is derived.

#### Transboundary Effects

- 6.5.14 As shown in the above Table, it is anticipated that any potentially significant effect on human health would have either a local or regional distribution. As a result, it is not expected that there would be any transboundary effects on human health directly attributed to the K3 Proposed Development. The potential for this will however be reviewed following the results of the air quality modelling exercise set out within this Scoping Request.

## **6.6 K3 - Ground conditions**

- 6.6.1 Planning consent has already been granted for the K3 and at the time of writing, construction of the consented facility is on-going and is anticipated to be fully operational by August 2019.
- 6.6.2 The built form of K3, as permitted under the existing planning consent, will form the baseline for this area and there will be no change to the built form to accommodate the proposed increase in energy output and throughput tonnage. The ground conditions were assessed as part of the original application for K3 and requirements to manage potential impacts on the ground conditions as a consequence of the K3 development will have been dealt with in line with the associated planning consent.
- 6.6.3 On this basis, it is very unlikely that the proposed development will affect the ground conditions at the site and no likely significant effects will therefore result from the proposed development.

## **6.7 K3 - Landscape and visual resources**

- 6.7.1 The proposed increase in energy output and throughput tonnage of the K3 facility will not require any changes to the built form or site layout as permitted and therefore no likely significant effects on landscape, townscape or visual resources will result from the proposed development. It is therefore proposed that effects on landscape and visual resources from the K3 Proposed Development are scoped out of the ES.

## **6.8 K3 - Archaeology and Cultural Heritage**

- 6.8.1 The proposed increase in energy output and throughput tonnage of the K3 facility will not require any changes to the built form or site layout as permitted and therefore no likely significant effects on archaeology and built heritage assets will result from the proposed development. It is therefore proposed that effects on archaeology and cultural heritage from the K3 Proposed Development are scoped of the ES.

## **6.9 K3 - Ecology**

### Background

- 6.9.1 This section of the Scoping Report covers biodiversity, with particular emphasis on nitrogen pollution and the negative impacts these may have on the surrounding designated sites and their respective interest features.

- 6.9.2 An assessment is required as part of the EIA to determine the nature of effects on biodiversity that may result from the K3 Proposed Development in light of the effects across and adjacent to the development area.

Currently known baseline

- 6.9.3 The K3 development, as permitted, comprises the main built development along with extensive new areas of habitat creation, including rough grassland, bare ground, scrub, ditches and open water. In addition, a new 1 ha reedbed was created at Harty Fen on the Isle of Sheppey to provide alternative nesting habitat for marsh harrier, should this species abandon an existing reedbed to the north of the K3 site during construction due to disturbance.
- 6.9.4 No part of the site has been designated for its nature conservation value (statutory or non-statutory) and no part of the site is directly bordered by a designated site of nature conservation interest, although the Swale Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI) is within 10m of the eastern site boundary. A number of other statutory and non-statutory designated sites are located within 2 km of the site boundary:
- The Swale Marine Conservation Zone (MCZ);
  - Elmley Island National Nature Reserve (NNR); and
  - Milton Creek Local Wildlife Site (LWS).
- 6.9.5 Further internationally-designated sites within 10 km of the site boundary:
- Medway Estuary and Marshes SPA, Ramsar;
  - Thames Estuary and Marshes SPA, Ramsar;
  - Outer Thames Estuary SPA; and
  - Queendown Warren Special Area of Conservation (SAC).

Potential significant effects

- 6.9.6 The K3 Proposed Development does not involve any physical alteration to the existing building/landscape. Therefore, no direct effects on biodiversity are considered likely. Consequently, any potential significant effects are indirect and off-site.
- 6.9.7 Increases in traffic as a result of the increased throughput do not pass sufficiently close to any designated site to result in noise disturbance.
- 6.9.8 The only pathway via which effects could occur is therefore through changes to air quality (i.e. NO<sub>x</sub> and associated nutrient nitrogen) from emissions to air from K3 due to the increased throughput and HGV movements on interest features and supporting habitats within surrounding designated sites.

- 6.9.9 All other potential effects (e.g. from changes in water quality, noise, land take etc.) can be screened out as there are no physical changes to the development that could generate such effects.

Changes to air quality

- 6.9.10 There is potential for both changes in the gaseous concentration of NO<sub>x</sub>, SO<sub>2</sub> and NH<sub>3</sub> and resulting deposition of both nutrient nitrogen and acid to effect the interest features/supporting habitats of surrounding designated sites.
- 6.9.11 The effects of such changes will be assessed using data generated by the Air Quality team and background data, along with relevant site-specific critical loads, gathered from the APiS website.

Proposed assessment methodology

- 6.9.12 The ecology and nature conservation assessment process will be undertaken in accordance with the Guidelines for Ecological Impact Assessment (EclA) in the UK and Ireland – Terrestrial, Freshwater and Coastal, 2nd Edition (CIEEM, 2016). The effect of the development on European designated sites in the surrounding 10 km will be assessed following the method set out in PINS Advice Note 10: Habitats Regulations Assessment Relevant to Nationally Significant Infrastructure Projects (PINS 2016). This will be presented as a technical appendix to the Ecology Chapter within the ES, either as a No Significant Effects Report or (if Appropriate Assessment is required following screening) as a Habitats Regulations Assessment Report.

Receptor Sensitivity

- 6.9.13 The ecology and nature conservation assessment process will be undertaken in accordance with Guidelines for Ecological Impact Assessment in the UK and Ireland – Terrestrial, Freshwater and Coastal (CIEEM, 2016). Given that the only potential pathway for effect is through changes to air quality, the only potential receptors are designated sites in the area. The approach to determining the nature conservation value and/or sensitivity of each receptor is outlined in the Table below.

**Table: Proposed Method of Defining Sensitivity**

Conservation value and/or sensitivity	Definition
Negligible	Including importance at local level. Commonplace feature of little or no habitat/historical significance. Loss of such a feature would not be seen as detrimental to the ecology of the area.
Low	Including importance at district level. A feature (e.g. habitat or population) that is of nature conservation value in a local context only, with insufficient value to merit a formal nature conservation designation.
Medium	Habitats or species that form part of the cited interest of a Local Nature

	Reserve (LNR), or some local-level designated sites, such as a Local Wildlife Site (LWS), also referred to as a non-statutory Site of Importance for Nature Conservation (SINC) or the equivalent, e.g., Ancient Woodland designation.
High	Habitats or species that form part of the cited interest within a nationally designated site, such as an SSSI or a (National Nature Reserve (NNR).
Very high	Habitats or species that form part of the cited interest within an internationally protected site, such as those designated under the Habitats Directive (e.g., SACs) or other international convention (e.g., Ramsar site).

### Magnitude of Impact

6.9.14 The likely impacts of the project are determined through understanding how each receptor would be affected by the elements of the project. The categorisation of the impact magnitude may take into account the following four factors:

- Extent;
- Duration;
- Frequency; and
- Reversibility.

6.9.15 Impacts will be defined as either adverse or beneficial. Depending on discipline, they may also be described as:

- Direct: Arise from activities associated with the project. These tend to be either spatially or temporally concurrent;
- Indirect: Impacts on the environment which are not a direct result of the project, often produced away from the project site or as a result of a complex pathway.

### Significance of effect

6.9.16 The significance of predicted effects will be evaluated. Taking into account the assessment methodology, an impact of high negative magnitude on a feature of less than district level importance would result in an effect of minor ecological and nature conservation significance, which would not be significant. Therefore, for the purpose of this impact assessment, receptor sites, habitats and species are considered further if they are of at least a district level of importance or sensitivity.

6.9.17 Levels of significance that will be used in the assessment include, in descending order:

- Substantial;

- Major;
- Moderate;
- Minor;
- Neutral.

6.9.18 Where an effect is described as 'neutral' this means that there is either no effect or that the significance of any effect is considered to be negligible. All other levels of significance will apply to both adverse and beneficial effects. In EIA terms, significance is assumed as any level above Moderate.

#### Cumulative Effects

6.9.19 Cumulative effects on ecology and nature conservation receptors arising from the project alongside other projects within the area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment.

6.9.20 The scope for impacts to interact to potentially create a more significant effect on ecology and nature conservation will be assessed in the EIA (i.e. project lifetime effects). Inter-relationships between impacts on ecology and nature conservation considered in isolation (e.g. impacts on individual species etc.) will also be considered together as part of the EIA process (i.e. receptor led effects)

#### Transboundary Effects

6.9.21 Given the site and its location, the potential for transboundary effects can be scoped out, as described in the Air Quality section.

### **6.10 K3 - Water Environment**

6.10.1 K3 as permitted and operational forms the baseline for the assessment of the effects of the K3 Proposed Development.

6.10.2 The project site has been raised and lies entirely within Flood Zones 1 identified as land having a less than 1 in 1,000 annual probability of river or sea flooding. Fluvial flooding is not considered a risk at this site.

6.10.3 Existing flood defences along the eastern extent of the proposed development are made up of raised walls and embankments. These flood defences provide a 1 in 1000 year standard of protection.

6.10.4 As K3 has been subject to a separate planning permission and constructed in accordance with planning requirements and associated conditions including on site surface water and foul water management the development has been scoped out of the assessment. The K3 Proposed Development will have no effect on site drainage or flood risk.



## 6.11 K3 - Risk of accidents and disasters

### Background

- 6.11.1 Typically, disaster events refer to natural occurrences, and are not defined to include events caused by humans. On this basis the EIA Regulations are interpreted to refer to manmade events 'accidents' and naturally caused events 'disasters'.
- 6.11.2 On this basis environmental hazards can broadly be subdivided into the following categories<sup>2</sup>:

<b>Natural hazards</b>
Geological – earthquakes, volcanic eruptions, landslides, avalanches
Atmospheric – tropical cyclones, tornadoes
Hydrological – river floods, storm surges, coastal flooding
Biologic – epidemic diseases, wildfire
<b>Technological hazards (major accidents)</b>
Transport accidents – air accidents, train crashes, ship wrecks
Industrial failures – explosions, fires, release of toxic or radioactive materials
Unsafe public buildings and facilities – Structural collapse, fire
Hazardous materials – storage, transport and misuse of materials

- 6.11.3 It is noted that the assessment of major accidents and disasters is a new requirement of Directive 2014/52/EU transposed in UK law on the 16<sup>th</sup> of May 2017 in the EIA Regulations. To date no formal guidance has been issued from either the Government or relevant parties as to the scope or nature of such assessment.
- 6.11.4 The Secretary of State and consultees are invited to comment on the intended scope of and to highlight any likely significant environmental issues that they consider should be included in the assessment.

### Proposed assessment methodology

- 6.11.5 Given the location of the site the development is not considered to be vulnerable to the natural hazards identified with the exception of river/estuarine flooding.
- 6.11.6 Flood defences along the eastern extent of the proposed development are made up of raised walls and embankments. These flood defences provide a 1 in 1000 year standard of protection.
- 6.11.7 Energy from waste facilities can present fire and explosion hazards and hazards associated with toxic gas release. Such instances can have significant environmental effects particularly on human health and safety.

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<sup>2</sup> Environmental Hazards: Assessing Risk and Reducing Disaster, Keith Smith, 2009

- 6.11.8 Notwithstanding this the risk of major accidents related to waste-to-energy plants are well understood and their operation subject to a number of regulatory regimes.
- 6.11.9 If an incident occurs that could endanger life, the facility or the environment endangers or is likely to endanger personnel, or there is a risk of serious an emergency shutdown procedure would be implemented. will be necessary. The emergency shutdown will would essentially shut off combustion air fans, the grate feed and the burner essentially shutting down the operation of the plant.
- 6.11.10 For reference a list of relevant legislation by which operation of the facility is required to satisfy is outlined below:
- Health and Safety At Work Act 1974
  - Confined Spaces Regulations 1997 – sets a requirement to manage access to areas which are substantially enclosed (though not always entirely), and where serious injury can occur from hazardous substances or conditions within the space or nearby (e.g. lack of oxygen).
  - Dangerous Substances and Explosive Atmospheres Regulations 2002 (as amended 2015)- Requires an operator to identify DSEAR areas and implement a process for the equipment and working within those areas.
  - Control of Substances Hazardous to Health Regulations 2002 (COSHH)
  - Equipment and Protective Systems Intended for Use in Potentially Explosive Atmosphere Regulations 2016 - This Regulation covers both electrical and non-electrical equipment and requires the operator to ensure that all equipment used in DSEAR zoned areas is ATEX rated
  - Fire: The Regulatory Reform (Fire Safety) Order 2005 (as amended 2015) - Requires the operator to carry out a fire safety risk assessment and implement and maintain a fire management plan.
  - Pressure Systems Safety Regulations 2000
  - Supply Of Machinery (Safety) Regulations 2008 – Requires operators to ensure all equipment complies with the relevant standards and risk assessments when supplied to site.
  - Electricity at Work Regulations 1989
  - PUWER - Provision and Use of Work Equipment Regulations (PUWER) SI 1998/2306 – requires the employer to ensure that equipment is suitable for the purpose for which it is provided.
- 6.11.11 It is noted that the proposed development does not fall within the scope of EU legislation 2012/18/EU (control of major-accident hazards involving dangerous substances) or Council Directive 2009/71/Euratom (Community framework for the nuclear safety of nuclear installations).

- 6.11.12 In light of the above it is considered that the risk of accidents from the proposed development will be comprehensively controlled and mitigated as far as is reasonably possible in accordance with UK legislation in existence at the time of operation.
- 6.11.13 It is therefore considered that the mitigated risk of a major accident or disaster subject to ongoing compliance with relevant legislation is as low as reasonably practical and therefore the risk is not significant in the context of the EIA Regulations.
- 6.11.14 It is therefore not proposed that a standalone risk assessment is undertaken which would replicate the purpose of the legal instruments identified but that a list of the relevant legislation in place is provided setting out what risk/accidents it is intended to address and demonstrating how the development will comply with the legislation in the introductory chapters of the ES.

## 7 Wheelabrator Kemsley North Proposed Development

### 7.1 WKN - Traffic and transport

#### Background

- 7.1.1 The WKN Proposed Development will generate construction staff movements, Abnormal Indivisible Loads and HGV movements throughout the day during its construction and decommissioning and staff movements and HGV movements throughout the day during operation.
- 7.1.2 The DCO application seeks to permit the proposed facility to process 390,000 tonnes of waste per annum. The waste would be delivered by HGVs and RCVs, HGVs would collect the IBA and there will be vehicle movements associated with staff.
- 7.1.3 The vehicles associated with the construction, operation, maintenance and decommissioning of the proposed development may give rise to changes in conditions upon sensitive receptors along the adjacent road network, for example pedestrians walking along footways.
- 7.1.4 The vehicle movements during operation of the proposed development will be higher than those during construction and decommissioning and therefore, the assessment will be undertaken for the operational phase of the proposed development only.
- 7.1.5 A construction programme has not yet been established but it is likely that the construction process would be in the order of 36 months.
- 7.1.6 The chapter will therefore establish a baseline position during a 2023 year when the facility becomes operational and will include the vehicle movements associated with the consented K3 facility, estimate the number and routing of HGVS, RCVs and staff vehicles, and assess the effects of these upon the baseline position to determine any significant effects.
- 7.1.7 The permitted IBA facility has not been constructed and it has been decided not to implement the planning permission and the IPPC permit for the facility will be surrendered. If this is confirmed during the preparation of the DCO application the associated 84 daily vehicle movements will be removed from the baseline.

#### Currently known baseline

- 7.1.8 The site is located to the north of Sittingbourne on the Sittingbourne Relief Road B2005 (Swale Way), Kemsley. The site is broadly bounded by the Kemsley Paper Mill and Swale Way to the west, Barge Way to the north, the

Swale Estuary to the east and the consented K3 facility and Milton Creek to the south.

- 7.1.9 The A249 is located approximately 2 km to the north and west of the site and is accessed via Swale Way. The A249 connects with both the A2 west of Sittingbourne and the M2 at Junction 5 approximately 8 km south of the site. To the north, the A249 provides access to the Isle of Sheppey.
- 7.1.10 The first section of the Sittingbourne Northern Relief Road routes broadly west to east and links the southern roundabout of the A249 'Dumbbell' junction north of Kemsley to the Kemsley Paper Mill. The second section was completed in 2011 and routes broadly north to south from the Kemsley Paper Mill to the Eurolink Industrial Estate. The purpose of the Northern Relief Road is to relieve the A2 that runs east to west through Sittingbourne.
- 7.1.11 Vehicular access to WKN will be from an existing roundabout on Barge Way to the north of the site with vehicles routing east from the A249 along the first section of the Relief Road, north along Barge Way via an existing roundabout and then east along Barge Way on an existing roundabout.
- 7.1.12 Traffic flows collected in 2016 show that there are up to approximately 19,000 vehicle movements per day on Swale Way and up to approximately 6,000 vehicle movements per day on Barge Way. Given the strategic nature and trunk road status of the A249, traffic flows are far higher and in the region of double those on Swale Way.

#### Potential significant effects

- 7.1.13 The proposed development has the potential to result in likely significant traffic and transport related effects. In order to determine whether these effects are likely to be significant the effects of operational traffic (staff vehicles, HGVs and RCVs) on driver delay, severance of routes, pedestrian delay and amenity, accidents and road safety and hazardous, dangerous and Abnormal Indivisible Loads has been examined in the scoping process.

#### Proposed assessment methodology

- 7.1.14 Relevant guidance to the assessment of traffic and transport are set out in the following documents:
- Planning Practice Guidance: Travel Plans, Transport Assessments and Statements in Decision Taking (PPG, 2014);
  - Guidelines for the Environmental Assessment of Road Traffic (IEMA, 1993); and
  - The Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment (Highways Agency et al. 2008).
- 7.1.15 A desktop review and site visits will be undertaken to identify the key locations where transport issues may be raised. The routes for delivery vehicles have

been established through the K3 facility planning process. The assessment of impacts on the adjacent road network will assess the traffic flows predicted as a result of the traffic generated by the operation of K3 against forecast baseline traffic flows. The scope and duration of predicted impacts will be quantified.

- 7.1.16 Roads and infrastructure within the study area will be identified from Ordnance Survey (OS) mapping and site visits and will include Barge Way, Swale Way, the A249 north of Swale Way and the A249 south of Swale Way, the M2 east of the A249 and the M2 west of the A259.
- 7.1.17 On refinement of the traffic and transport study area, existing traffic flow information will be obtained from the Local Highway Authority (Kent County Council), and Highways England (HE) where relevant, and from recent traffic surveys undertaken for other projects and applications nearby (including the Kemsley Paper Mill Combined Heat and Power Plant and the and the consented K3 facility) to identify the current capacity and potential constraints of the road network. This will include results from Automatic Traffic Counts (ATC), Manual Classified Counts (MCC) and Annual Average Daily Flow (AADF) calculations.
- 7.1.18 Personal Injury Accident (PIA) data for highway accidents will be obtained from the Local Highway Authority.
- 7.1.19 Records of existing bus service routes, cycle paths and train services will be obtained from Kent County Council, Swale Borough Council, Network Rail and relevant service operators.
- 7.1.20 Site visits will also be undertaken to audit the transport networks within the traffic and transport study area.
- 7.1.21 The significance of transport environmental effects is assessed by considering the interaction between the magnitude of the impacts and the sensitivity of the receptors in the vicinity of transport corridors. This assessment compares the baseline situation with the development, taking into account other schemes that are likely to affect future baseline conditions.
- 7.1.22 Consistent with the above IEMA guidance (Guidelines for the Environmental Assessment of Road Traffic), the following will be considered in this chapter:
- Driver Delay;
  - Severance of Routes;
  - Pedestrian Delay;
  - Pedestrian amenity;
  - Accidents and Road Safety; and
  - Hazardous, Dangerous and Abnormal Indivisible Loads.

7.1.23 The IEMA guidance recommends two rules to be considered when determining whether the impact of traffic should be assessed on a road link:

- Rule 1: Include highway (road) links where traffic flows will increase by more than 30 % (or the number of heavy goods vehicles will increase by more than 30 %); and
- Rule 2: Include any other specifically sensitive areas where total traffic flows have increased by 10 % or more.

7.1.24 The 30 % threshold is based upon research and experience of the environmental effects of traffic, with less than a 30 % increase generally resulting in imperceptible changes in the environmental effects of traffic. The guidance considers that projected changes in total traffic flow of less than 10 % creates no discernible environmental effect.

7.1.25 The guidance considers the following receptors to be sensitive to the potential impact of traffic increase:

- People at home;
- People in work places;
- Sensitive groups such as children;
- The elderly or the disabled;
- Sensitive locations such as hospitals, churches, schools or historical buildings;
- People walking or cycling;
- Open spaces;
- Recreational sites;
- Shopping areas;
- Sites of ecological/nature conservation value; and
- Sites of tourist/visitor attraction

7.1.26 The determination of the sensitivity of receptors to environmental effects will be broadly based on the criteria of value, adaptability, tolerance and reversibility. In terms of transport impacts, receptors comprise people living, using facilities and using transport networks in the area. Given that all persons are deemed to be of equal value, sensitivity to changes in transport conditions is generally focussed on vulnerable user groups who are less able to tolerate, adapt to and recover from those changes. Vulnerable groups would include school children and the elderly. The following table summarises the general criteria for identifying receptor sensitivity by relating the presence of vulnerable groups to identifiable physical features within the environment.

Sensitivity	Definition
Very High	Those receptors with high sensitivity with site-specific reasons for being particularly sensitive to changes in traffic flows (e.g. community with high incidence of mobility impairment requiring to cross roads to access essential facilities).
High	Receptors of greatest sensitivity to traffic flows (e.g. schools, colleges, playgrounds, accident black spots, retirement homes, urban/residential roads without footways that are used by pedestrians, etc.).
Medium	Traffic flow sensitive receptors (e.g. congested junctions, doctors' surgeries, hospitals, shopping areas with roadside frontage, roads with narrow footways, un-segregated cycle ways, community centres, parks, recreation facilities, etc.).
Low	Receptors with some sensitivity to traffic flow (e.g. places of worship, public open space, nature conservation areas, listed buildings, tourist attractions and residential areas with adequate footway provision, etc.).
Negligible	Receptors with low sensitivity to traffic flows and those sufficiently distant from affected roads and junctions.

7.1.27 Magnitude is defined in general terms in guidance contained in Volume 11 of DMRB and is summarised in the context of transport in the Table below.

Magnitude	Definition
High	<p>Substantial or total loss of capability for movement along or across transport corridors, loss of access to key facilities and loss of highway safety. Severe delays to travellers (adverse).</p> <p>Large scale improvement in the capability for movement along and across transport corridors, major improvement in access to key facilities, in highway safety and in delays to travellers (beneficial).</p>
Medium	<p>Moderate loss of capability for movement along or across transport corridors, loss of access to key facilities and loss of highway safety. Severe delays to travellers (adverse).</p> <p>Moderate improvement in the capability for movement along and across transport corridors, major improvement in access to key facilities, in highway safety and in delays to travellers (beneficial).</p>



Low	<p>Some measurable loss of capability for movement along and across transport corridors, some measurable loss of access to key facilities and some measurable loss of highway safety. Some measurable increase in delays to travellers (adverse).</p> <p>Some measurable increase in the capability for movement along and across transport corridors, some measurable increase in access to key facilities and some measurable increase in highway safety. Some measurable increase in delays to travellers. Reduced risk of negative impacts occurring (beneficial).</p>
Negligible	<p>Very minor loss of capability for movement along and across transport corridors, very minor loss of access to key facilities and very minor loss of highway safety. Very minor increase in delays to travellers (adverse).</p> <p>Very minor increase in capability for movement along and across transport corridors, very minor increase in access to key facilities and very minor increase in highway safety. Very minor decreases in delays to travellers (beneficial)</p>
No Change	<p>No loss of capability for movement along and across transport corridors, no change of access to key facilities and highway safety. No delays to travellers.</p>

7.1.28 With particular reference to severance for highly trafficked roads the above categories of magnitude of impact can be defined by the percentage change ranges set out in the Table below. Table 3.3 is based on IEMA Guidelines for the Environmental Assessment of Road Traffic (1993), paragraph 4.31.

Change in Traffic Flow	Magnitude (adverse or beneficial)
Change in total traffic or HGVs flows over 90%	High
Change in total traffic or HGVs flows 60 - 90%	Medium
Change in total traffic or HGVs flows 30 - 60%	Low
Change in total traffic or HGVs flows of less than 30%	Negligible

7.1.29 Transport environmental effects will also be assessed in terms of their duration, their frequency and in terms of their reversibility and these will be taken into account in identifying the significance of transport environmental effects of K3.

7.1.30 The significance of effects would be evaluated, taking into consideration the relevant policy context and the likely changes to baseline conditions. The significance levels would also be informed by the sensitivity and magnitude of effects and the significance matrix set out in the Table below.

Sensitivity	Magnitude of Change				
	No change	Negligible	Low	Medium	High
Negligible	Negligible	Negligible	Negligible or Minor	Negligible or Minor	Minor
Low	Negligible	Negligible or Minor	Negligible or Minor	Minor	Minor or Moderate
Medium	Negligible	Negligible/Minor	Minor	Moderate	Moderate or Major
High	Negligible	Minor	Minor or Moderate	Moderate or Major	Major or Substantial
Very High	Negligible	Minor	Moderate or Major	Major or Substantial	Substantial

Source: HA 205/08, DMRB Volume 11, Section 2 Part 5, Table 2.4

7.1.31 For the purposes of the assessment, those effects identified as being of 'moderate' or greater significance will be regarded as being significant in EIA terms. Effects of 'minor' or lesser significance will be identified but will not be considered significant in EIA terms. Effects will either be adverse or beneficial.

7.1.32 A Transport Assessment will be prepared alongside the ES Chapter. The Transport Assessment will assess the impact of the traffic generated by the proposed development on the capacity of junctions on the highway network. Scoping for the Transport Assessment will be undertaken by a formal meeting with the local Highway Authority and Highways England.

#### Cumulative effects

7.1.33 The following cumulative assessments will be undertaken:

- WKN + cumulative developments excluding K3; and
- K3 + WKN + cumulative developments

7.1.34 Cumulative impacts on traffic arising from the project alongside other projects within the area will be considered within the Environmental Statement.

7.1.35 It is proposed that the ES chapter will scope out the construction and decommissioning traffic effects on the basis that these stages will generate fewer vehicles than those that the proposed development will generate during operation.

## 7.2 WKN - Air quality

### Background

- 7.2.1 The WKN Proposed Development has the potential to give rise to changes in air quality at sensitive receptors in the vicinity of the site through fugitive dust emissions associated with site preparation, construction and decommissioning work, and through emissions to air from the proposed stack.
- 7.2.2 For the construction phase of the proposed development the key pollutant is dust, covering both particulate matter with a mean aerodynamic diameter of less than 10 microns (PM10) that is suspended in the air that can be breathed, and the deposited dust that has fallen out of the air onto surfaces and which can potentially cause temporary annoyance effects.
- 7.2.3 For the operational phase of the proposed development, the key considerations are the potential air quality effects from: residual emissions from the flue gas treatment system; potential fugitive emissions of dust, odour and bio-aerosols; and vehicle-related emissions due to changes in traffic flow characteristics on the local road network.

### Currently known baseline

- 7.2.4 The approach to characterising the baseline is set out in paragraph 6.2.2.

### Potential significant effects

- 7.2.5 The following effects will therefore be assessed in the EIA.
- Dust and emissions during construction and decommissioning (demolition)
  - Residual emissions from the flue gas treatment system and their effects on human health and ecological receptors
  - Fugitive emissions of dust, odour and bio-aerosols during the operational phase
  - Emissions from vehicle movements generated by the operation and maintenance of the proposed development.

### Proposed assessment methodology

- 7.2.6 The risk of impacts from dust and emissions during demolition / construction of the proposed development will be assessed, having regard to the Institute of Air Quality Management (IAQM) 'Guidance on the assessment of dust from demolition and construction'.
- 7.2.7 Generic mitigation measures designed to control dust nuisance effects and emissions during construction, consistent with the level of risk, will be

recommended. These will be drawn from the IAQM '*Guidance on the assessment of dust from demolition and construction*'.

- 7.2.8 The effects of emissions from WKN will be evaluated using the ADMS 5 dispersion model. Emissions would be modelled at the concentration limits in the Industrial Emissions Directive (IED). The dispersion modelling will take account of terrain, local building and meteorology effects. Five years of hourly sequential meteorological data collated at Gravesend will be used within the model.
- 7.2.9 An acceptable stack height for the cleaned exhaust gas will be determined to establish the minimum height at which local buildings are not predicted to affect dispersion.
- 7.2.10 Pollutant concentrations will be predicted for a grid of receptors centred on the stack and sensitive human-health receptors.
- 7.2.11 The significance of the illustrated effects will be described using professional judgement and relevant criteria, including those set out in: the Environment Agency online guidance entitled '*Environmental management – guidance, Air emissions risk assessment for your environmental permit*' and the IAQM/EPUK '*Land-Use Planning & Development Control: Planning for Air Quality*'.
- 7.2.12 Concentrations of nitrogen oxides, sulphur dioxide, ammonia, nutrient nitrogen deposition and acid deposition rates will be modelled for a grid of receptors at the Swale Special Protection Area (SPA) and Ramsar, Medway Estuary and Marshes SPA and Ramsar, Thames Estuary and Marshes SPA and Ramsar; and Queendown Warren Special Area of Conservation (SAC).
- 7.2.13 For traffic-related emissions, traffic generated by WKN will be compared with the relevant threshold criteria in the IAQM/EPUK '*Land-Use Planning & Development Control: Planning for Air Quality*'. If the threshold criteria are not exceeded, the impacts will be considered to not have a significant effect. If the threshold criteria are exceeded, air pollution levels will be predicted at locations around the site using the detailed dispersion model, ADMS Roads. The significance of the illustrated effects will be described using professional judgement and relevant criteria, including those set out in the IAQM/EPUK '*Land-Use Planning & Development Control: Planning for Air Quality*'.
- 7.2.14 The risk of dust impacts during the operational phase will be qualitatively assessed using a source-pathway-receptor conceptual model based on the IAQM '*Guidance on the Assessment of dust from Demolition and Construction*' with appropriate modifications.
- 7.2.15 The potential for odour impacts will be qualitatively assessed using the method in the IAQM '*Guidance on the assessment of odour for planning*'.
- 7.2.16 The feedstock is only likely to be significantly biologically active if it contains putrescible material (e.g. rotting food) and exposure is likely to occur only if the material is subject to an activity that creates airborne particles, for example shredding. However, any putrescible material in the feedstock for the facility is unlikely to be in an advanced state of decomposition by the time it reaches the

shredding stage. On this basis, bioaerosol emissions are not expected to be significant and will not be considered within the assessment.

- 7.2.17 Mitigation measures to improve air quality during the operational phase will be recommended, should initial results of the assessment show any adverse air quality effects arising from the proposed development.

#### Cumulative effects

- 7.2.18 Cumulative air quality effects arising from the project alongside other projects within the area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment.
- 7.2.19 The baseline will include the permitted K3. The effects of cumulative emissions from WKN will be assessed by evaluating two scenarios; one with WKN and the other developments, and one with WKN and the proposed upgraded K3 emissions, rather than the permitted K3, with the other developments. The modelling of those two scenarios will therefore allow the cumulative effects of WKN to be assessed both with and without the proposed upgraded emissions to K3.

#### Transboundary Effects

- 7.2.20 It is not considered that there is any potential for significant transboundary effects to occur as a result of the project. The potential for this will however be reviewed following result of the modelling exercise identified above.

### 7.3 WKN - Climate change

#### Background

- 7.3.1 This section of the scoping report considers the assessment of potential impacts on and due to climate change. Climate change here is considered broadly in two domains: the impact of greenhouse gas emissions (GHGs) caused directly or indirectly by the proposed development, which contribute to climate change; and the potential impact of changes in climate to the development, which could affect it directly or could modify its other environmental impacts.

#### Currently known baseline

- 7.3.2 With regard to current climate, the baseline is the local and regional climate and resulting weather patterns, recorded in Met Office data. This is in the context however of trends in global climate changes affecting the UK climate, which at their present rates may be considered part of the known baseline (Jenkins, et al., 2009).
- 7.3.3 With regard to current GHG emissions, the baseline is firstly the GHG emissions arising from the existing treatment or disposal of the waste that would be combusted in the proposed development, and secondly the GHG emissions from other grid-connected generation sources that the proposed development would displace due to the electricity it exports. Again, changes in this baseline are also known, principally the ongoing decrease in carbon intensity of grid electricity generation.

#### Potential significant effects

- 7.3.4 A priori, there is the possibility of significant effects due to: (a) construction, operational and decommissioning stage GHG emissions; and/or (b) vulnerability of the development to climate change over the course of its operational lifetime and at the time of decommissioning.
- 7.3.5 GHG emissions would contribute to the effect of global climate change. Assessment guidance (IEMA, 2017) indicates that in principle, any GHG emissions may be considered to be significant, and advocates as good practice that GHG emissions should always be reported at an appropriate, proportionate level of detail in an ES.
- 7.3.6 With regard to operational GHG emissions, the main impact would be direct GHG releases from waste combustion, comprising mainly CO<sub>2</sub> and N<sub>2</sub>O (depending on the reagent used for NO<sub>x</sub> control) with a minor component of CH<sub>4</sub>. Minor direct GHG emissions will be caused by transport of waste and combustion residues. There may be minor uptake of atmospheric CO<sub>2</sub> by bottom ash while stored pending transport off-site. Generation of energy and treatment of waste would avoid GHG emissions from baseline energy generation (e.g. grid-connected electricity generators or boilers at heat customer sites) and from baseline waste treatment, assumed to be landfill for residual waste. Indirect emission reductions may also arise from the recycling of

metals recovered from bottom ash and re-use of the bottom ash itself in construction.

- 7.3.7 Combustion of waste will give rise to both fossil carbon emissions (e.g. from plastics) and short-cycle biogenic carbon from the organic fraction of the waste. Both would be assessed but due to the net neutral effect of short-cycle biogenic CO<sub>2</sub> on net atmospheric concentration (over timescales in the order of years to around a decade), only fossil carbon would potentially contribute to a significant net effect.
- 7.3.8 With regard to construction-stage GHG emissions, the main impact would be the 'embodied carbon' in construction materials used, i.e. the indirect GHG emissions from the supply chain for those materials. These are expected to be relatively minor compared to operational emissions, but also to have higher uncertainty, and so are proposed to be estimated where possible to consider whether effects may be significant. Direct GHG emissions from construction activities (e.g. fuel consumption by construction plant) are considered to be de-minimis and not proposed to be assessed.
- 7.3.9 Decommissioning stage GHG emissions are very unlikely to be significant and are proposed to be scoped out of the assessment because:
- decommissioning emissions they would not exceed construction stage impacts, and many materials with their embodied carbon are likely to be recovered and recycled;
  - if disposed of and not recycled, the materials are likely to be mainly inert waste (e.g. metals, concrete), not of a nature to generate GHG emissions from decomposition or incineration; and
  - national decarbonisation in line with climate change targets is expected to be such that GHG emissions from decommissioning-related activity would be substantially lower at that time, several decades hence.
- 7.3.10 With regard to the impacts of climate change on the development itself or on modifying its impacts on other receptors, the main impact is change in flood risk due to sea level change, river flow change, and change in peak rainfall intensities and/or the probability of extreme rainfall events. This impact could affect flood risk on the development site or could modify the flood risk caused by the development to other receptors. This impact is proposed to be assessed in the 'Water Environment' (hydrology and flood risk) assessment, as detailed in Section 7.10.
- 7.3.11 Changes in climate over the proposed development's operational lifetime may also stress the ecosystems of designated habitats in the local area, potentially reducing their resilience to any environmental impacts from the development (e.g. nitrogen deposition). If relevant, this will be considered in the biodiversity assessment.
- 7.3.12 Other climatic changes are not expected to be cause a risk of significant impacts to the development over its expected operational lifetime (in the order

of 25-35 years). The Met Office UK Carbon Projections ('UKCP09')<sup>3</sup> dataset (Met Office and Defra, n.d.) provides probabilistic projections of change in climatic variables in regions of the UK over time under several potential future global emissions scenarios. The projections are given for 25 km grid squares: the proposed development lies in square 1708.

- 7.3.13 These projections were reviewed in detail at EIA scoping stage for the nearby 'Kemsley K4' power station NSIP, which is in the same 25 km grid square and shares the same characteristics as the proposed development with respect to climate change vulnerability. The PINS Scoping Opinion on behalf of the Secretary of State agreed that vulnerability to climate change should be scoped out of the EIA (page 26) <sup>4</sup>, and the same approach of scoping out this assessment (save for flood risk and the other factors set out above) is proposed for the WKN development.

#### Proposed assessment methodology

- 7.3.14 Direct and indirect operational GHG emissions caused by the proposed development will be calculated based on the waste transport, throughput tonnage, typical composition and energy balance for WKN. The emissions of displaced grid electricity generation due to exported electricity, avoided emissions from landfill disposal of waste, and emissions associated with disposal/re-use of combustion residues will also be calculated, and from this the net emissions attributable to WKN derived.
- 7.3.15 Annual operational GHG emissions and cumulative total GHG emissions over the proposed operating lifetime (taking into account changes in the future baseline such as grid electricity generation decarbonisation, where feasible) will be presented in the ES. Emissions factors and projections published by BEIS and Defra or other literature sources will be used as required.
- 7.3.16 Indirect construction-stage GHG emissions caused by the proposed development will be estimated based on published lifecycle emissions factors for the construction materials whose volume and carbon intensity are estimated to be most significant (e.g. concrete and steel) and for major engineered components (e.g. steam turbine and boilers), insofar as possible from available design information. The boundary of the assessment will be defined by the available published lifecycle assessments for such materials and components. If design information or sufficient materials estimates are not available, estimates of the construction-stage emissions' contribution to total lifecycle total will be made based on published literature sources.
- 7.3.17 There are no clear, generally-agreed thresholds or methods for evaluating the significance of GHG impacts in EIA. The IEMA guidance referenced above recommends contextualising a development's GHG impacts, for example on a sectoral basis or compared to the UK's national carbon budget.

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<sup>3</sup> CP09 is presently being updated to CP18, expected to be published in November 2018 (Met Office, 2018). CP09 remains the most up-to-date available data and remains an appropriate tool for adaptation planning (Met Office, n.d.).

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010090/EN010090-000025-Scoping%20Opinion.pdf>



7.3.18 It is considered that broadly speaking, the significance of the proposed development's GHG emissions can be contextualised in the following ways:

- with reference to the absolute magnitude of net GHG emissions as a percentage of the UK's national carbon budget;
- through considering the net change in GHG emissions compared to a business-as-usual baseline of landfilling waste;
- through comparing the GHG emissions intensity of WKN to baseline emissions intensity for electricity and heat generation that is displaced, and projections for future changes in that baseline; and/or
- with reference to whether the proposed development contributes to and is in line with the UK's national carbon budget sectoral goals for GHG emissions reduction, which are consistent with science-based commitments to limit global climate change to an internationally-agreed level.

7.3.19 Taking these factors into account, where applicable, the evaluation of significance will ultimately be a matter of professional judgement, as it is not considered that a fixed numerical threshold can be defined.

#### Cumulative effects

7.3.20 GHG emission impacts by their nature are cumulative with all other global sources, so this forms part of the assessment by informing sensitivity of the receptor (global atmospheric GHG concentrations) which is affected by all cumulative GHG emissions.

#### Trans-boundary effects

7.3.21 GHG emission impacts by their nature lead to a trans-boundary effect on global climate change, so this forms part of the assessment. The impacts of climate change on effects such as flooding associated with the development would be only at the local scale.

## 7.4 WKN - Noise

### Background

- 7.4.1 This section of the Scoping Report considers the assessment of noise and vibration effects of relevance to the WKN Proposed Development and considers the potential impacts and likely significant effects from the construction, operation, maintenance and decommissioning of the project in terms of noise and vibration effects on prescribed receptors, including residential and ecological receptors in the area.

### Currently known baseline

- 7.4.2 Baseline noise data gathered to support previous ES assessments for this and other sites within the Kemsley Paper Mill will be used to determine a representative baseline noise level across the site and wider area. Surveys to gather additional baseline noise data will be undertaken to confirm the current noise environment.
- 7.4.3 It is anticipated that (subject to agreement with the KCC) further survey would include up to two unattended 7-day surveys, supplemented with attended measurements and observations, as appropriate. Measured data will take account of weather conditions during the survey to obtain a dataset from which representative baseline ambient and background sound levels for the assessment will be derived, commensurate with the requirements of British Standard (BS) 4142:2014 'Methods for rating and assessing industrial and commercial sound' and BS 7445 'Description and measurement of environmental noise. Part 2: Guide to the acquisition of data pertinent to land use'. The surveys will be designed such as to minimise any contribution from construction works in the area.
- 7.4.4 No measurement of baseline vibration is required, as vibration assessment will be made against absolute levels, assuming no significant existing vibration.

### Potential significant effects

- 7.4.5 It is proposed that the EIA includes an assessment of noise effects associated with all phases of the project in the context of a current and future baseline environment when the project is likely to become operational. The assessment will establish whether any proposed mitigation is sufficient and whether further mitigation is required.
- 7.4.6 The potential noise impacts associated with the project include:
- Noise generated by construction plant located at the project site.
  - Vibration generated by construction plant, located at the project site.
  - Operational noise, including noise from both fixed and mobile plant on site

- Operational noise associated with development traffic on the existing road network.

7.4.7 Operational vibration will be controlled at source and would be most unlikely to be perceptible beyond the immediate structure of the buildings. A qualitative assessment, scoping out detailed predications is considered to be appropriate but will be confirmed and reviewed within the EIA.

#### Proposed assessment methodology

7.4.8 The baseline sound environment would be determined from the results of data acquired from measurement surveys undertaken following the guidance contained within BS 7445-1:2003, BS 7445-2:1991 and BS 4142:2014. Locations would be representative of the nearest noise sensitive receptors.

7.4.9 Due regard would be given to the Noise Policy Statement for England (NPSE), National Planning Policy Framework (NPPF) and published Planning Practice Guidance on Noise (PPGN).

#### ***Construction Effects***

7.4.10 Construction effects will be considered using the Code of practice for noise and vibration control on construction and open site, BS 5228-1:2009+A1:2014 Noise, and BS 5228-2:2009+A1:2014 Vibration. For construction noise, the BS 5228-1:2009+A1:2014 example method 2 – The 5 dB(A) change criteria will be followed. Vibration generated from construction plant will be assessed qualitatively.

#### ***Operational Effects***

7.4.11 Noise levels arising from the operation of the project would be predicted using SoundPLAN modelling software, implementing the methodology contained within ISO 9613-2. Broadband internal noise levels for the areas containing the most significant noise generating plant and Sound Reduction Indices (SRIs) of the facades of the building will be provided by the project engineers. Assessment would be made using the methodology within BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'.

7.4.12 Operational effects will also be considered in the context of the wider industrial area, so as to quantify any potential cumulative effects.

#### ***Decommissioning Phase***

7.4.13 The potential effects during decommissioning will be qualitatively compared with those associated with the construction phase.

***Cumulative effects***

- 7.4.14 The potential cumulative effects will be qualitatively assessed for potential effects of the Proposed Development with other schemes that are operational, constructed, consented or for which planning permissions are currently being sought will be considered.

## 7.5 WKN - Human Health

### Background

- 7.5.1 This section of the Scoping Report considers health determinants relevant to the WKN Proposed Development, and the likely significant human health effects (both adverse and beneficial) from the construction, operation, maintenance and decommissioning of the WKN proposed development on local community receptors.

### Currently known baseline

- 7.5.2 There are nearby residential receptors to the west of the K3 proposed development which are located within Swale local authority district, Kent. The human health chapter will analyse baseline data at the local authority level as data is not readily available at a higher spatial resolution (i.e. at ward level).
- 7.5.3 There is a larger percentage of residents aged 65+ and under 18 within Swale compared to the national average. Life expectancy for both males and females within Swale is below the national average. Under 75 mortality rate for all causes and cancer is higher than the national average while under 75 mortality rate for cardiovascular disease is lower than the national average.
- 7.5.4 Lifestyle factors vary; excessive alcohol intake (measured using alcohol-related harm hospital stays as a proxy) is lower than the national average. However, smoking prevalence and excess weight in adults are both higher than the national average, while the level of physical activity participation (aged 19+) is lower than the national average.
- 7.5.5 In terms of socio-economic indicators, the total number of unemployed individuals within Swale is 3,100 (4.5% of the total population); this increases to 33,500 within Kent (4.3% of the total population). There is a higher proportion of the population who are unemployed within Swale and Kent compared to the regional average. Qualification attainment within Swale is generally low, whereby there is a lower proportion of the population attaining NVQ1+ to NVQ4+ qualifications and a higher proportion of the population with no qualifications. However, average income within Swale is higher than the national average but lower than the regional average.

### Potential significant effects

- 7.5.6 Based on currently available project information, the potentially relevant health determinants which are likely to be assessed are identified in in the Table below Identification of a potentially relevant health determinant at this stage does not necessarily indicate that there would be a significant effect. A significant effect would depend on the magnitude of change and sensitivity of receptors.

**Table: Potential Health Determinants**

Potential Health Determinant	Potential Implication	Distribution
<b>Construction and decommissioning</b>		
Changes in air quality (including dust nuisance, PM <sub>10</sub> , PM <sub>2.5</sub> and NO <sub>2</sub> from on-site construction vehicles and associated transport movements)	Adverse	Local
Changes in noise exposure from on-site construction activities and associated transport movements (including annoyance)	Adverse	Local
Changes in local transport nature and flow rates (severance and risk of accident and injury)	Adverse	Local/regional
Direct, indirect and induced income and employment opportunities	Beneficial	Local/regional
<b>Operation</b>		
Changes in air quality (PM <sub>10</sub> , PM <sub>2.5</sub> and NO <sub>2</sub> from on-site activities and associated transport movements delivering waste)	Adverse	Local
Changes in noise exposure from on-site construction activities and associated transport movements (including annoyance and sleep disturbance)	Adverse	Local
Changes in local transport nature and flow rates (severance and risk of accident and injury)	Adverse	Local/regional
Direct, indirect and induced income and employment opportunities	Beneficial	Local/regional

7.5.7 The list of health determinants to be assessed will be further refined following receipt of the formal scoping opinion and local community engagement to ensure all health-related concerns and perceived risks are addressed.

Proposed assessment methodology

7.5.8 The human health assessment will draw from and build upon outputs from the wider technical disciplines, and information collected a part of the health baseline section, to assess the magnitude, distribution and significance of potential health outcomes (both adverse and beneficial) that would be directly attributed to the proposed development.

7.5.9 Where possible, the human health assessment will apply internationally recognised quantitative assessment methods. However, as a minimum the assessment is anticipated to include the following:

- qualitative assessment for all health determinants associated with the construction phase;
- quantitative assessment for air quality impacts, taking the worst-case change in air quality at any residential receptor to investigate and material change in hazard exposure and risk to health;

- qualitative assessment of noise impacts using the recommended WHO night-time noise limit as a threshold for sleep disturbance;
- qualitative assessment of changes in local transport flows to appraise impact on severance and risk of accident and injury; and
- qualitative assessment on the potential benefits of income and employment opportunities based on local socio-economic circumstance.

#### Cumulative effects

- 7.5.10 Due to the inter-relationship between human health and the wider technical disciplines, potential cumulative effects will already be considered within the technical outputs from which the human health assessment is derived.

#### Transboundary Effects

- 7.5.11 As shown in the above Table, it is anticipated that any potentially significant effect on human health would have either a local or regional distribution. As a result, it is not expected that there would be any transboundary effects on human health directly attributed to the WKN proposed development.

## 7.6 WKN - Ground conditions

### Background

- 7.6.1 This section of the Scoping Report covers ground conditions, with particular emphasis on land and groundwater contamination.
- 7.6.2 As assessment is required as part of the EIA to determine the nature of effects on human health and controlled waters that may result from the WKN Proposed Development in light of the ground conditions encountered across and adjacent to the development area.

### Currently known baseline

- 7.6.3 Several ground investigations and land contamination assessments have been previously been undertaken within the boundaries of the site and provide information of the existing ground conditions within the development area. The key reports are:
- RPS Group, 'Interpretative Ground Investigation Report, Pre-Commencement Works for the Sustainable Energy Plant, Kemsley Paper Mill, Sittingbourne, Kent', on behalf of EEW Energy from Waste UK Limited, June 2013 (this report includes review of a ground investigation undertaken by CMW in 1995); and
  - RPS Group, 'Site Investigation Report, Kemsley Paper Mill' on behalf of Wheelabrator Technologies Inc. December 2015.
- 7.6.4 In addition to the above, several other ground investigations and land contamination assessments have been undertaken adjacent to the south of the proposed development, within the boundaries of the K3 development area. The additional key reports are:
- RPS Group, 'Phase 2 Intrusive Site Investigation, Kemsley Paper Mill, Sittingbourne, Kent', on behalf of E.ON, September 2009;
  - RPS Group, 'Development of a Sustainable Energy Plant, Kemsley Paper Mill, Environmental Statement, Chapter 11: Hydrogeology and Ground Conditions'; and
  - URS Group, 'Geotechnical and Environmental Site Investigation', on behalf of John Sisk & Sons Ltd, January 2013.
- 7.6.5 A review of the above reports undertaken within the proposed development area identified that the ground conditions beneath the site typically comprise:
- Made Ground to depths of between 1.9 and 4.6 metres below ground level (mbgl), with a variable composition including fragments of concrete, brick, glass, metal, ash and clinker;



- Superficial Alluvium, typically comprising a soft to stiff clay to depths of between 6.0 and 8.6 mbgl; and
- London Clay Formation, typically comprising a stiff bluish clay to depths of between 12.2 and 15.7 mbgl.

7.6.6 The Lambeth Group was identified beneath the London Clay Formation, typically comprising clay with sands and gravels locally present. The thickness of the stratum was not proven although it is anticipated that the Lambeth Group is between 8.0 and 18.0 m in thickness. The Lambeth Group is believed to be underlain by fine-grained sand of the Thanet Formation, with the Upper Cretaceous White Chalk Subgroup present at depth.

7.6.7 Shallow perched water was encountered at numerous locations towards the base of the Made Ground and within the upper horizons of the Alluvium. Available information suggests that this water body may be discontinuous. Groundwater was encountered within the Lambeth Group, with groundwater levels rising under confining pressure to depths of between 3.64 and 6.5 mbgl. The subartesian groundwater conditions indicate that groundwater within the Lambeth Group is confined by the overlying London Clay Formation

7.6.8 Visual / olfactory evidence of contamination was identified at numerous locations, predominantly within the Made Ground.

7.6.9 Land contamination risk assessments undertaken in association with the referenced ground investigations at the site of the proposed development indicated:

- The presence of inorganic and organic contaminants within soil did not pose an unacceptable risk to human health on the basis of a commercial end use;
- The localised presence of asbestos fibres within the Made Ground were considered to pose an unacceptable risk to human health;
- The presence of inorganic and organic contamination within groundwater did not pose an unacceptable risk to controlled waters; and
- A Characteristic Situation 2 (Low Risk) to be applicable based upon the presence of ground gas.

7.6.10 The geological strata are classified by the Environment Agency as follows:

- Alluvium – Secondary Undifferentiated Aquifer;
- London Clay Formation- Unproductive Strata;
- Lambeth Group / Thanet Sand – Secondary A Aquifer; and
- Chalk – Principal Aquifer.

- 7.6.11 The principal receptors for possible contamination that may reside at the site are construction workers / site end-users (human health), groundwater beneath / adjacent to the Proposed Development area and surface water to the east (River Swale). The clay rich nature of the Alluvium encountered underlying the Made Ground is unlikely to constitute a viable aquifer unit. The low permeability London Clay Formation and the Alluvium is also expected to restrict the vertical migration of any contamination associated with soils and/or perched water bodies, thereby affording protection to the underlying aquifer units. However, the use of a piled foundation solution as part of development design could create preferential pathways for contaminant migration.
- 7.6.12 Kemsley Waste Disposal Site is located to the south of the development area (beyond the K3 development area) comprising a landfill of some 11 Ha in area. The landfill has been used for the disposal of wastes generated by the Kemsley Mill paper making processes since the commissioning of the mill in 1928. The capping system installed across the entire landfill between 1993 and 2004 comprises a 0.6 m clay cap overlain by a 0.4 protective layer of topsoil. It is understood that landfill gas production at the Kemsley Waste Disposal site is managed to the satisfaction of the regulatory authorities. This site has the potential to generate ground gases that could pose a risk to the development area where appropriate mitigation measures are not taken.

#### Potential significant effects

- 7.6.13 Previous ground investigation works have not identified unacceptable risks to human health or controlled waters from the presence of inorganic and organic contaminants, however localised areas of asbestos have been identified within the Made Ground that are considered to pose a risk to human health. There is also the potential for areas of previously unidentified contamination to be present within the shallow soils / perched water that have the potential to impact on human health and / or controlled waters. Any such areas of previously unidentified contamination and the identified asbestos would require appropriate management during the construction phase. The risk to construction workers could be significant without appropriate mitigation. Such mitigation would typically be defined in the Construction Environmental Management Plan (CEMP).
- 7.6.14 The proposed construction and operational activities also have the potential to create new areas of contamination and pathways where not appropriately controlled. Groundwater flow beneath the proposed development area is not considered likely to be impacted when the nature of the shallow deposits are considered together with the proposed development. Should piled foundations be constructed as part of the development, a piling risk assessment would be undertaken to establish the appropriate piling technique to minimise the potential for downward migration of contamination within perched water.
- 7.6.15 Ground gas generation, principally associated with the Kemsley Waste Disposal Site, has the potential to impact the proposed development where appropriate mitigation measures are not implemented.

Proposed assessment methodology

- 7.6.16 The ES chapter will include an assessment of the likely significant effects from the construction and operation of the project on controlled water receptors (groundwater and surface water) and the human health of construction workers and site users.
- 7.6.17 The baseline conditions within the proposed development area will be established through a series of assessments that will take consideration of the following key guidance documents:
- BS10175:2011 + A2:2017 Code of Practice for Investigation of Potentially Contaminated sites;
  - BSI BS5930:2015 Code of Practice for Site Investigations;
  - Model Procedures for the Management of Contaminated Land, Contaminated Land Report 11;
  - Environment Agency, 2004; Contaminated Land Exposure Assessment (CLEA) Guidelines;
  - The LQM/CIEH S4ULS for Human Health Risk Assessment, 2015;
  - Surface Water Environmental Quality Standards (EQS), UK Drinking Water Standards; and
  - Assessing Risks Posed by Hazardous Ground Gases to Buildings, CIRIA Report C665.
- 7.6.18 The assessments will follow the pollutant (source-pathway-receptor) linkage approach to identify potential sources of contamination within the proposed development area, the type and location of environmental receptors and the pathways by which the receptors may be affected.
- 7.6.19 The following outline approach shall be adopted for the risk assessment and assessment of significance of effects:
- Desk Top Study (DTS) and Preliminary Risk Assessment (PRA) Report: Review of all historical and publically available sources information pertinent to the site and its immediate environs. This shall include the Conceptual Site Model (CSM) and associated pollutant linkages and the preliminary (qualitative) assessment of risk;
  - Definition of 'Study Area' and baseline period: on the basis of the results of the DTS the Study Area (area that could potentially be impacted by the proposed development) can be defined and baseline date for the assessment determined;
  - Define Baseline Conditions for the Study Area: It is assumed that sufficient data will be available for the site, although the DTS could conclude that intrusive investigation works may be required to

adequately further define the baseline conditions and the potential for contamination. Where this is the case this intrusive ground investigation will be undertaken in support of the Ground Conditions chapter;

- Definition of the sensitivity of receptors; and
- Qualitative assessment of significance of effects on the basis of the magnitude of effect and sensitivity of receptor.

7.6.20 The significance of likely effects during construction and operation of the project will be assessed by consideration of the sensitivity of the key attributes of the hydrogeology resources that may be affected and the magnitude of the predicted impact on them. The assessment will consider the likelihood of harm occurring, taking into account potential sources of contamination and receptors that may be affected by such contamination.

7.6.21 This will be in accordance with the assessment matrix and methodology outlined within the remainder of this section. For the purposes of this assessment any effect that is moderate or above will be considered to be significant in EIA terms.

*Sensitivity of Potential Receptor*

7.6.22 The sensitivity of potential receptors will be qualitatively described and categorised based on the terminology in the Table below.

**Table: Receptor Sensitivity Criteria**

Sensitivity	Typical Descriptors	Examples
High	High importance and rarity, and limited potential for substitution.	On site future site occupants e.g. staff, through chronic exposure to contamination Principal aquifer with licensed groundwater abstractions Excellent quality surface water bodies
Medium	Medium importance and rarity, limited potential for substitution.	Off site future site occupants e.g. staff on adjacent sites Secondary A aquifer Good quality surface water bodies
Low	Low importance and rarity.	Secondary undifferentiated aquifer Satisfactory quality surface water bodies
Negligible	Very low importance and rarity.	Unproductive strata Poor quality surface water bodies

*Magnitude of Impact*

7.6.23 The magnitude of potential impacts will be qualitatively described and categorised based on the terminology in the Table below.

**Table: Impact Magnitude Criteria**

Magnitude	Criteria	Example / Description
High	Results in loss of attribute and likely to cause exceedance of statutory objectives and/or breaches of legislation.	<p>Category 1 – Soil contamination that could result in a 'contaminated land' designation under Part IIA, i.e. significant possibility of significant harm to human health or controlled waters.</p> <p>Or</p> <p>A change of planning use deems that the concentrations of contaminants in the land may be harmful to receptors Remedial Action under Part IIA will be required</p> <p>Or</p> <p>Loss of resource or severe damage to characteristics, features or elements e.g. of a geologically designated site.</p>
Medium	Results in impact on integrity of attribute or loss of part of attribute possibly with / without exceedance of Statutory objectives or with/ without breaches in legislation.	<p>Category 2 - Soil contamination that could provide a strong case for considering that the risks are of significant concern so as to be designated as 'contaminated land' designation under Part IIA.</p> <p>Or</p> <p>A change of planning use deems that the concentrations of contaminants in the land may be harmful to receptors Remedial Action under Part IIA will be required on a precautionary basis.</p> <p>Or</p> <p>Partial loss of / damage to characteristics, features or elements e.g. of a geologically designated site.</p>
Low	Results in minor impact on attribute.	<p>Category 3 – Soil contamination could arise but the concentrations would not be considered significant or there is a low likelihood of serious pollution.</p> <p>Or</p> <p>A change of planning use deems that the concentrations of contaminants in the land are not capable of harming receptors. It is unlikely that remedial action will be required, however land owners may consider remedial actions to reduce contamination outside of the Part IIA or planning regime.</p> <p>Or</p> <p>Minor damage to characteristics, features or elements e.g. of geological feature of interest.</p>
Negligible	Results in no discernible change or an impact on attribute of insufficient magnitude to affect the use / integrity.	<p>Soil contaminants present, but risk assessment suggests negligible / low risk to human health.</p> <p>Or</p> <p>Very minor damage to characteristics, features or elements e.g. of geological feature of interest.</p>

7.6.24 The significance of an effect will be determined from the predicted magnitude of an impact and the sensitivity of the receptor using the matrix provided in the Table below.

**Table: Assessment of Effects**

Sensitivity	Magnitude of Impact			
	Negligible	Low	Medium	High
Negligible	Negligible	Negligible or Minor	Negligible or Minor	Minor
Low	Negligible or Minor	Negligible or Minor	Minor	Minor or Moderate
Medium	Negligible or Minor	Minor	Moderate	Moderate or Major
High	Minor	Minor or Moderate	Moderate or Major	Major

Cumulative effects

7.6.25 An assessment of cumulative effects will be considered within the ES Chapter. The assessment will consider potential contamination within other local sites to evaluate the risks and significance of effects posed by those developments. Following the assessment, any identified requirement for remediation should be completed prior to the start of, or as a justified part of, the construction phase. Accepting that other proposed developments in the area around the site are adequately assessed, remediated and mitigated, they should themselves result in no significant adverse effects, and it is therefore considered that there would be no measurable cumulative effects.

Transboundary Effects

7.6.26 It is not considered that there is any potential for transboundary effects on hydrology receptors to occur as a result of the project.

## 7.7 WKN - Landscape and visual effects

### Background

- 7.7.1 The landscape, townscape and visual resources chapter of the Environmental Statement will describe and assess the existing landscape and townscape character and views of the application site and study area. This will include the character and features of the landscape and townscape and the changes as a result of the WKN Proposed Development during construction, operation and maintenance and decommissioning, during the daytime and at night. In addition, it will consider the potential visual effects as a result of the proposed development.

### Currently known baseline

- 7.7.2 The application site currently comprises concrete and hardcore hardstanding surrounded by a perimeter security fence and forms the laydown and parking area for the construction of the adjacent K3 facility. The character of the local landscape within the Borough of Swale has been assessed as part of the Swale Landscape Character and Biodiversity Appraisal Supplementary Planning Document in September 2011. The application site forms part of the Sittingbourne urban area which lies outside any of the landscape character areas identified within the assessment.
- 7.7.3 The immediate surroundings of the site are divided between the industrial townscape of Sittingbourne and the natural estuary landscape of The Swale within the Chetney and Greenborough Marshes landscape character area. Large scale industrial buildings and chimneys at the DS Smith Paper Mill form the western site boundary, separating the location from the residential districts of Sittingbourne to the west. To the south lies the K3 facility under construction with the large grassy hill of the restored landfill site beyond. To the east lies the Swale and Isle of Sheppey and to the north lies a small remnant of Kemsley Marshes with industrial development beyond.
- 7.7.4 There are no designated landscapes which lie within the site area. The North Kent Marshes Special Landscape Area (also known as Area of High Landscape Value: Kent Level) extends over the Swale and neighbouring coastal landscape. This area includes the Chetney and Greenborough Marshes which lie next to the site and extend along Milton Creek. This area is valued for the open character of its landscape. Other designated landscapes within the borough include an Area of High Landscape Value: Swale Level approximately 1.5 km to the south-east of the site. This area of landscape lies inland of the marshes and includes the Teynham Fruit Belt. The Kent Downs Area of Outstanding Natural Beauty (AONB) lies on high land approximately 7 km to the south-east of the site.

### **Views**

- 7.7.5 The site is currently not visible in views from the majority of the settlement of Sittingbourne due to industrial development on the edge of the town and the K3 facility under construction. To the east and north of the site the channel of

the Swale and low lying landscape of the Isle of Sheppey allow more open, longer distance views. Key people likely to have views of the proposals include;

- Walkers using the Saxon Shore Way long distance footpath beside The Swale and Milton Creek
- Users of public open space at Church Marshes Country Park
- Pedestrians using the pavements on Swale Way,
- Walkers using public footpaths at Elmley National Nature Reserve on the Isle of Sheppey
- Walkers using public footpaths at Furze Hill on the Isle of Sheppey
- Occupiers of residential properties at Tonge Corner
- Occupiers of vehicles travelling on Swale Way
- Occupiers of vehicles travelling on Barge Way
- Occupiers of vehicles travelling on Sheppey Way and Kingsferry Bridge
- Occupiers of vehicles travelling on the A249
- Occupiers of vessels on The Swale
- Employees within commercial and industrial premises on the northern edge of Sittingbourne.

#### ***Future Baseline Conditions***

- 7.7.6 The baling plant associated with the DS Smith Kemsley Paper Mill site is consented. This lies in close proximity to the WKN site and will create a more intensively developed future baseline situation.

#### Potential significant effects

- 7.7.7 The proposed development has the potential to lead to environmental effects on the landscape and associated visual effects. In order to determine whether these have the potential to be significant and therefore should be included within the EIA scope, the following sub-headings have been examined within the scoping process:
- Effects on landscape and townscape character during and post construction phase, including night time lighting, as relevant
  - Effects on sensitive visual receptors during and post construction phase, including night time lighting, as relevant



### ***Landscape and Townscape Character***

- 7.7.8 Due to the industrial character of the existing site area, its development would not result in the removal of any important existing features. New buildings and infrastructure would form an extension of the existing character of neighbouring land at DS Smith, including the K3 facility. Significant adverse effects on townscape character during construction, operation, maintenance or decommissioning, during the day or at night, would be unlikely.
- 7.7.9 Significant adverse effects on nearby landscape character areas and landscape designations would also be unlikely due to the similar nature of the industrial context however, due to the scale of the proposed development in a sensitive landscape context, an assessment of landscape and townscape effects will be included in the EIA scope.

### ***Visual Amenity***

- 7.7.10 Any significant adverse effects during construction, operation, maintenance or decommissioning on views gained by visual receptors within the study area as a result of the proposals are likely to be confined to users of public rights of way in close proximity to the site, including the Saxon Shore Way long distance path, who may experience significant sequential effects during a journey. The proposed buildings and structures would generally be visible in front of a backdrop of existing and soon to be completed large scale industrial buildings at the paper mill. There are unlikely to be any locations where new industrial buildings or structures at the proposal site would be seen in a view that does not already contain views of large areas of existing industry.
- 7.7.11 At this stage the design and exact height of the flue and the extent of any visible plume are not known therefore, as a precautionary approach, visual effects and associated effects on landscape and townscape character will be included in the EIA scope.

### **Proposed assessment methodology**

- 7.7.12 As a matter of best practice, the assessment will be undertaken based on the relevant guidance on landscape and visual assessment within the Landscape Institute and Institute of Environmental Management and Assessment (2013) 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA) 3rd Edition.
- 7.7.13 A Zone of Theoretical Visibility (ZTV) of the proposed development will be generated to establish the study area based on a maximum flue height and main building height. Baseline analysis work will be undertaken to identify the existing townscape character of the site, adjacent townscape of Sittingbourne and landscape of Kent and the Isle of Sheppey and their susceptibility to change. Reference to any published landscape assessments will be made, including the Landscape Assessment of Kent (Kent County Council, 2004) and the Swale Landscape Character and Biodiversity Appraisal (Swale Borough Council, 2011).

- 7.7.14 Baseline work will be undertaken to confirm the visual receptors that are likely to have views of the proposals. This will be agreed through consultation with Kent County Council

Cumulative effects

- 7.7.15 Cumulative effects on landscape, townscape and visual resources arising from the K3 and WKN proposals, individually and in combination, with other projects within the study area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment. Developments defined within the future baseline conditions described above will be included within the cumulative assessment.

Transboundary Effects

- 7.7.16 Given the location of the site and its study area wholly within Swale Borough Council, the potential for transboundary effects can be scoped out.

## 7.8 WKN - Archaeology and Cultural Heritage

### Background

- 7.8.1 The assessment team has significant experience in the wider area, including having undertaken the archaeology and cultural heritage assessment both for the consented sustainable energy plant located to the south of the proposal site and the currently proposed NSIP K4 project. Scoping for the current proposal has been undertaken in the light of that experience.
- 7.8.2 This section of the Scoping Report identifies heritage assets of relevance to the project and considers the potential impacts and effects from the construction, operation, maintenance and decommissioning of the project on these assets.

### Currently known baseline

- 7.8.3 The project is located within Historic Landscape Characterisation (HLC) type 12.3 'Industrial complexes and factories' of the Kent Historic Landscape Characterisation (Croft et al., 2001). This HLC type has a high ability to withstand change. The project site is located within a landscape that has seen activity since early times and is of high archaeological potential.
- 7.8.4 The nearest Conservation Area is Milton Regis High Street, located some 2.5 km south west of the project site. The Tonge Conservation Area and the Sittingbourne Conservation Area are located some 2.9 km southeast and some 2.9 km southwest of the project site, respectively. The nearest Registered Park and Garden is Doddington Place, some 9 km to the south of the project site.
- 7.8.5 As shown on Figure 1.5 Appendix 3, no statutory designated sites (e.g. Scheduled Monuments, Listed Buildings) are present within the project site boundary. The closest designated asset is Castle Rough, a Scheduled Monument (List entry Number 1013368), located some 500 metres south west of the project site. The closest listed buildings to the project site are Little Murston Farmhouse to the south east and Great Grovehurst Farmhouse to the west, both listed at Grade II.
- 7.8.6 Site investigation at the K3 site in 2009 has indicated that the development area is underlain by made ground to a depth of between 0.9 metres and 4.6 metres below current ground level. The K3 site was considered to be of low archaeological potential, with the possible exception of very deeply buried alluvium. Those excavating bulk material for the proposed fuel bunker were briefed to the possibility of archaeological deposits in the alluvial material being excavated and were under instruction to alert the Heritage and Conservation office at Kent County Council should anything of significance, in particular any wooden structures, be encountered.

### ***Potential significant effects***

- 7.8.7 The potential impacts on the historic environment associated with the project that require assessment include:

- Direct impacts on heritage assets from construction work within the WKN site (potential for buried archaeological assets on the Generating Station site and the site is already under construction) (construction phase only)
- Temporary impacts on the setting of heritage assets (construction phase only)
- Temporary impacts on historic landscape (construction phase only)
- Impact on the setting of heritage assets (operational/decommissioning phase)
- Impacts on historic landscape (operational/decommissioning phase)

#### Proposed assessment methodology

7.8.8 Relevant Guidance Documents include the following:

- Kent Historic Landscape Characterisation (Croft et al., 2001).
- Design Manual for Roads and Bridges, Volume 11, Section 3, Part 2 (HA 208/7) (Highways Agency et al., 2007).

7.8.9 The study area for desk study and survey is based upon recent experience of similar developments, the site visit and consideration of the landscape study, including the zone of theoretical visibility (ZTV) that has been defined for the landscape assessment (see paragraph 7.8.13 above). This assessment, for the purpose of buried archaeology, focuses on a study area of 1km around the project site. For the purpose of the settings of heritage assets, the assessment focuses on a study area of 3km around the project site while taking into consideration evidence from a wider area if appropriate.

7.8.10 With respect to the settings of heritage assets, only those assets which lie within the ZTV are assessed, using that the guidance prepared by Historic England in their document "The Setting of Heritage Assets" (Historic England 2018) along with "Conservation Principles" (Historic England 2008).

7.8.11 A review of heritage designations, including nationally designated sites, listed buildings and Conservation Areas has been undertaken utilising data sources including:

- Details of Listed Buildings, Scheduled Monuments, Battlefields, Registered Parks and Gardens, and World Heritage sites;
- Historic Environment Records and Conservation Areas from Kent County Council; and
- Historic mapping both published and unpublished including manuscript maps and historic Ordnance Survey maps

7.8.12 A detailed desk-based archaeological assessment will be undertaken to inform the EIA in accordance with the Chartered Institute for Archaeologists' Standards and Guidelines for desk-based assessments. The desk-based assessment will be based on the above data sources and in addition will include:

- Conservation area character appraisals, where available;
- Documentary resources from the Archaeology Data Service website ([www.ads.ahds.ac.uk](http://www.ads.ahds.ac.uk)); and other web based sources as appropriate; and
- A review of relevant documentary and archival material held in libraries and archives will be undertaken. An iterative approach will be adopted during this process to determine the scope of the above consultations/searches.

7.8.13 Based on the results of the desk-based assessment, subject to further discussion with the County Archaeologist, some of the following field surveys may be undertaken as appropriate:

- a walk-over by a suitably qualified and experienced archaeologist, to establish the extent of ground disturbance within the project site, the presence of previously unrecorded heritage assets, and/ or to further assess the potential of recorded heritage assets. In addition, the field visit will assess the suitability of any further survey techniques and will also provide an indication of the likely effect of the proposed development on the settings of heritage assets.
- The scope of any field studies will be discussed with Kent County Council and Historic England, as required, prior to any work taking place.

7.8.14 Specifically, the following heritage assets will be considered:

- World Heritage Sites;
- Listed Buildings (both nationally and locally listed);
- Conservation areas;
- Locally important historic landscapes (including battlefields);
- Registered Parks and Gardens;
- Registered Battlefields;
- Scheduled Monuments; and
- Buried and above ground heritage assets.

7.8.15 The sensitivity of heritage assets will depend on factors such as the condition of the site and the perceived heritage value/importance of the site. The importance of the asset will in part be assessed in terms of national, regional or local statutory or non-statutory protection and grading of the asset.

- 7.8.16 There are no national government guidelines for evaluating the importance of heritage assets. For archaeological assets, the Department of Culture, Media and Sport (DCMS) has adopted a series of recommended (i.e. non-statutory) criteria for use in the determination of national importance when scheduling monuments. These are expressed in the document Scheduled Monuments - Identifying, Protecting, Conserving and Investigating Nationally Important Archaeological Sites under the Ancient Monuments and Archaeological Areas Act 1979 (DCMS, 2010).
- 7.8.17 For historic buildings, assessment of importance is usually based on the designations used in the Listed Building process. Where historic buildings are not listed professional judgement will be used.
- 7.8.18 The sub-topic of Historic Landscape is recognised as having significant overlaps with other topics, such as landscape and townscape and therefore a multi-disciplinary approach to assessment will be adopted. This is to avoid double counting and duplication of effort. There are also significant overlaps with the other cultural heritage sub-topics of archaeological remains and historic buildings.
- 7.8.19 The magnitude of an impact is assessed without regard to the value of the heritage asset. In considering the magnitude of impact, the principle established in Section 12 of the National Planning Policy Framework (NPPF) that preservation of the asset is preferred, and that total physical loss of the asset is least preferred, has been taken into account.
- 7.8.20 It is not always possible to assess the physical impact in terms of percentage loss and therefore it can be important in such cases to try to assess the capacity of the heritage asset to retain its character and significance following any impact. Similarly, impacts resulting from changes within the settings of buried archaeological assets may also be more difficult to assess as they do not involve physical loss of the resource and may be reversible.
- 7.8.21 As for archaeological assets, the magnitude of impact in relation to historic buildings is assessed without regard to the importance of the asset, so the total destruction of an insignificant historic building has the same degree of magnitude of impact as the total loss of a high value historic building. Determination of the magnitude of impact is based on the principle that preservation of the asset and its setting is preferred and that total physical loss of the asset and/or its setting is the least preferred.
- 7.8.22 Historic landscapes cannot be destroyed or damaged but impacts on them can change their character. Impacts are assessed using evaluated HLC units, not the elements/parcels/components that contribute towards the character. There may be impacts resulting from changes within the settings of identified units, especially with regard to designated historic landscapes.
- 7.8.23 The significance of potential effects will be assessed by taking into account the potential magnitude of impacts (e.g. a high magnitude impact could involve the total loss of a heritage asset) and the sensitivity of heritage assets. The assessment matrix provided in Section 4 of this Scoping Report will be adopted. Any potential effects that are assessed as being 'Moderate' significance of effect

or above will be considered to be significant in EIA terms. Potential effects that are considered to be of a 'Minor' significance of effect will be described, however they will not be considered to be significant in EIA terms.

Cumulative effects

- 7.8.24 Cumulative impacts on the historic environment arising from the project alongside other developments within the study area will be considered within the Environmental Statement.

Transboundary Effects

- 7.8.25 On the basis that the ZTV is unlikely to extend beyond 10km from the project site, no transboundary effects are likely to arise.

## 7.9 WKN - Ecology

### Background

- 7.9.1 This section of the Scoping Report covers biodiversity, with particular emphasis on nitrogen pollution, noise and contamination pathways, and the negative impacts these may have on the surrounding designated sites and their respective interest features.
- 7.9.2 An assessment is required as part of the EIA to determine the nature of effects on biodiversity that may result from the WKN Proposed Development in light of the effects across and adjacent to the development area.

### Currently known baseline

- 7.9.3 The proposed WKN development site is currently being used for laydown during the construction of K3 under permitted development rights. It was temporarily cleared of reptiles and other ecological constraints during prior to the commencement of construction following the Ecological Mitigation and Enhancement Strategy (EcolMES) produced for the original K3 application. Prior to this, it was grassland and areas of dense scrub with temporary rubble storage from Paper Mill activities; the original intention was to restore it to rough grassland and scrub post development. The approved application for the IBA Facility on the site provided an updated EcolMES with new habitat creation to mitigate for the permanent loss of grassland. However, with the baseline as K3 constructed, the on-site baseline with respect to ecology would be the grassland/scrub/rubble piles pre development. Extensive survey data was gathered to support the application for K3; this included the WKN site. These highlighted the presence of a population of reptiles, the nationally-rare plant annual-beard grass (also an interest feature of The Swale and Medway Estuary and Marshes Ramsar sites) and various species of breeding birds.
- 7.9.4 Off site, a large area of reedbed lies to the immediate north of the development site/south of the laydown area which has been used by breeding marsh harrier every year surveys have been undertaken (2009, 2012, 2016 & 2018).
- 7.9.5 The proposed laydown area comprises bare, made ground with an area of dense scrub and small patches of rough grassland. Surveys of the grassland for reptiles will be undertaken in autumn 2018.
- 7.9.6 No part of the site has been designated for its nature conservation value (statutory or non-statutory) and no part of the site is directly bordered by a designated site of nature conservation interest, although The Swale Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest (SSSI) is within 10 m of the eastern site boundary. A number of other statutory and non-statutory designated sites are located within 2 km of the site boundary:
- The Swale Marine Conservation Zone (MCZ);
  - Elmley Island National Nature Reserve (NNR); and



- Milton Creek Local Wildlife Site (LWS).

7.9.7 Further internationally-designated sites within 10 km of the site boundary:

- Medway Estuary and Marshes SPA, Ramsar;
- Thames Estuary and Marshes SPA, Ramsar;
- Outer Thames Estuary SPA; and
- Queendown Warren Special Area of Conservation (SAC) (9.1 km south west)

#### Potential significant effects

7.9.8 The ecology baseline will assume the WKN site will comprise a matrix of rough grassland, scrub and rubble piles; this is what is comprised pre-development and as it will be post completion of construction of K3 and once restored to its previous use. There will therefore be direct effects on ecology through the loss of these habitats and associated potential impacts on reptiles, annual beard grass and breeding birds. The establishment of the laydown area will remove areas of breeding bird habitat.

7.9.9 The proposed development has the potential to lead to several detrimental impacts on The Swale SPA, Ramsar and SSSI and other designated sites in the area including:

- Effects of changes to air quality (i.e. NO<sub>x</sub> and associated nutrient nitrogen) on interest features and supporting habitats within surrounding designated sites;
- Accidental release of pollution into The Swale SPA/Ramsar/SSSI; and
- Effects of construction noise on bird interest features of The Swale SPA/Ramsar/SSSI both from the use of the laydown area and within the main development site.

7.9.1 Other potential effects on ecological receptors include via:

- water quality/volume of discharge;
- noise;
- air quality;
- management regime;
- habitat loss; and
- introduction of non-native species

Proposed assessment methodology

- 7.9.2 The ecology and nature conservation assessment process will be undertaken in accordance with the Guidelines for Ecological Impact Assessment (EclA) in the UK and Ireland – Terrestrial, Freshwater and Coastal, 2nd Edition (CIEEM, 2016). The effect of the development on European designated sites in the surrounding 10 km will be assessed following the method set out in PINS Advice Note 10: Habitats Regulations Assessment Relevant to Nationally Significant Infrastructure Projects (PINS 2016). This will be presented as a technical appendix to the Ecology Chapter within the ES, either as a No Significant Effects Report or (if Appropriate Assessment is required following screening) as a Habitats Regulations Assessment Report.
- 7.9.3 Effect of changes to air quality on designated sites will be assessed using data generated by the Air Quality team and background data, along with relevant site-specific critical loads, gathered from the APIS website.

Receptor Sensitivity

- 7.9.4 The approach to determining the nature conservation value and/or sensitivity of each receptor is outlined in the Table below.

**Table: Proposed Method of Defining Sensitivity**

Conservation value and/or sensitivity	Definition
Negligible	Including importance at local level. Commonplace feature of little or no habitat/historical significance. Loss of such a feature would not be seen as detrimental to the ecology of the area.
Low	Including importance at district level. A feature (e.g. habitat or population) that is of nature conservation value in a local context only, with insufficient value to merit a formal nature conservation designation.
Medium	Habitats or species that form part of the cited interest of a Local Nature Reserve (LNR), or some local-level designated sites, such as a Local Wildlife Site (LWS), also referred to as a non-statutory Site of Importance for Nature Conservation (SINC) or the equivalent, e.g., Ancient Woodland designation.
High	Habitats or species that form part of the cited interest within a nationally designated site, such as an SSSI or a (National Nature Reserve (NNR).
Very high	Habitats or species that form part of the cited interest within an internationally protected site, such as those designated under the Habitats Directive (e.g., SACs) or other international convention (e.g., Ramsar site).

Magnitude of Impact

- 7.9.5 The likely impacts of the project are determined through understanding how each receptor would be affected by the elements of the project. The

categorisation of the impact magnitude may take into account the following four factors:

- Extent;
- Duration;
- Frequency; and
- Reversibility.

7.9.6 Impacts will be defined as either adverse or beneficial. Depending on discipline, they may also be described as:

- Direct: Arise from activities associated with the project. These tend to be either spatially or temporally concurrent;
- Indirect: Impacts on the environment which are not a direct result of the project, often produced away from the project site or as a result of a complex pathway.

#### Significance of effect

7.9.7 The significance of predicted effects will be evaluated. Taking into account the assessment methodology, an impact of high negative magnitude on a feature of less than district level importance would result in an effect of minor ecological and nature conservation significance, which would not be significant in EIA terms. Therefore, for the purpose of this impact assessment, receptor sites, habitats and species are considered further if they are of at least a district level of importance or sensitivity.

7.9.8 Levels of significance that will be used in the assessment include, in descending order:

- Substantial;
- Major;
- Moderate;
- Minor;
- Neutral.

7.9.9 Where an effect is described as 'neutral' this means that there is either no effect or that the significance of any effect is considered to be negligible. All other levels of significance will apply to both adverse and beneficial effects.

#### Cumulative effects

- 7.9.10 Cumulative effects on ecology and nature conservation receptors arising from the project alongside other projects within the area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment.
- 7.9.11 The scope for impacts to interact to potentially create a more significant effect on ecology and nature conservation will be assessed in the EIA (i.e. project lifetime effects). In particular, it will be important to assess the effect of K3 and WKN operating together in terms of changes to air quality.
- 7.9.12 Inter-relationships between impacts on ecology and nature conservation considered in isolation (e.g. impacts on individual species etc.) will also be considered together as part of the EIA process (i.e. receptor led effects).

#### Transboundary Effects

- 7.9.13 Given the site and its location, the potential for transboundary effects can be scoped out. The potential for this will however be reviewed following result of the air quality modelling exercise identified above.

## 7.10 WKN - Water Environment

### Background

- 7.10.1 This section of the Scoping Report identifies the hydrology and flood risk conditions of relevance to the project and considers the likely significant impacts and effects from the construction, operation and maintenance, and decommissioning of the project on hydrology and flood risk receptors

### Currently known baseline

- 7.10.2 The WKN site has been recently raised and lies entirely within Flood Zones 1 (low risk of flooding) identified as land having a less than 1 in 1,000 annual probability of river or sea flooding. Fluvial flooding is not considered a risk at this site.
- 7.10.3 Existing flood defences along the eastern extent of the proposed development are made up of raised walls and embankments. These flood defences provide a 1 in 1000-year standard of protection.
- 7.10.4 Surface water flood risk to the application areas is defined as 'very low' with less than a 1 in 1000 (0.1%) a chance of flooding each year. Records supplied by the EA indicate that the site was subject to the flooding in February 1953 associated with tidal defence overtopping as well as breaches in defences at Sheerness and all along the western side of the Isle of Sheppey, either side of the Swale near Sittingbourne at Warden and around the Isle of Harty.
- 7.10.5 Notwithstanding the above the proposed development is located c.50m, at its closest orientation, to The Swale Estuary which is designated a Ramsar site, Sites of Special Scientific Interest (SSSI), Special Protection Area and Marine Conservation Zone.

### Potential significant effects

- 7.10.6 The proposed development has the potential to lead to environmental effects on the water environment. At this stage it is not possible to determine whether potential effects are likely to be significant particularly given the site proximity to designated sites and therefore on a precautionary basis they are proposed to be included within the EIA scope, the following sub-headings have been examined further in the scoping process:
- Potential effects on surface water quality during and post construction
  - Potential effects on surface water run-off and flood risk;
  - Potential effects on coastal water quality during construction and operation;
  - Potential effects on groundwater quality during construction; and

- Potential effects on groundwater resources during operation.

7.10.7 The effects of climate change related sea and river level rise over the lifespan of the development will be included in the flood risk assessment on a precautionary basis to assess the vulnerability and resilience of the development to climate change over its 20 year lifespan, in line with EA guidance climate change, February 2016 (<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>).

#### Proposed assessment methodology

7.10.8 An initial desk-based review of literature and data sources will be undertaken to support the assessment and will likely include:

- British Geological Survey (BGS) 1:50,000 geological mapping;
- BGS Geoindex Onshore (Online);
- BGS Aquifer Designation Maps;
- Environment Agency (EA) Flood Hazard Mapping;
- EA website (2018) ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk));
- EA North Kent Rivers Catchment Flood Management Plan (2009);
- Government Information and data website ([www.gov.uk](http://www.gov.uk))
- Kent County Council (KCC): Strategic Flood Risk Assessment (2013);
- Medway Estuary and Swale Shoreline Management Plans (2008);
- Met Office: Climate data (2018) ([www.metoffice.gov.uk](http://www.metoffice.gov.uk));
- Ordnance Survey (OS) Landranger 1:50,000 Sheet 178: Thames Estuary;
- River Basin Management Plan Thames River Basin District (updated 2015); and
- The Centre for Ecology and Hydrology (CEH) (2018) ([www.ceh.ac.uk](http://www.ceh.ac.uk))

7.10.9 Site-specific hydrological data will be obtained via consultation with the EA, Lead Local Flood Authority, Drainage Board, from commercial data suppliers, and site reconnaissance.

7.10.10 The baseline characterisation set out above enables the identification of the nature and likely significance of effects. The assessment considers the potential impacts to environmental receptors and the pathways by which the receptors may be affected. The following terms have the following meanings in this section.

- Source: waterbody, potential contaminant sources, ground/channel disturbance;
- Pathway: the mechanism by which the source may affect a receptor; and
- Receptor: identified features that may be affected, based on the sensitivity of the site.

7.10.11 This includes consideration of the probability of harm occurring, taking into account potential sources of flooding and receptors that may be affected.

7.10.12 The significance of predicted impacts likely to occur during each phase of the project will be determined by consideration of the sensitivity of the key attributes of the hydrological environment and flood risk that may be affected and the magnitude of the predicted impact.

7.10.13 In addition, to support the application a development specific Flood Risk Assessment (FRA) and Conceptual Drainage Design will be undertaken. This will include a review of current national and local policies, as well as relevant guidance and good practice.

Sensitivity of Receptor

7.10.14 The sensitivity or value of a hydrological receptor or attribute is largely determined by its quality, rarity and scale.

7.10.15 The determination of value or sensitivity takes into account the scale at which the attribute is important. This can be defined as being at a local level, district level, county level, regional level; national or international level (e.g. Europe).

7.10.16 The definitions set out in the Table below will be followed in the consideration of sensitivity for this project. This table takes into account guidance provided in Table 2.1 A4.3 of the Design Manual for Roads and Bridges (DMRB) (Highways Agency et al., 2009) and the author’s professional judgement. The table also takes due consideration of the Water Framework Directive (Directive 2000/60/EC of the European Parliament and of the Council of 23, October 2000) and PINS Advice Note 18: The Water Framework Directive.

Sensitivity	Definition
Negligible	Receptor is of negligible value with no contribution to local, regional or national economy. Receptor is not vulnerable to impacts that may arise from the project and/or has high recoverability. Surface water: WFD Current Overall Status of Bad. Flood risk: Area outside flood plain or flood plain with very low probability of flooding industrial properties.

Low	Receptor is of low value with little contribution to local, regional or national economy. Receptor is not generally vulnerable to impacts that may arise from the project and/or has high recoverability. Surface water: WFD Current Overall Status of Poor. Flood risk: Flood plain with limited constraints and a low probability of flooding of residential and industrial properties.
Medium	Receptor is of minor value with small levels of contribution to local, regional or national economy. Receptor is somewhat vulnerable to impacts that may arise from the project and has moderate to high levels of recoverability. Surface water: WFD Current Overall Status of Moderate. Flood risk: Flood plain with limited constraints and a low probability of flooding of residential and industrial properties.
High	Receptor is of moderate value with reasonable contribution to local, regional or national economy. Receptor is generally vulnerable to impacts that may arise from the project and recoverability is slow and/or costly. Surface water: WFD Current Overall Status of Good. Flood risk: Flood plain or defence protecting between one and one hundred residential properties or industrial premises from flooding.
Very high	Receptor is high value or critical importance to local, regional or national economy. Receptor is highly vulnerable to impacts that may arise from the project and recoverability is long term or not possible. Surface water: WFD Current Overall Status of High. Flood risk: Flood plain or defence protecting more than one hundred residential properties from flooding.
Table 7.10.1: Definition of terms relating to the sensitivity of receptors.	

### **Magnitude of Impacts**

7.10.17 The magnitude of any predicted impact is dependent on its size, duration, timing (e.g., seasonality) and frequency (permanent, seasonal etc.). A qualitative appraisal of the likely magnitude of the predicted impact will be provided within this assessment, taking into account the measures proposed to be adopted as part of the project to control such impacts. The magnitude of the predicted impact will be described using the criteria outlined in the Table below. This table takes into account guidance provided in Table 2.1, A4.4 of DMRB (Highways Agency et al., 2009) and the author's professional judgement.

Sensitivity	Definition
No change	No change from baseline conditions.
Negligible	Very slight change from baseline condition. Physical extent of impact is negligible and of short term duration (i.e., less than two years).
Low	Minor shift away from baseline, leading to a reduction in level of activity that may be undertaken. Impact is of limited temporal or physical extent and of short term duration (i.e., less than two years).
Medium	Loss or alteration to significant portions of key components of current activity. Impact is of moderate temporal or physical extent and of medium term duration (i.e., less than 20 years).



High	Total loss of ability to carry on activities. Impact is of extended temporal or physical extent and of long term duration (i.e., approximately 50 years duration).
Table 7.10.2: Definition of terms relating to the magnitude of an impact upon receptors.	

7.10.18 Impact magnitude must take into account the impact duration. The following definitions will be used in inform the assessment:

- Short term: A period of months, up to one year;
- Medium term: A period of more than one year, up to five years;
- Long term: A period of greater than five years.

Significance of Effects

7.10.19 The significance of predicted effects has been determined using publically available environmental data to take into account the sensitivity of the receptor and the magnitude of each impact. The Table below is used to inform the evaluation of the significance of effects. This table is based on guidance provided for linear schemes within the DMRB (Highways Agency et al., 2008).

Sensitivity	Definition				
	No Change	Negligible	Low	Medium	High
Negligible	Negligible	Negligible	Negligible or minor	Negligible or minor	Minor
Low	Negligible	Negligible or minor	Negligible or minor	Minor	Minor or moderate
Medium	Negligible	Negligible or minor	Minor	Moderate	Moderate or major
High	Negligible	Minor	Minor or moderate	Moderate or major	Major or substantial
Very high	Negligible	Minor	Moderate or major	Major or substantial	Substantial

Table 7.10.3: Matrix used for assessment of significance showing the combinations of receptor sensitivity and the magnitude of effect.

7.10.20 For the purposes of this assessment any effect that is moderate, major or substantial is considered to be significant. Any effect that is minor or below is not significant in the context of the EIA Regulations.

Cumulative effects

7.10.21 Cumulative effects on hydrology and flood risk receptors arising from the project alongside other projects within the area from other industries/activities (e.g., industrial/commercial development, coastal infrastructure) would be included in the assessment.

7.10.22 The scope for impacts to interact to potentially create a more significant effect on ecology and nature conservation receptors or hydrogeological resources as a result of hydrology and flood risk effects will be assessed in the EIA.

Transboundary Effects

7.10.23 It is not considered that there is any potential for transboundary effects on hydrology or flood risk receptors to occur as a result of the project.

## 7.11 WKN - Risk of accidents and disasters

### Background

- 7.11.1 Typically, disaster events refer to natural occurrences, and are not defined to include events caused by humans. On this basis the EIA Regulations are interpreted to refer to manmade events 'accidents' and naturally caused events 'disasters'.
- 7.11.2 On this basis environmental hazards can broadly be subdivided into the following categories<sup>5</sup>:

<b>Natural hazards</b>
Geological – earthquakes, volcanic eruptions, landslides, avalanches
Atmospheric – tropical cyclones, tornadoes
Hydrological – river floods, storm surges, coastal flooding
Biologic – epidemic diseases, wildfire
<b>Technological hazards (major accidents)</b>
Transport accidents – air accidents, train crashes, ship wrecks
Industrial failures – explosions, fires, release of toxic or radioactive materials
Unsafe public buildings and facilities – Structural collapse, fire
Hazardous materials – storage, transport and misuse of materials

- 7.11.3 It is noted that the assessment of major accidents and disasters is a new requirement of Directive 2014/52/EU transposed in UK law on the 16<sup>th</sup> of May 2017 in the EIA Regulations. To date no formal guidance has been issued from either the Government or relevant parties as to the scope or nature of such assessment.
- 7.11.4 The Secretary of State and consultees are invited to comment on the intended scope of and to highlight any likely significant environmental issues that they consider should be included in the assessment.

### Proposed assessment methodology

- 7.11.5 Given the location of the site the development is not considered to be vulnerable to the natural hazards identified with the exception of river/estuarine flooding.
- 7.11.6 Flood defences along the eastern extent of the proposed development are made up of raised walls and embankments. These flood defences provide a 1 in 1000 year standard of protection.
- 7.11.7 The effects of climate change related sea and river level rise and peak rainfall intensities over the lifespan of the development will be included in the flood risk assessment on a precautionary basis to assess the vulnerability and resilience of the development to climate change over its anticipated lifespan, in

<sup>5</sup> Environmental Hazards: Assessing Risk and Reducing Disaster, Keith Smith, 2009

line with EA climate change guidance, February 2016 (<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>).

- 7.11.8 Waste-to-energy facilities can present fire and explosion hazards and hazards associated with toxic gas release. Such instances can have significant environmental effects particularly on human health and safety.
- 7.11.9 Notwithstanding this the risk of major accidents related to waste-to-energy plants are well understood and their operation subject to a number of regulatory regimes.
- 7.11.10 If an incident occurs that could endanger life, the facility or the environment endangers or is likely to endanger personnel, or there is a risk of serious an emergency shutdown procedure would be implemented. will be necessary. The emergency shutdown will would essentially shut off combustion air fans, the grate feed and the burner essentially shutting down the operation of the plant.
- 7.11.11 For reference a list of relevant legislation by which operation of the facility is required to satisfy is outlined below:
- Health and Safety At Work Act 1974
  - Confined Spaces Regulations 1997 – sets a requirement to manage access to areas which are substantially enclosed (though not always entirely), and where serious injury can occur from hazardous substances or conditions within the space or nearby (e.g. lack of oxygen).
  - Dangerous Substances and Explosive Atmospheres Regulations 2002 (as amended 2015)- Requires an operator to identify DSEAR areas and implement a process for the equipment and working within those areas.
  - Control of Substances Hazardous to Health Regulations 2002 (COSHH)
  - Equipment and Protective Systems Intended for Use in Potentially Explosive Atmosphere Regulations 2001 – This Regulation covers both electrical and non-electrical equipment and requires the operator to ensure that all equipment used in DSEAR zoned areas is ATEX rated
  - Fire: The Regulatory Reform (Fire Safety) Order 2005 (as amended 2015) – Requires the operator to carry out a fire safety risk assessment and implement and maintain a fire management plan.
  - Pressure Systems Safety Regulations 2000
  - Supply Of Machinery (Safety) Regulations 2008 – Requires operators to ensure all equipment complies with the relevant standards and risk assessments when supplied to site.
  - Electricity at Work Regulations 1989

- 7.11.12 It is noted that the proposed development does not fall within the scope of EU legislation 2012/18/EU (control of major-accident hazards involving dangerous substances) or Council Directive 2009/71/Euratom (Community framework for the nuclear safety of nuclear installations).
- 7.11.13 In light of the above it is considered that the risk of accidents from the proposed development will be comprehensively controlled and mitigated as far as is reasonably possible in accordance with UK legislation in existence at the time of operation.
- 7.11.14 It is therefore considered that the mitigated risk of a major accident or disaster subject to ongoing compliance with relevant legislation is as low as reasonably practical and therefore the risk is not significant in the context of the EIA Regulations.
- 7.11.15 It is therefore not proposed that a standalone risk assessment is undertaken which would replicate the purpose of the legal instruments identified but that a list of the relevant legislation in place is provided setting out what risk/accidents it is intended to address and demonstrate how the development will comply with the legislation in the introductory chapters of the ES.

## 8 Cumulative effects

- 8.1.1 The effects of the proposed development in combination with other schemes that are operational / constructed, consented or for which planning permissions are currently being sought, will be assessed within the EIA where appropriate.
- 8.1.2 As set out in section 3 of this report it is proposed that ES assesses the effects of the K3 and WKN Proposed Development assuming K3 as permitted is completed and operational (i.e. part of the baseline) which will be the case at the time of consenting the Development Consent Order. With regard to cumulative effects it is therefore proposed to assess the following scenarios:
- Baseline + K3 Proposed Development + other relevant cumulative developments within the zone of influence of the development
  - Baseline + WKN Proposed Development + other relevant cumulative developments within the zone of influence of the development
  - Baseline + K3 Proposed Development + WKN Proposed Development + other relevant cumulative developments within the zone of influence of the development
- 8.1.3 Cumulative effects will be considered on an issue-by-issue basis and the scope of the EIA will be expanded, if necessary, to include any cumulative issues that arise in the future. The cumulative effects of other developments will be considered only where sufficient information is available, i.e. when a project is within the planning domain and there is adequate information publicly available.
- 8.1.4 All large-scale development within 3km of the site(s) and all large energy, industrial and mixed-use schemes for the purposes of the air quality and landscape and visual impacts (i.e. of a similar type to the proposed development and therefore most likely to result in significant effects) within 10km of the site(s) have been identified for assessment in the ES. A total of 45 cumulative sites are subsequently proposed for consideration of their potential cumulative effects.
- 8.1.5 Consultees are requested to suggest projects that should be covered in the cumulative effects assessment. It should be noted that whilst application 16/507687/COUNTY (County matters application for the construction and operation of an Incinerator Bottom Ash (IBA) Recycling Facility) is included in the list below WTI do not intend to implement this permission and are seeking to surrender their environmental permit for the development. Should this take place during the lifetime of the application it is not intended to include it within the cumulative effects assessments. DHA Environment is currently aware of the following projects for inclusion in the assessment of cumulative effects:
- SW/11/1291 Anaerobic digester and associated ground profiling and landscaping.

- SW/14/0224 Solar farm, comprising the erection of solar arrays of photovoltaic panels, inverter and transformer sheds, fencing, site storage cabin, combined DNO and EPC switchgear housing, internal gravel access road, and associated equipment.
- 14/500327/OUT Outline (Access not reserved) - Up to 8000m<sup>2</sup> of Class B1 and B2 floor space and all necessary supporting infrastructure including roads, parking, open space, amenity landscaping, biodiversity enhancement and buffer to proposed extension to Milton Creek Country Park. Detailed approval for Phase 1 including (i) vehicular and pedestrian access to Swale Way; (ii) 30 space (approximately) informal car park to serve extension to Milton Creek Country Park; Change of use of approximately 13.31 ha of Kemsley Marshes as an extension to Milton Creek Country Park with footpath connections to the proposed informal car park
- 14/501181/COUNTY KCC Regulation 13 - Scoping opinion as to the scope of an environmental impact assessment for a proposed combined heat and power plant at Ridham B
- 15/500348/COUNTY Install advance thermal conversion and energy facility at Kemsley Fields Business Park to produce energy and heat, including construction of new buildings to house thermal conversion and energy generation plant and equipment; construction of associated offices; erection of external plant including storage tanks; and erection of discharge stack (KCC planning application KCC/SW/0010/2015 refers).
- 15/510589/OUT Outline application for access matters reserved for construction of Business Park (Use Classes B1(B), B1(C), B2 and B8) (research and development, light industrial, general industrial and storage or distribution) (up to a maximum of 46,600sqm), including associated accesses (including alterations to existing northern relief road), parking and servicing areas, landscaping, bunds, surface water storage areas, and related development.
- 16/501228/FULL Construction of a new baling plant building within an existing waste paper storage yard.
- 16/501484/COUNTY County matter - The construction and operation of a gypsum recycling building with plant and machinery to recycle plasterboard and the re-configuration of the existing lorry park to include office/welfare facilities and ancillary supporting activities, including rain water harvesting tanks, container storage, new weighbridges, fuel tanks, hardstanding, safe lorry sheeting access platform and automated lorry wash.
- 16/506193/ENVSCR EIA Screening Opinion - Outline application for proposed residential development of 275 dwellings including affordable housing with open spaces, appropriate landscaping and minor alterations to the surrounding highway network (access).

- 17/505073/FULL Erection of a tile factory including service yard, storage yard and car parking area.
- 18/500257/EIFUL Proposed development of 155 dwellings (9 x 2 bed flats, 13 x 2 bed houses, 66 x 3 bed houses, and 67 x 4 bed houses) together with associated new access road, car parking, linear park with acoustic barrier to the A249, dedicated LEAP, allotments, areas of surface water drainage attenuation and ecological enhancement, and new planting, including an area planted in the style of an orchard.
- 18/500393/FULL Erection of a natural gas fuelled reserve power plant with a maximum export capacity of up to 12MW
- 15/502197/FULL Extension to existing yard and HGV parking area including installation of 5 no. lighting columns, landscaping, drainage and amendments to existing balancing pond
- SW/13/1495 Variation of condition 9 of planning permission SW/11/548 (use of building 15B to install and operate materials recycling facility (MRF) and a refuse derived fuel (RDF) facility and to use existing weighbridge, weighbridge office, site office and washroom/toilets to the south of building 15a) to allow an increase of HGV movements from 58 to 98 (49 in and 49 out) for a temporary period of 12 months
- 18/502489/FULL Construction of a 7.2m wide internal access road and pedestrian footpath, together with the associated removal of existing water holding lagoon, chemical building and works yard. Erection of a new chemical store, works yard and engine store, breaking out and crushing of existing concrete hardstanding, lighting and landscape planting.
- EN010090 (18/501923/ADJ) Application for an Order Granting Development Consent to decommission the existing K1 CHP on the site and build, commission and operate a new CHP plant.
- 15/504458/FULL Formation of new rear access road and extension to trailer park to serve Kemsley Paper Mill and ancillary development including attenuation pond, security kiosk and weightbringers
- 16/506935/COUNTY County Matters application for steam pipeline connecting the Ridham Dock Biomass Facility to the DS Smith Paper Mill.
- 17/504034/COUNTY County Matter - Provision of a new car park, drainage layout and SUDs pond to accommodate and support the existing waste management facility
- SW/14/0191 Extension to existing HGV Fitters shed plus small additional storage building.
- 17/502678/COUNTY Section 73 application to vary conditions 15 and 16 of planning permission SW/12/1184 to permit the facility to operate



during a wider range of hours and to also change the number of vehicle movements associated with the operations.

- 17/505919/COUNTY County Matter: For extension of the existing IBA Recycling Facility by the use of an adjoining building and land; and associated amendments to the layout of the site.
- 17/502834/FULL Installation of new underground water pipeline via open cut trenching and directional auger boring, including working area and site compounds
- 14/501588/OUT Outline application for the development of 550-600 houses and all necessary supporting infrastructure including roads, open space, play areas, neighbourhood shopping/community facilities (up to 650 sq m gross) and landscaping. All detailed matters are reserved for subsequent approval except (i) vehicular access to A2 Fox Hill; (ii) emergency access to Peel Drive; (iii) landscape buffer between housing and countryside gap and (iv) layout, planting, biodiversity enhancement and management of countryside gap, as amended by drawings 5257/OPA/SK001 Rev J (new red line plan), D119/52 (Swanstree Avenue Plan) and D119/53 (junction layout plan).
- 16/507877/FULL Erection of a residential development comprising 383 dwellings including associated access, parking, public open spaces and landscaping. New vehicular/pedestrian access from Eurolink Way and further secondary vehicular/pedestrian access off Crown Quay Lane. Associated drainage and earthworks.
- 18/502190/EIHYB Full Planning Application - Phase 1 North - Erection of 91 dwellings accessed from Grovehurst Road, public open and amenity space (including an equipped children's play area) together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including infiltration basins and tanked permeable paving), utilities and service infrastructure works. Full Planning Application - Phase 1 South - Erection of 252 dwellings (including 34 affordable dwellings) accessed from Quinton Road, public open and amenity space, together with associated landscaping and ecological enhancement works, internal access roads, footpaths, cycleways and parking, drainage (including infiltration swales, ring soakaways, and permeable paving), utilities and service infrastructure works. Outline Planning Application - for up to 857 new dwellings (including 10% affordable housing, subject to viability), a site of approximately 10 ha for a secondary and primary school, a mixed use local centre, including land for provision of a convenience store, public open and amenity space (including equipped children's play areas), together with associated landscaping and ecological enhancement works, acoustic barrier to the A249, internal access roads, footpaths, cycleways and parking, drainage (including a foul water pumping station and sustainable drainage systems), utilities and service infrastructure. All matters reserved, except for access for the schools site from Grovehurst Road.

- 18/503873/ENVSCR EIA Screening Opinion Application for housing and country park
- 16/507687/COUNTY County matters application for the construction and operation of an Incinerator Bottom Ash (IBA) Recycling Facility on land adjacent to the Kemsley Sustainable Energy Plant Figure 1.6 & 1.7 in Appendix 7 show the spatial relationship of the site to the cumulative developments identified is provided.
- 16/507943/FULL Construction of an agricultural anaerobic digestion plant and associated infrastructure, for the purposes of generating renewable energy.
- SW/13/1571 The erection of four wind turbines with a maximum blade tip height of up to 126.5 metres, together with a substation and control building, associated hardstandings, an improved access junction, connecting internal access tracks, and other related infrastructure.
- 17/503032/FULL Installation of an electricity battery storage facility within a new steel framed portal building and ancillary infrastructure
- 15/506005/COUNTY EIA Screening opinion (County) to determine whether an environmental impact assessment is required for the proposed establishment of a secondary aggregate recycling facility and the reworking of existing aggregate deposits at Rushenden Marshes Disposal Site.
- 16/507594/COUNTY County Matter - phased extraction of brickearth, advance planting, access improvements, restoration and replanting back to agricultural use.
- 18/503075/NSIP Consultation - Construction and Operation of Photovoltaic (PV) Electricity Generating and Storage.
- 15/506166/ENVSCR EIA Screening Opinion - Redevelopment of site, comprising demolition of selected buildings, extension, refurbishment and remodelling of selected buildings and the erection of new buildings to provide up to 88,000sqm, comprising laboratories, offices incubation/innovation hubs; 400sqm of retail and up to 300-400 dwellings.
- MC/18/2229 request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the development of a new cement plant

***Swale Borough Council Bearing Fruit 2031 Local Plan 2017 Allocations***

- A1 Land allocated for 'B' class employment uses
- A10 Housing allocations for a mix of at least 240 dwellings

- A17 Iwade Expansion
- MU1 North West Sittingbourne - minimum of 1,500 dwellings, community facilities and structural landscaping and open space adjacent the A249.
- MU2 mixed use development comprising 43,000 sq m of 'B' use class employment uses, approximately 106 dwellings, together with 31.1 ha of open space, flooding, biodiversity and landscape enhancements
- A3 Planning permission will be granted for employment uses (use classes B1, B2 or B8)
- A4 Planning permission will be granted for employment uses on sites north and south of the A249 at Cowstead Corner, as shown on the Proposals Map. The northern site is allocated for an hotel (use class C1), whilst the southern site for use classes B1, B2 or B8.
- MU3 Planning permission will be granted for a minimum of 564 dwellings, commercial floorspace (including potential neighbourhood facilities), landscaping and open space on land at south-west Sittingbourne (Borden),
- MU4 Planning permission will be granted for mixed uses comprising approximately 260 dwellings, 26,840 sqm of 'B' use class employment, open space and landscaping
- MU5 Planning permission will be granted for mixed-uses, comprising 1,500 sqm of commercial floorspace, together with some 330 homes and proposals for the conservation, enhancement, and long term management of the site's ecological and heritage assets

8.1.6 The spatial relationship of the K3 and WKN site(s) to the cumulative development sites identified is shown in Figure 1.6 & 1.7 in Appendix 7.

8.1.7 The potential for cumulative effects to arise through the interaction of two or more impacts on the same receptor will also be examined where applicable.

## 8.2 Alternatives

8.2.1 The ES will include details of alternatives considered by WTI (e.g. Site layout, access arrangements, technologies etc.) and will set out the reasons for the final selection. This will include comparison of the associated environmental effects where relevant in accordance with Schedule 4 of the Regulations.

## 9 Summary

9.1.1 From this scoping exercise, it has been possible to reach a preliminary view on the environmental features that are potentially likely to be significantly affected by the K3 and WKN Proposed Development and should be included within the EIA. All of the identified effects that are potentially significant are listed in Table 9.1 & 9.2.

### 9.2 K3 Proposed Development

Feature	Potentially significant impacts
Traffic and transport	Effects of increased operational HGVs and RCVs on driver delay, severance of routes, pedestrian delay and amenity, accidents and road safety and hazardous, dangerous and Abnormal Indivisible Loads.
Air Quality	Effects of residual emissions from the flue gas treatment system and change in emissions from vehicle movements and the consequent effects on human health and ecological receptors.
Noise & Vibration	Operational noise associated with operational and maintenance vehicles
Human Health	Impacts on health determinants arising from changes in air quality from on-site activities and transport movements, together with potential changes in the nature/flow of local transport.
Ecology	Impacts on interest features and their supporting habitats arising from air quality changes as a result of emissions to air from HGV movements from the increased tonnage throughput.
Table 9.1: Potentially significant impacts	

9.2.1 Although the environmental features are described here under separate headings, the EIA will pay close attention to the interrelationships between the various factors in order to assemble a holistic picture of the likely significant effects and mitigation measures.

9.2.2 It should be noted that EIA is an iterative process, enabling matters not recognised at a preliminary stage to be addressed subsequently.

9.2.3 The consideration of the potential significant effects in this scoping report is preliminary. The Secretary of State and consultees are invited to comment on

the intended scope of the EIA and to highlight any likely significant environmental issues that they consider should be included in the EIA.

### 9.3 WKN Proposed Development

Feature	Potentially significant impacts
Traffic and Transport	Traffic and transport related effects arising from operational traffic on driver delay, severance of routes, pedestrian delay and amenity, accidents and road safety and hazardous, dangerous and abnormal indivisible loads.
Air Quality	<ul style="list-style-type: none"> <li>• Dust and emissions during construction and decommissioning from demolition</li> <li>• Residual emissions from the flue gas treatment system and their effects on human health and ecological receptors</li> <li>• Fugitive emissions of dust, odour and bio-aerosols during the operational phase</li> <li>• Emissions from vehicle movements generated by the operation and maintenance of the proposed development.</li> </ul>
Climate Change	<p>Construction, operational and decommissioning stage GHG emissions.</p> <p>The vulnerability of the development to climate change over the course of its operational lifetime and at the time of decommissioning.</p>
Noise & Vibration	<ul style="list-style-type: none"> <li>• Noise generated by construction plant located at the project site.</li> <li>• Vibration generated by construction plant, located at the project site.</li> <li>• Operational noise, including noise from both fixed and mobile plant on site</li> <li>• Operational noise associated with development traffic on the existing road network.</li> </ul>

Human Health	<p>Construction and decommissioning</p> <ul style="list-style-type: none"> <li>• Adverse changes in air quality (including dust nuisance, PM10, PM2.5 and NO2 from on-site construction vehicles and associated transport movements)</li> <li>• Adverse changes in noise exposure from on-site construction activities and associated transport movements (including annoyance)</li> <li>• Adverse changes in local transport nature and flow rates (severance and risk of accident and injury)</li> <li>• Beneficial direct, indirect and induced income and employment opportunities</li> </ul> <p>Operation</p> <ul style="list-style-type: none"> <li>• Adverse changes in air quality (PM10, PM2.5 and NO2 from on-site activities and associated transport movements delivering waste)</li> <li>• Adverse changes in noise exposure from on-site construction activities and associated transport movements (including annoyance and sleep disturbance)</li> <li>• Adverse changes in local transport nature and flow rates (severance and risk of accident and injury)</li> <li>• Beneficial direct, indirect and induced income and employment opportunities</li> </ul>
Ground Conditions	<ul style="list-style-type: none"> <li>• Localised asbestos and risk to human health during construction</li> <li>• Unidentified contamination being present and risk to construction workers</li> <li>• Migration of contamination to perched water through pathways created by construction activities such as piling.</li> </ul>
Landscape and Visual Effects	<ul style="list-style-type: none"> <li>• Effects on landscape and townscape character during and post construction phase, including night time lighting.</li> <li>• Effects on sensitive visual receptors during and post construction phase, including night time lighting.</li> </ul>

Archaeology and Cultural Heritage	<ul style="list-style-type: none"> <li>• Direct impacts on heritage assets from construction work within the WKN site (construction phase only)</li> <li>• Temporary impacts on the setting of heritage assets (construction phase only)</li> <li>• Temporary impacts on historic landscape (construction phase only)</li> <li>• Impact on the setting of heritage assets (operational/decommissioning phase)</li> <li>• Impacts on historic landscape (operational/decommissioning phase)</li> </ul>
Ecology	<ul style="list-style-type: none"> <li>• Direct effects on ecology through the loss of habitat arising from the construction of the facility and the proposed laydown area</li> <li>• Effects of changes to air quality (NOx and associated nutrient nitrogen) on interest features and supporting habitats within surrounding designated sites</li> <li>• Accidental release of pollution into The Swale SPA/Ramsar/SSSI</li> <li>• Effects of construction noise on bird interest features of The Swale SPA/Ramsar/SSSI both from the use of the laydown area and within the main development site</li> <li>• Other potential impacts including water quality/volume of discharge, noise, air quality, management regime, habitat loss and introduction of non-native species.</li> </ul>
Water Environment	<ul style="list-style-type: none"> <li>• Potential effects on surface water quality during and post construction</li> <li>• Potential effects on surface water run-off and flood risk;</li> <li>• Potential effects on coastal water quality during construction and operation;</li> <li>• Potential effects on groundwater quality during construction; and</li> <li>• Potential effects on groundwater resources during operation.</li> </ul>
Table 9.2: Potentially significant impacts	

9.3.1 Although the environmental features are described here under separate headings, the EIA will pay close attention to the interrelationships between the various factors to assemble a holistic picture of the likely significant effects and mitigation measures.

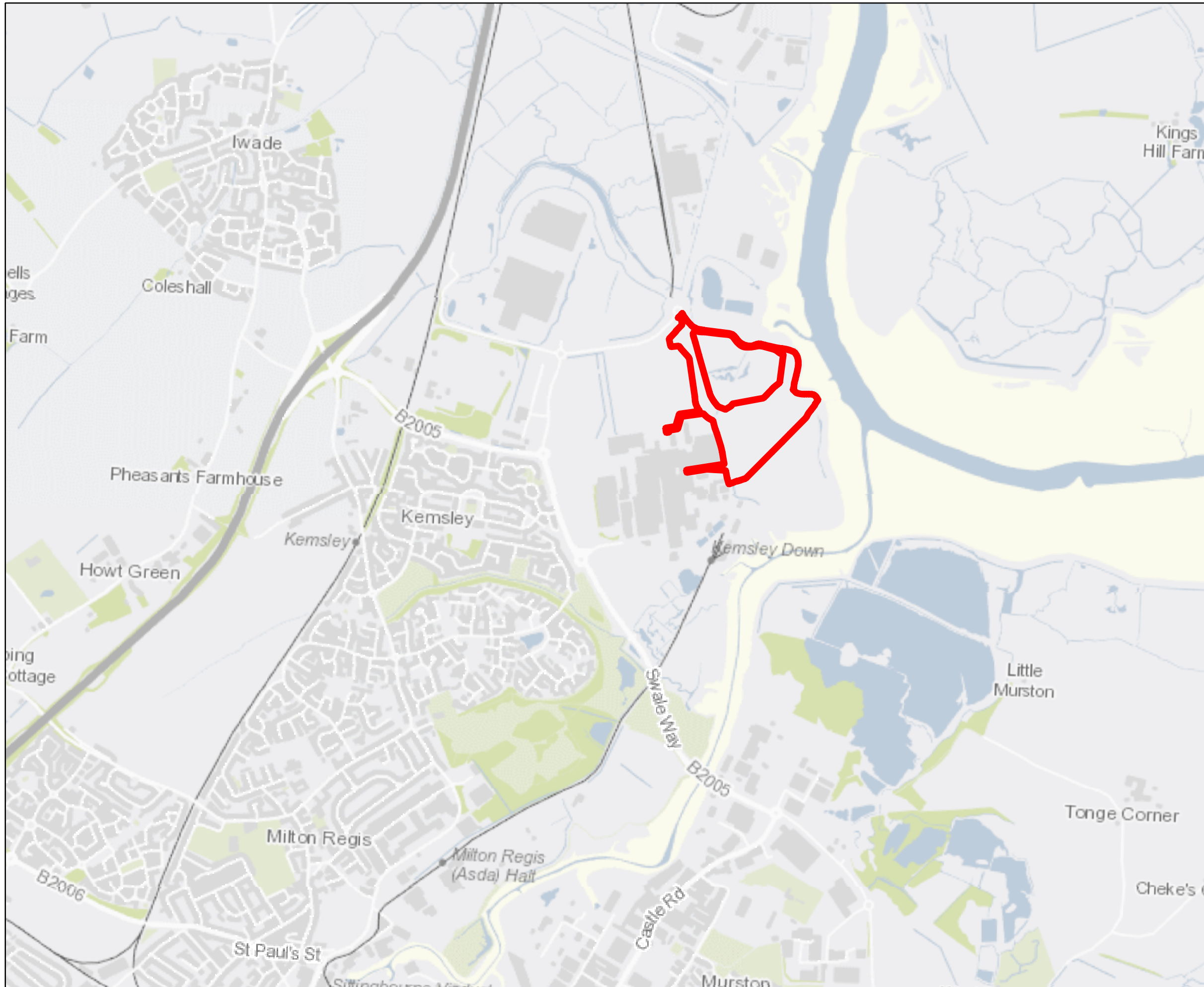
9.3.2 It should be noted that EIA is an iterative process, enabling matters not recognised at a preliminary stage to be addressed subsequently.



- 9.3.3 The consideration of the potential significant effects in this scoping report is preliminary. The Secretary of State and consultees are invited to comment on the intended scope of the EIA and to highlight any likely significant environmental issues that they consider should be included in the EIA.

## **Appendix I – Site Location Plan**





**Legend**

 Site Location

TITLE  
**Figure 1.1 -  
 Site Location Plan**

CLIENT  
 Wheelabrator Technologies Inc

PROJECT  
 K3 and Wheelabrator Kemsley North

SCALE AT A3 1:25,000      DATE September 2018      JOB NO. 13141



Eclipse House, Eclipse Park, Sittingbourne Road  
 Maidstone, Kent ME14 3EN

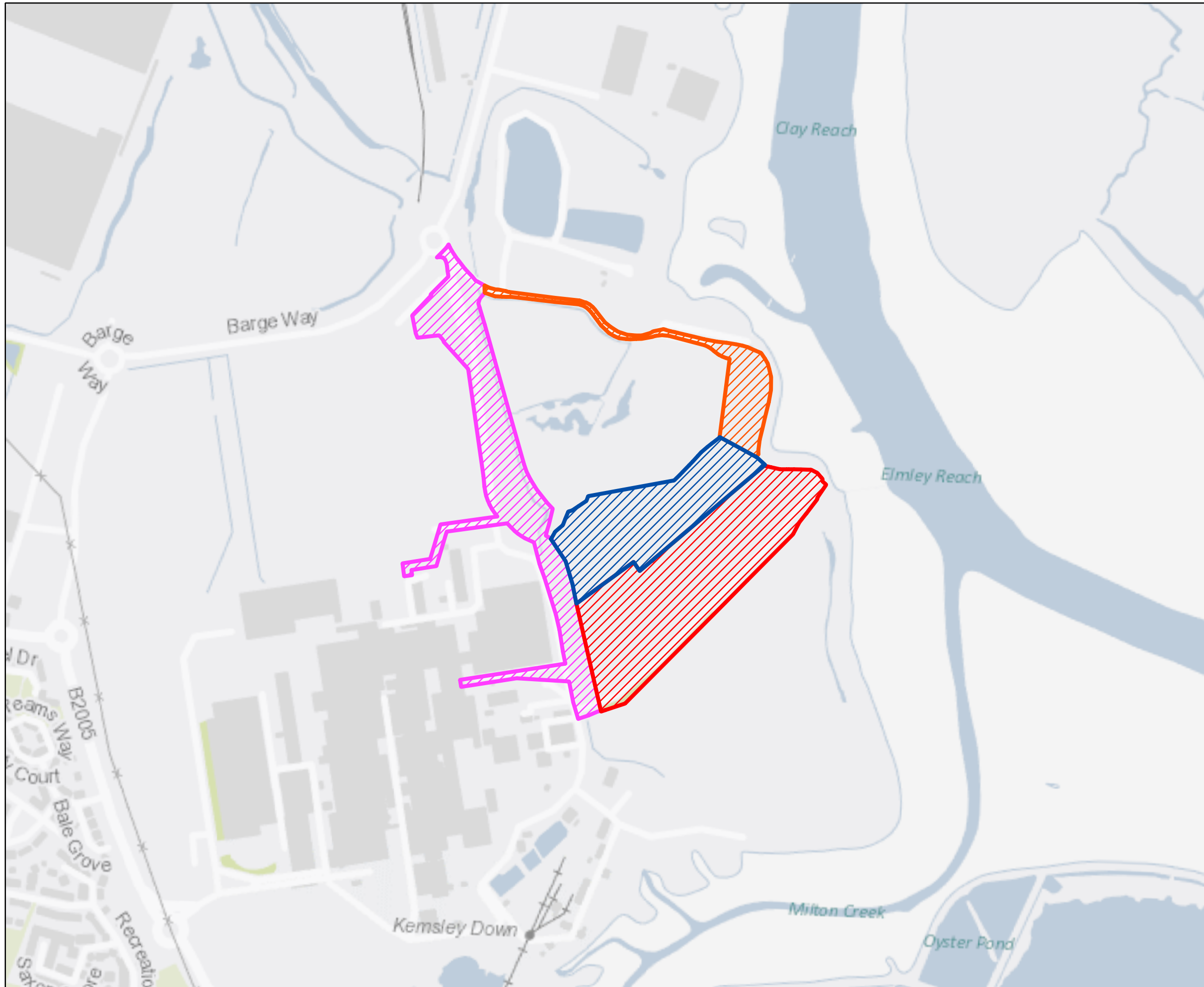
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 e: info@dhaplanning.co.uk  
 w: www.dhaplanning.co.uk

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**Legend**

-  WKN
-  K3
-  Construction laydown and associated access
-  Access, Utilities and Drainage

TITLE  
**Figure 1.2 -  
 General Site Arrangement**

CLIENT  
 Wheelabrator Technologies Inc

PROJECT  
 K3 and Wheelabrator Kemsley North

SCALE AT A3 1:9,000      DATE September 2018      JOB NO. 13141



Eclipse House, Eclipse Park, Sittingbourne Road  
 Maidstone, Kent ME14 3EN

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 w: www.dhaplanning.co.uk

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# Appendix 2 – Existing and aerial photographs of the site





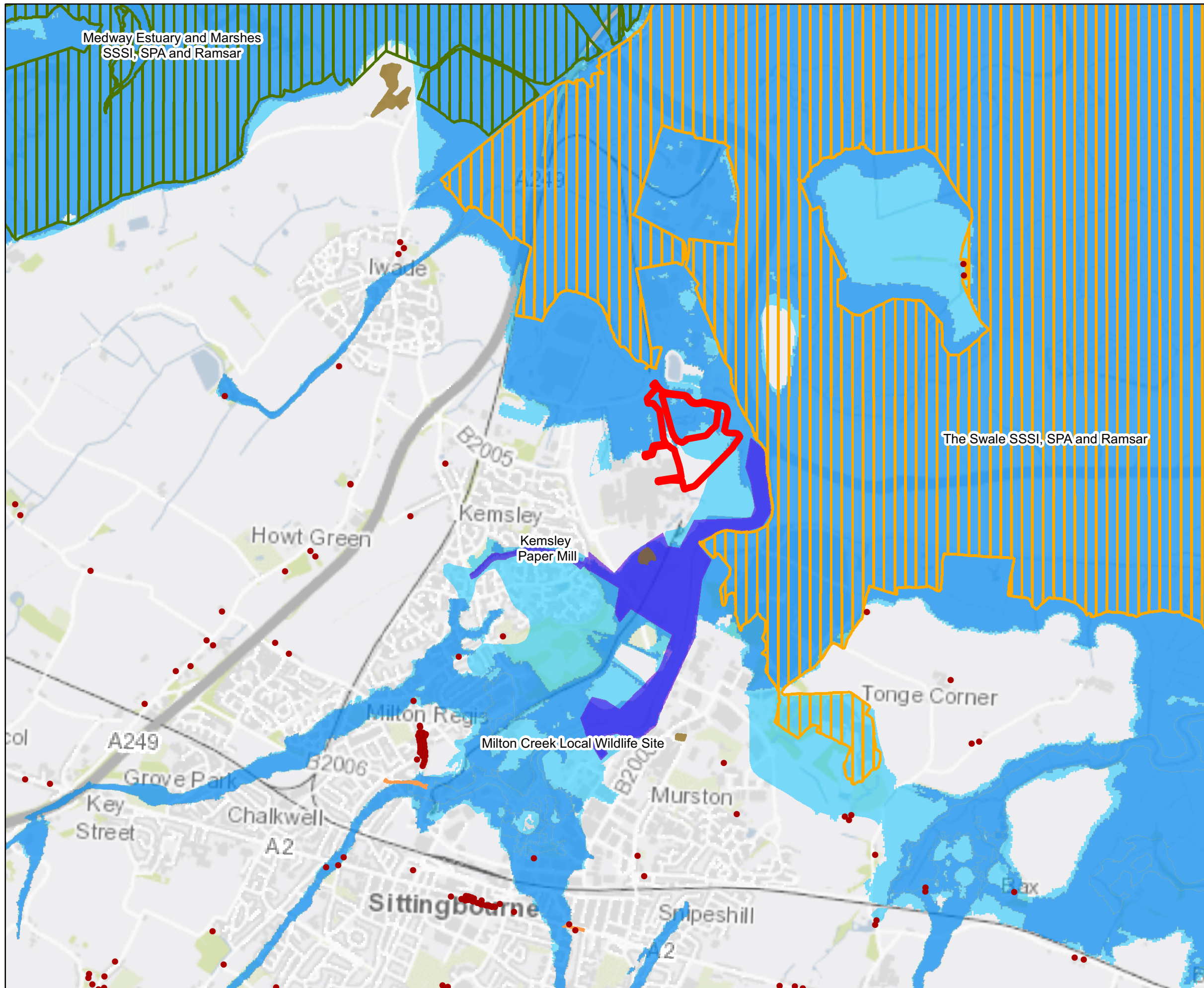
**Figure 1.4 – K3 progress photos (July 2018)**












**Figure 1.3 – Aerial View of the Site (Courtesy of Google Earth - May 2018-  
site boundary indicative)**



## **Appendix 3 – Sensitive sites in proximity to the Proposed Development**



**Legend**

-  Site Location
-  Listed Buildings
-  Scheduled Monument
-  Air Quality Management
-  Medway Estuary & Marshes SSSI, SPA and Ramsar
-  The Swale SSSI, SPA and Ramsar
-  Local Wildlife Site
-  Flood Zone 3
-  Flood Zone 2

TITLE  
**Figure 1.5 - Environmental Designations**

CLIENT  
 Wheelabrator Technologies Inc

PROJECT  
 K3 and Wheelabrator Kemsley North

SCALE AT A3 1:40,000      DATE September 2018      JOB NO. 13141



Eclipse House, Eclipse Park, Sittingbourne Road  
 Maidstone, Kent ME14 3EN

t: 01622 776226  
 e: info@dhaplanning.co.uk  
 w: www.dhaplanning.co.uk

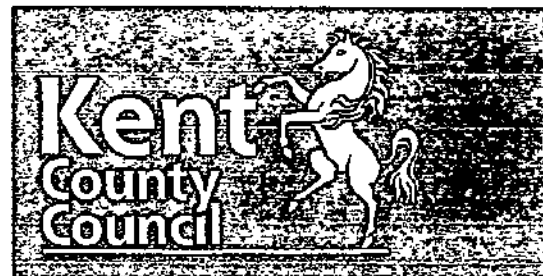
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## **Appendix 4 – K3 Planning decision notices**



CC1 (Detailed)

Reference Code  
of Application: SW/10/444

**KENT COUNTY COUNCIL**

**TOWN & COUNTRY PLANNING ACTS  
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)  
(ENGLAND) ORDER 2010**

**Notification of Grant of Permission to Develop Land**

To: St Regis Paper Co Ltd & E.ON Energy from Waste UK Ltd  
C/o RPS Planning and Development Ltd  
3<sup>rd</sup> Floor  
34 Lisbon Street  
Leeds  
West Yorkshire  
LS1 4LX

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Acts, having taken environmental information submitted in support of the proposal into consideration, **HAS GRANTED PERMISSION** for development of land situated to the North East of Kemsley Paper Mill, Kemsley, Sittingbourne, Kent and being development of a sustainable energy plant to serve Kemsley Paper Mill, comprising waste fuel reception, moving grate technology, power generation and export facility, air cooled condensers, transformer, bottom ash handling facility, office accommodation, vehicle parking, landscaping, drainage and access referred to in your application for permission for development dated the twenty third day of March 2010, as amplified in the letters from RPS dated 5 October 2010 enclosing further supplementary reports in respect of biodiversity information and information to inform an appropriate assessment together with a separate report in response to observations made by the Environment Agency, 15 October 2010, 26 November 2010 and 17 March 2011 enclosing a plan entitled Kent & Hinterland, SUBJECT TO THE CONDITIONS SPECIFIED hereunder:-

- (1) The development to which this permission relates shall be begun not later than the expiration of 5 years commencing with the date of this permission.

*Reason; To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).*

- (2) The Development to which this permission relates shall be carried out strictly in accordance with the details submitted with the application together with those further details to be submitted for approval.

*Reason; For the avoidance of doubt and to maintain control over the application site.*

**PLANNING SERVICES**  
- 9 MAR 2012

- (3) The maximum number of Heavy Goods Vehicle movements to and from the Application Site shall not exceed a combined total of 258 movements per day save for movements in accordance with Condition (5) subject to any prior written variation as approved by the Waste Planning Authority.

*Reason; In the interest of highway safety pursuant to Policy W22 of the Kent Waste Local Plan.*

- (4) Waste deliveries shall only take place between 07:00 and 18:00 hours Monday to Friday inclusive and 07:00 and 13:00 hours on Saturdays, no waste deliveries shall take place on Saturday afternoon, Sunday or Bank/Public Holidays save for those deliveries in accordance with condition (5) and subject to any prior written variation as approved by the Waste Planning Authority.

*Reason; In order to avoid nuisance from noise pursuant to Policy W18 of the Kent Waste Local Plan.*

- (5) Waste deliveries originating from and returning to the railway depot at Ridham Docks accessing and egressing the Application Site by the use of Ridham Dock Road shall not be subject to conditions (3) and (4) of the permission.

*Reason; In order to encourage the reduction in the number of HGV movements generated by the Development on the local public road network.*

- (6) Prior to the Commencement of Development a strategy to encourage the use of the railway in the vicinity of the Application Site as a means of transporting waste deliveries to the Development hereby permitted shall be submitted to and approved in writing by the Waste Planning Authority and thereafter implemented in accordance with the approved strategy.

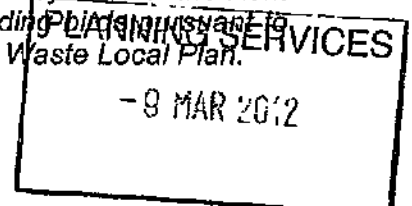
*Reason; In order to encourage the reduction in the number of HGV movements generated by the Development on the local public road network.*

- (7) With the exception of construction using the concrete slip-forming method, construction using constant pore methods for concrete laying and internal process works relating to mechanical and/or electrical equipment installation, construction activities shall only take place between 07:00 and 19:00 hours Monday to Friday inclusive and 07:00 and 16:00 hours Saturday and Sunday with no construction activities to take place on Bank or Public Holidays subject to any prior written variation as approved by the Waste Planning Authority.

*Reason; In order to avoid any adverse disturbance to breeding birds pursuant to policies W18 and W21 of the Kent Waste Local Plan and Policy SP2 of the Swale Borough Local Plan.*

- (8) All piling shall be by way of Auger other than where an alternative method is required for structural reasons. In such circumstances the prior written consent of the Waste Planning Authority shall be required which shall only be given if it has been demonstrated that there is no resultant unacceptable risk to groundwater and that impact piling will not take place between 1 April and 31 August in any given year, subject to any prior written variation as approved by the Waste Planning Authority.

*Reason; In order to avoid any risks to groundwater pursuant to Policy W19 of the Kent Waste Local Plan and in order to avoid any disturbance to breeding birds pursuant to the requirements of PPS9 and policies W18 and W21 of the Kent Waste Local Plan.*



- (9) Noise levels as measured at the residential locations as set out in Figure 12.1 of Chapter 12 (Noise and Vibration) of the Environmental Statement (March 2010) attributable directly to the Development hereby permitted shall not exceed the background levels as set out in Appendix 12.5 of the Environmental Statement (March 2010) (Operational Noise Assessment) dated 24 November 2009.

*Reason; In order to avoid any adverse impact from noise pursuant to Policy W18 of the Kent Waste Local Plan.*

- (10) Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the Application Site shall each be submitted to and approved in writing by the Waste Planning Authority and thereafter implemented in accordance with the approved scheme:-

1.1 A preliminary Risk Assessment which has identified:-

(a) All previous uses; and

(b) Potential contaminants associated with those uses; and

(c) A conceptual model of the Application Site indicating sources, pathways and receptors; and

(d) Potentially unacceptable risks arising from contamination at the Application Site.

1.2 A site Investigation Scheme based on the Preliminary Risk Assessment under 1.1 above shall identify those receptors which are most likely to be affected by contamination.

1.3 A Detailed Risk Assessment shall be undertaken of those receptors identified in the Site Investigation Scheme.

1.4 A Detailed Risk Assessment shall inform an Options Appraisal and Remediation Strategy for those receptors identified in the Site Investigation Scheme and shown by the detailed Risk Assessment to require remediation. Details of the required remediation measures recommended for implementation shall be included in the Detailed Risk Assessment.

1.5 The recommendations of the Detailed Risk Assessment shall be undertaken in accordance with the provisions therein.

1.6 A Verification Plan shall present data and evidence to show that the recommendations in the Detailed Risk Assessment have been undertaken. The Verification Plan shall set out details of any long term monitoring of pollutant linkages that is required and shall provide mechanisms for ongoing maintenance arrangements and contingency actions.

Following the commencement of Development any long term monitoring or maintenance arrangements and contingency actions identified shall be undertaken as provided for subject to any prior written variation as approved by the Waste Planning Authority.

*Reason; To ensure the Development is consistent with the requirements of PPS23 (Planning and Pollution Control) and to ensure any risks to groundwater and surface waters are appropriately mitigated pursuant to Policy W19 of the Kent Waste Local Plan.*

PLANNING SERVICES

- 8 MAR 2012

- (11) Prior to the Commencement of Development a scheme for the provision and management of a buffer zone alongside and including the ditch within the west of the application area as shown on Figure 4.2 of the Planning Application Supporting Statement shall be submitted to and approved in writing by the Waste Planning Authority. Thereafter the Development shall be carried out in accordance with the approved scheme subject to any written variation as approved by the Waste Planning Authority. The Scheme shall include the following:

- (a) Plans showing the extent and layout of the buffer zone; and
- (b) Details demonstrating how the buffer zone will be protected during construction of the Development and managed/maintained over the longer term.

*Reason; In order to protect the ecological value of the ditch pursuant to the objectives in PPS9 (Biodiversity and Geological Conservation) and Policy NRM5 of the South East Plan.*

- (12) Prior to the Commencement of Development a detailed Environmental Management Plan including Construction Method Statement to incorporate the proposed migration as outlined in the document entitled 'Appendix 9.6 Information for an Appropriate Assessment' for suppression of dust, construction noise, lighting and visual disturbance shall be submitted to and approved in writing by the Waste Planning Authority and thereafter be implemented as approved.

*Reason; In order to protect the bio-diversity and geological interests for the Application Site and surrounding area consistent with the principles set out in PPS9 (Biodiversity and Geological Conservation) and Policy W21 of the Kent Waste Local Plan.*

- (13) Prior to the Commencement of Development a programme of archaeological work shall be submitted to the Waste Planning Authority for approval which shall include details of specification and timetables. The programme shall thereafter be implemented as approved.

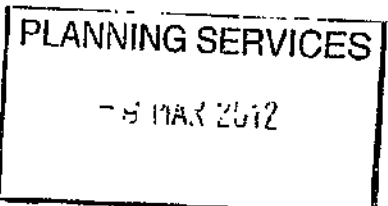
*Reason; To ensure that features of archaeological interest are properly examined and recorded to be consistent with the principles as set out in PPS5 (Planning and Historic Environment).*

- (14) Prior to the Commencement of Development details of a scheme of landscaping and tree planting shall be submitted to the Waste Planning Authority for approval and shall thereafter be implemented as approved.

*Reason; In order to help reduce the visual impact of the Development.*

- (15) All trees and shrubs planted under the scheme as approved under condition (14) above shall be maintained for a period of 5 years. Any trees or shrubs that either die, are lost, damaged or become diseased during this 5 year period shall be replaced with a tree or shrub of the same species within the next available planting season.

*Reason; In order to help reduce the visual impact of the Development.*



- (16) The Development hereby permitted shall be carried out strictly in accordance with the Flood Risk Assessment (FRA) submitted in support of the application and which includes the following detailed mitigation measures:-

1.1 The surface water management scheme outlined within Appendix 4 of the FRA (Surface Water Management and Foul Drainage Philosophy Statement) and the storage areas shown on drawings 16315 AO 0600 and 16315 AO 0301 within Appendix B shall be constructed and operational prior to the acceptance of waste by the Development.

1.2 A safe route into and out of the Application Site to an appropriate safe haven shall be identified and provided.

1.3 Finished floor levels are to be set in accordance with the FRA.

---

*Reason; In order to reduce the risk of flooding and to ensure the safe access and egress from and to the Application Site pursuant to the requirements of PPS25 (Development and Flood Risk).*

- (17) All surface water drainage from the Application Site discharging to a local water course shall be attenuated for a 1:100 year return storm with a limited discharge of 7 litres per second per hectare or the equivalent run off from a Greenfield site for a 1:2 year storm.

*Reason; In order to reduce the risk of flooding and ensure the safe access and egress from the Application Site pursuant to the requirements of PPS25 (Development and Flood Risk).*

- (18) Work on the proposed drainage outfall to the Swale (as shown on Figure 4.25 Proposed Drainage Layout of the Planning Application Site Supporting Statement) shall only take place between 1 April and 31 September in any given year.

*Reason; In order to protect over-wintering birds on the Application Site and surrounding area consistent with the principles set out in PPS9 (Biodiversity and Geological Conservation).*

- (19) All fuels, oils and other liquids with the potential to contaminate the Application Site shall be stored in a secure bunded area in order to prevent any accidental or unauthorized discharge to the ground. The area for storage shall not drain to any surface water system. Where it is proposed to store more than 200 litres of any type of oil on the Application Site it must be stored in accordance with the provisions of the Control of Pollution (Oil Storage) (England) Regulations 2001. Where a drum or barrel has a capacity of less than 200 litres a drip tray capable of retaining 25% of the maximum capacity of the drum or barrel may be used in lieu of storing the drum or barrel in the secure bunded area.

*Reason; In order to prevent any unacceptable risk to the environment pursuant to Policy W19 of the Kent Waste Local Plan.*

- (20) Prior to their installation/construction on the Application Site details of the storage bunkers (as shown on Figure 4.2 of the Planning Application Supporting Statement) into which waste would initially be tipped shall be submitted to the Waste Planning Authority for approval and then subsequently installed/constructed in accordance with such approved details.

PLANNING SERVICES

- 6 MAR 2012



*Reason; To ensure that in the event of the plant shutting down that any waste stored in the storage bunkers can be readily removed or contained in a manner so as to prevent the creation of any unacceptable and unpleasant odours in the interests of residential amenity.*

- (21) Details of an external lighting strategy which follows best practice to reduce the impact of light spillage on the adjacent SPA and Ramsar site shall be submitted to the Waste Planning Authority for approval prior to the installation of external lighting on the Application Site. External lighting shall only be installed on the Application Site in accordance with the approved lighting strategy.

*Reason; In order to protect the bio-diversity and geological interests of the Application Site and surrounding area consistent with the principles set out in PPS9 (Biodiversity and Geological Conservation) and Policy W21 of the Kent Waste Local Plan.*

- (22) Other than waste arising from within Kent all waste used as a fuel in the Sustainable Energy Plant hereby permitted shall be pre-treated. Unless otherwise agreed in writing by the Waste Planning Authority no less than 20% of the annual waste throughput shall be pre-treated waste sourced from within the area defined as Hinterland shown on the plan attached to the letter from RPS dated 17 March 2011 entitled KENT & HINTERLAND and which includes Kent, Tandridge, Thurrock and Medway.

*Reason; To ensure that waste processed at the plant is sourced consistent with the principles set out under policies W3 and W4 of the South East Plan and PPS10 (Planning for Sustainable Waste Management) which seek to secure waste management capacity sufficient to achieve net regional and sub-regional self sufficiency having regard to the proximity principle.*

- (23) In the event that Kemsley Paper Mill no longer requires heat and/or power from the Sustainable Energy Plant hereby permitted, the operator of the plant shall submit a scheme to the Waste Planning Authority for approval setting out details of the steps that will be taken to identify alternative users of the heat and/or power generated.

*Reason; To ensure that the plant continues to operate as a means of providing a sustainable supply of energy consistent with the objectives set out in PPS10 (Planning for Sustainable Waste Management).*

Town and Country Planning (Development Management Procedure) (England) Order 2010

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, together with the relevant Development Plan policies.

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

PLANNING SERVICES

- 9 MAR 2012

In addition please be advised of the following informative:

Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to formally submit further details to the County Planning Authority for approval may be required to be formally discharged prior to commencement of operations on site, or within a specified time. It is your responsibility to ensure that such details are submitted. **Failure to do so may mean that any development carried out is unlawful and which may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time. Note that from 6<sup>th</sup> May 2008 each submission of details pursuant to conditions attracts an application fee of £85.**

Dated this sixth day of March 2012

(Signed).....

Head of Planning Applications Group

INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT ME14 1XX

PLANNING SERVICES

- 9 MAR 2012



Wheelabrator Technologies and DS Smith  
PLC  
C/o Mr Andrew Stevenson  
RPS Planning & Development  
Suite D10  
Josephs Well  
Hanover Walk  
Leeds  
West Yorkshire  
LS3 1AB

**Planning Applications Group**  
First Floor, Invicta House  
County Hall  
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Kent ME14 1XX  
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Website: [www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)  
Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
Direct Dial/Ext: 03000 413350  
Text relay: 18001 03000 417171  
Ask for: Mr Mike Clifton  
Your ref:  
Our ref: SW/10/444/RA  
Date: 18 December 2015

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)  
PLANNING ACT 2008**

Dear Mr Stevenson

**APPLICATION NO: SW/10/444/RA**

**PROPOSAL: Non material amendment to building footprint and elevation and site layout as shown on amended plans**

**LOCATION: Land at Kemsley Paper Mill, Kemsley, Sittingbourne, Kent, ME10 2TD**

The County Council as County Planning Authority has now considered the amended details submitted in respect of the above proposal.

The Authority hereby approves the application for a non-material amendment dated 19 November 2015 as set out in the letter from RPS dated 19 November 2015 with accompanying drawing numbers:


- Figure 4.1B – Permitted Site Location
- Figure 4.3B – Proposed Site Layout
- Figure 4.4B – South East Elevation
- Figure 4.5B – North East Elevation
- Figure 4.6B – South West Elevation
- Figure 4.7B – North West Elevation
- Figure 4.12B – Site Layout & Access
- Figure 4.13B – Proposed Structure for Air Cooled Condenser Elevations
- Figure 4.18B – Proposed Structure for Fire Water Supply Elevation
- Figure 4.20B – Proposed Gatehouse Floor Plan and Elevation
- Figure 4.21B - Landscape Masterplan
- Figure 4.22B – Boundary Treatment
- Figure 4.34B – Illustrative Visualisation 1 of 7
- Figure 4.35B – Illustrative Visualisation 2 of 7

- Figure 4.36B – Illustrative Visualisation 3 of 7
- Figure 4.37B – Illustrative Visualisation 4 of 7
- Figure 4.38B – Illustrative Visualisation 5 of 7
- Figure 4.39B – Illustrative Visualisation 6 of 7
- Figure 4.40B – Illustrative Visualisation 7 of 7

to allow for revisions to the building footprint and elevation and site layout as a formal amendment pursuant to condition (2) of the details previously approved on 2 September 2013 under the consent reference SW/10/444/R.

In addition you are advised that all other conditions imposed under planning permission SW/10/444 remain in effect and that those details previously approved pursuant to that permission shall be complied with unless superseded by the details hereby approved.

Yours faithfully



Head of Planning Applications Group



Wheelabrator Technologies  
C/o Mr Andrew Stevenson  
RPS P&D  
Suite D10  
Josephs Well  
Hanover Walk  
Leeds  
West Yorkshire  
LS3 1AB

**Planning Applications Group**  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX  
Tel: 03000 411200

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Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
Direct Dial/Ext: 03000 413350  
Text relay: 18001 03000 417171  
Ask for: Mr Mike Clifton  
Your ref: OXF 8693  
Our ref: SW/10/774/RB  
Date: 27 March 2017

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended)  
SECTION 96A**

Dear Mr Stevenson,

**APPLICATION NO: SW/10/444RB**

**PROPOSAL:** Non-material amendment to approved building footprint, elevations, appearance and site layout.

**LOCATION:** Land at Kemsley Paper Mill, Ridham Avenue, Sittingbourne, Kent ME10 2TD.

The County Council as County Planning Authority has now considered the amended details submitted in respect of the above proposal.

The Authority hereby approves the application for a non-material amendment as set out in your application dated 2 March 2017 and accompanying letter of the same date along with drawing numbers:

- 4.1C Site Location Plan
- 4.2C Proposed Building Layout
- 4.3C Proposed Site Layout
- 4.4C SE Elevation & Section
- 4.5C NE Elevation & Section
- 4.6C SW Elevation & Section
- 4.7C NW Elevation & Section
- 4.8C SE Elevation b/w
- 4.9C NE Elevation b/w
- 4.10 SW Elevation b/w
- 4.11C NW Elevation b/w
- 4.12C Site Layout & Access
- 4.13C Proposed Structure for Air Cooled Condenser Elevations
- 4.19C Typical Office and Staff Amenities Building Floor Plans
- 4.20C Proposed Gatehouse Floor Plan and Elevations

- 4.21C Landscape Masterplan
- 4.22C Boundary Treatment
- 4.24C Site Sections
- 4.25C Proposed Drainage Layout
- 4.26C Proposed Levels
- 4.27C Fuel Bunker Level +2.0m
- 4.28C Fuel Bunker Level +20.0m and Level +36.0m
- 4.29C Fuel Bunker Section A-A
- 4.30C Fuel Bunker Section B-B
- 4.31C Tipping Hall Layout Level +0.0m
- 4.32C Tipping Hall Section A-A
- 4.33C Overall Roof Layout Comparison Drawing
- 4.34C Illustration 1 of 7
- 4.35C Illustration 2 of 7
- 4.36C Illustration 3 of 7
- 4.37C Illustration 4 of 7
- 4.38C Illustration 5 of 7
- 4.39C Illustration 6 of 7
- 4.40C Illustration 7 of 7
- 4.41C Western Ditch

to allow for revisions to the building footprint, elevations, appearance and site layout as a formal amendment pursuant to condition (2) of the details previously approved on 18 December 2015 under the No-Material Application reference SW/10/444RA

In addition please be advised that all other conditions imposed under planning permission SW/10/444 remain in effect and that those details previously approved pursuant to that permission shall be complied with unless superseded by the details hereby approved.

Yours faithfully



Head of Planning Applications Group



Wheelabrator Technologies  
c/o RPS Planning and Development  
Suite 10 Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB

Planning Department  
First Floor, Invicta House  
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Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
DirectDial/Ext: 03000 413484  
Text relay: 18001 03000 417171  
Ask for: Mr Jim Wooldridge  
Your ref: F9812  
Our ref: SW/10/444/RVAR  
Date: 27 June 2017

Dear Sir / Madam

Dear Mr Stevenson,  
I refer to your letter of 27 June 2017.

In relation to the planning permission reference SW/10/444 granted on 6 March 2012, the County Council as County Planning Authority has now considered the details submitted pursuant to conditions 6 (Rail Strategy), 11 (Buffer Zone alongside the Western Ditch), 12 (Environmental Monitoring & Mitigation Plan), 14 (Landscaping Scheme) and 20 (Storage Bunkers) imposed on planning permission reference SW/10/444 granted on 6 March 2012.

The Authority hereby approves the details submitted on 3 April 2017 within the letter from Andrew Stevenson of RPS Planning & Development Ltd and accompanying documents titled 'Wheelabrator Kemsley Generating Station Condition 6: Revised Rail Strategy' (dated 24 March 2017), 'Kemsley EFW, Kemsley Paper Mill, Sittingbourne, Kent: Ditch Buffer Zone Management Plan' (dated January 2017) and 'Kemsley Sustainable Energy Plant Environmental Monitoring and Mitigation Plan Kemsley, Kent' (dated November 2016) and drawing numbers 16315/A1/4.21 Rev K titled 'Landscape Masterplan' (dated January 2017), 16315/A1/P/0220 Rev B titled 'Fuel Bunker Level +2.000m' (dated 14 February 2017), 16315/A1/P/0221 Rev B titled 'Fuel Bunker Level +20.000m and Level +36.000m' (dated 14 February 2017), 16315/A1/P/0222 Rev B titled 'Fuel Bunker Section A-A' (dated 15 February 2017) and 16315/A0/P/0223 Rev B titled 'Fuel Bunker Section B-B' (dated 15 February 2017), as satisfying the requirements of the aforementioned conditions 6, 11, 12, 14 and 20 of planning permission reference SW/10/444.

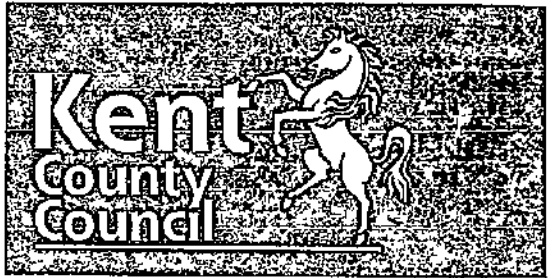
Yours faithfully,

Yours faithfully

A handwritten signature in black ink, appearing to be 'S. M. P.', written in a cursive style.

Head of Planning Applications Group





CC1 (Detailed)

Reference Code  
of Application: SW/12/1001

X

**KENT COUNTY COUNCIL**

**TOWN AND COUNTRY PLANNING ACTS  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2010**

**Notification of Grant of Permission to Develop Land**

To: DS Smith PLC & E.ON Energy from Waste Ltd  
C/o RPS  
3<sup>rd</sup> Floor  
34 Lisbon Street  
Leeds  
LS1 4LX

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Acts, HAS GRANTED PERMISSION for development of land situated at Kemsley Paper Mill, Kemsley, Sittingbourne, Kent and being the formation of improved access road and associated development to serve Kemsley Sustainable Energy Plant referred to in your application for permission for development dated the twentieth day of June 2012, with the letter from RPS dated 20 June 2012, 'Planning Application Supporting Statement' dated June 2012 (Ref: DLE2410) together with additional supporting information as set out in the e mail from Jonathan Standen sent on 19 September 2012, with attached 'Reptile Survey Report' dated 5 September 2012 (Ref: JPP1804) and 'Flood Risk Assessment' (Ref: JER5440), SUBJECT TO THE CONDITIONS SPECIFIED hereunder:-

- (1) The development to which this permission relates shall be commenced not later than the expiration of 5 years commencing with the date of this permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).*

- (2) The development to which this permission relates shall be carried out strictly in accordance with the details submitted with the application together with those further approved details required to be submitted for approval by the County Planning Authority.

*Reason: For the avoidance of doubt and to maintain control over the development.*

- (3) During construction provision shall be made on the site, to the satisfaction of the Local Planning Authority, to accommodate operative's and construction vehicles loading, off-loading or turning on the site.

*Reason: In the interest of highway safety.*



- (4) Prior to the works commencing on site details of parking for site personnel / operatives / visitors shall be submitted to and approved by the County Planning Authority and thereafter shall be provided and retained throughout the construction of the development.

*Reason: In the interest of highway safety.*

- (5) As an initial operation on site, precautions shall be taken during the progress of the works to guard against the deposit of mud and similar substances on the public highway in accordance with proposals to be submitted to and approved by the County Planning Authority. Such proposals shall include washing facilities by which vehicles have their wheels, chassis and bodywork cleaned and washed free of mud and similar substances.

*Reason: In the interest of highway safety.*

- (6) Surface water run-off from the site shall be restricted to a maximum of 5 litres/second, with on-site storage provided for the 1 in 100 year event (+CC).

*Reason: In order to ensure that the development is consistent with the objectives of the National Planning Policy Framework (NPPF) and to ensure that surface and ground water resource interests are protected pursuant to policy W19 of the Kent Waste Local Plan 1998.*

- (7) Prior to the commencement of the development details of a management and maintenance plan of the drainage system shall be submitted to and approved by the County Planning Authority and thereafter shall be implemented as approved.

*Reason: In order to ensure that the development is consistent with the objectives of the NPPF and to ensure that surface and ground water resource interests are protected pursuant to policy W19 of the Kent Waste Local Plan 1998.*

- (8) Prior to the commencement of the development a scheme for the provision and management of a buffer zone alongside and including the ditch within and to the east of the application area as shown on Figure 4 Rev C of the planning application supporting statement, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall provide for a strategy to improve the ditch and associated banking for water vole. Thereafter the development shall be carried out in accordance with the approved scheme subject to any written variation as approved by the County Planning Authority. The scheme shall include the following:

- (a) Plans showing the extent and layout of the buffer zone.
- (b) Details demonstrating how the buffer zone will be protected during construction of the development and managed/maintained over the longer term.
- (c) The strategy shall include provision for an updated water vole survey to be carried out prior to works commencing.

*Reason: In order to conserve and enhance biodiversity interests consistent with the objectives set out in the NPPF and policy W21 of the Kent Waste Local Plan.*

Town and Country Planning (Development Management Procedure) (England) Order 2010

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy guidance and the relevant Circulars, together with the relevant Development Plan policies, including those referred to under the specific conditions above.

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informative:

Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to formally submit further details to the County Planning Authority for approval may be required to be formally discharged prior to commencement of operations on site, or within a specified time. It is your responsibility to ensure that such details are submitted. **Failure to do so may mean that any development carried out is unlawful and which may ultimately result in the permission becoming incapable of being legally implemented.** It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time. Note that from 6<sup>th</sup> May 2008 each submission of details pursuant to conditions attracts an application fee of £85

Dated this fifth day of November 2012



(Signed).....  
 Head of Planning Applications Group  
 H.H

INVICTA HOUSE  
 COUNTY HALL  
 MAIDSTONE  
 KENT ME14 1XX



RPS Planning & Development  
34 Lisbon Street  
Leeds  
LS1 4LX

**Planning Applications Group**  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX  
Tel: 03000 411200

Website: [www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)  
Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
Direct Dial/Ext: 03000 413350  
Text relay: 18001 03000 417171  
Ask for: Mr Mike Clifton  
Your ref:  
Our ref: SW/14/506680  
Date: 21 April 2015

#### **TOWN AND COUNTRY PLANNING ACT 1990**

Dear Sir/Madam

**APPLICATION:** SW/14/506680

**PROPOSAL:** Section 73 application to vary conditions (2) & (4) of planning permission SW/10/444 to allow a variation to the permitted hours of delivery to allow for 24 hours 7 days per week operation

**LOCATION:** Land at Kemsley Paper Mill, Kemsley, Sittingbourne, Kent, ME10 2TD

The above mentioned planning application received for the formal observations of the County Council, as County Planning Authority has now received consideration.

I write to inform you that the County Planning Authority resolved that planning permission be granted as set out in the attached formal notification.

Please note the conditions imposed and the informatives as described.

Yours faithfully

Sharon Thompson  
Head of Planning Applications Group



Reference Code of  
Application: SW/14/506680

## KENT COUNTY COUNCIL

### TOWN AND COUNTRY PLANNING ACTS TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

#### NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: D S Smith & Wheelabrator Technologies  
c/o RPS Planning & Development  
34 Lisbon Street  
Leeds  
LS1 4LX

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Land at Kemsley Paper Mill, Kemsley, Sittingbourne, Kent, ME10 2TD and being the Section 73 application to vary conditions (2) & (4) of planning permission SW/10/444 to allow a variation to the permitted hours of delivery to allow for 24 hours 7 days per week operation, referred to within the application for permission for development dated 11 November 2014, received on 13 November 2014, as amplified in the Email from Jonathan Standen (RPS) dated 12 February 2015. Accordingly condition (4) of planning permission SW/10/444 shall be deleted and condition (2) shall now read:

2. The development to which this permission relates shall be carried out strictly in accordance with the details submitted with the application as varied together with those further details to be submitted for approval.

*Reason: For the avoidance of doubt and to maintain planning control over the development*

#### Town and Country Planning (Development Management Procedure) (England) Order 2015

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy and associated guidance and the relevant Circulars, together with the relevant Development Plan policies., including the following, and those referred to under the specific conditions above:-

- Where necessary the planning authority has engaged with the applicant(s) *[and other interested parties]* to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

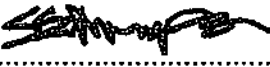
The summary of reasons for granting approval is as follows:-

- The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise.

In addition please be advised of the following informatives:

1. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.
2. You are advised that all other conditions imposed on planning permission SW/10/444 remain in effect.

Dated this Twenty first day of April 2015

(Signed)..........  
Head of Planning Applications Group

KENT COUNTY COUNCIL  
PLANNING APPLICATIONS GROUP  
FIRST FLOOR, INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT ME14 1XX

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

- This permission is confined to permission under the Town and Country Planning Act 1990, the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) and the Town and Country Planning (Applications) Regulations 1988 and does not prevent the need to comply with any other enactment, by-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required.

#### **Appeals to the Secretary of State**

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can obtain from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.



H & C Consultancy Ltd  
15 Sherbourne Road  
West Bridgford  
Nottingham  
NG2 7BN

Fao: Mrs J Holland

**Planning Applications Group**  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX  
Tel: 03000 411200

Website: [www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)  
Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
Direct Dial/Ext: 03000 413350  
Text relay: 18001 03000 417171  
Ask for: Mr Mike Clifton  
Your ref:  
Our ref: SW/16/507687  
Date: 9 February 2017

#### TOWN AND COUNTRY PLANNING ACT 1990

Dear Sir/Madam

**APPLICATION:** SW/16/507687

**PROPOSAL:** The construction and operation of an Incinerator Bottom Ash (IBA) Recycling Facility on land adjacent to the Kemsley Sustainable Energy Plant

**LOCATION:** Kemsley IBA Recycling Facility, Ridham Avenue, Sittingbourne, Kent, ME10 2TD

The above mentioned planning application received for the formal observations of the County Council, as County Planning Authority has now received consideration.

I write to inform you that the County Planning Authority resolved that planning permission be granted as set out in the attached formal notification.

Please note the conditions imposed and the informatives as described.

Yours faithfully

Sharon Thompson  
Head of Planning Applications Group





Reference Code of  
Application: SW/16/507687

## KENT COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015

### NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: Wheelabrator Technologies (UK) Ltd  
c/o H & C Consultancy Ltd  
15 Sherbourne Road  
West Bridgford  
Nottingham  
NG2 7BN

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Kemsley IBA Recycling Facility, Ridham Avenue, Sittingbourne, Kent, ME10 2TD and being the The construction and operation of an Incinerator Bottom Ash (IBA) Recycling Facility on land adjacent to the Kemsley Sustainable Energy Plant, referred to within the application for permission for development dated 23 September 2016, received on 23 September 2016, as amplified and amended by details referred to in the attached schedule SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission. [Written notification of the actual date of commencement shall be sent to the County Planning Authority within 7 days of such commencement].

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).*

2. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted details, documents and plans referred to in Schedule 1 (attached) and/or as otherwise approved pursuant to the conditions below.

*Reason: For the avoidance of doubt and to maintain planning control over the development.*

3. Within 6 months prior to commencement of development a detailed sustainable surface water drainage scheme for the site shall be submitted to the County Planning Authority for approval. The detailed drainage scheme shall be based on the recommendations of the approved Drainage Design Philosophy (NK018570/DDP01) and shall demonstrate that the surface water generated by this development for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be accommodated and disposed without an increase to on or off site flood risk.

*Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to ensure the ongoing efficacy of the drainage provisions.*

4. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the County Planning Authority. Thereafter the scheme shall be implemented and managed in accordance with the approved details. Such details shall include:
  - i) A timetable for implementation
  - ii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

*Reason: To ensure that the principles of sustainable drainage are incorporated into the development and to ensure the ongoing efficacy of the drainage provisions.*

5. Prior to the commencement of the development hereby permitted the following shall be undertaken:
  - i) Based on the submitted Desk Top Study and Preliminary Risk Assessment (Reference 160916 Phase 1 DTS and PRA Kemsley Mill IBA Area Final), to provide information for further assessment of the potential risk posed from contamination to controlled water receptors and site end users.
  - ii) The results of the further assessment referred to in i) above and based on these, an options appraisal and remediation strategy (if required), giving full details of any remediation measures required and how they are to be undertaken.
  - iii) If a Remediation Strategy is required following the further assessment referred to in ii) above, a verification plan of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in ii) above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written approval of the County Planning Authority. The scheme shall be implemented as approved.

*Reason: To prevent pollution of controlled waters and to comply with the National Planning Policy Framework.*

6. If a Remediation Strategy is required no occupation of any part of the development hereby permitted shall take place until a verification report demonstrating completion of works sets out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved by the County Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The longer-term monitoring and maintenance plan shall thereafter be implemented as approved.

*Reason: To prevent pollution of controlled waters and to comply with the National Planning Policy Framework.*

7. The external finish and colour of the buildings and structures hereby permitted shall be as set out in Section 3.2 of the Planning Application Supporting Statement; details of further scrub planting along the eastern boundary of the site in the vicinity of the proposed attenuation swale and settlement lagoon shall be submitted to and approved by the County Planning Authority and shall thereafter be implemented as approved.

*Reason: In order to help assimilate the proposed development into the landscape and to soften views from the Saxon Shore Way.*

8. Parking for site personnel/operatives and visitors as shown on the Site Layout Plan Figure Number 9163-0012-17 and retained throughout the duration of the development.

*Reason: In the interest of highway safety.*

9. During construction provision shall be made on site to accommodate operatives' and construction vehicles loading, off-loading and turning on site.

*Reason: In the interest of highway safety.*

10. Precautions shall be taken during the construction of the site and throughout the duration of the development to prevent the deposit of mud and debris on the public highway.

*Reason: In the interest of highway safety.*

11. The area shown on the submitted Site Layout Plan Figure Number 1963-0012-17 as vehicle parking and turning space shall be provided, surfaced and drained before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of and visitors to the premises, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended) shall be carried out on the area of land or in such a position as to preclude vehicular access to this reserved parking space.

*Reason: In the interest of highway safety.*

12. The habitat proposed within the application site as shown on Figure Number 801 shall be incorporated and managed as part of the wider site management plan as set out in the Ecological Mitigation and Management Plan (Ref. JPP1804-MP-001d July 2013) which was approved under planning permission Ref. SW/10/444. The approved plan shall be updated accordingly.

*Reason; In order to protect and enhance ecological interests.*

13. The development hereby permitted shall only process Incinerator Bottom Ash from the adjoining Sustainable Energy Site permitted under planning permission Ref. SW/10/444.

*Reason: In order to maintain proper planning control over the development.*

14. HGVs shall only enter and leave the site between 0700 and 2300 hours.

*Reason: In order to maintain proper planning control over the development.*

15. The maximum number of HGV movements entering and leaving the site shall not exceed a combined total of 84 movements per day.

*Reason: In order to maintain proper planning control over the development.*

Town and Country Planning (Development Management Procedure) (England) Order 2015

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy and associated guidance and the relevant Circulars, together with the relevant Development Plan policies.

- Where necessary the planning authority has engaged with the applicant *[and other interested parties]* to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

The summary of reasons for granting approval is as follows:-

- The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

1. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.
2. Your attention is drawn to the informatives set out in the attached letter from the Environment Agency dated 11 November 2016.

Dated this Ninth day of February 2017

(Signed).....  
Head of Planning Applications Group

KENT COUNTY COUNCIL  
PLANNING APPLICATIONS GROUP  
FIRST FLOOR, INVICTA HOUSE  
COUNTY HALL, MAIDSTONE, KENT ME14 1XX

## Schedule 1

### Schedule of Documents Permitted Under Planning Permission: SW/16/507687

Document Title / Description / Reference / Author	Dated
Application for Planning Permission (Town and Country Planning Act 1990)	
Planning Application Form	23/09/2016
Planning Application Supporting Statement	23/09/2016
Transport Assessment	22/09/2016
Noise Assessment (jae9063_A0_20160616)	8/09/2016
Ecology Impact Assessment	August 2016
Flood Risk Assessment RV2	11/10/2016
Desk Study and Preliminary Risk Assessment	September 2016
Drainage Design Philosophy ( Ref. NK018570/DDP01) Rev D	7/10/2016
Groundsure Enviro Insight	31/05/2016
Site Investigation Report	December 2015
Fugitive Emissions Risk Assessment and Management Plan	July 2016
External Lighting Strategy	9/09/2016
Letter from h & c Consultancy	11/10/2016
 <b>Drawings / Number / Title:</b>	
IBA Application Boundary (Figure Number 9163-0012-03)	
Site Layout Plan (Figure Number 9163-0012-20)	
Site Elevations (Figure Number 9163-0020-05)	

IBA Storage Building (Figure Number 9163-0018-10)

Proposed Site Plan Impermeable Area (Document Number NK01857—RPS-00-ZZ-DR-1305 Rev C)

Proposed Drainage Layout (Document Number NK018570-RPS-00-ZZ-DR-D-1300 Rev C)

**As amended and/or amplified by:**

Email from Joanna Holland (h&c Consultancy)

12/12/2016

Email from Joanna Holland (h&c Consultancy) with attached( Document Number NK018570-RPS-00-ZZ-DR-D-1300)

12/12/2016

Email from Joanna Holland (h&c Consultancy) with attached Ecologist comments and Figure Number 801 ( January 2017)

4/01/2017

## TOWN AND COUNTRY PLANNING ACT 1990

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

- This permission is confined to permission under the Town and Country Planning Act 1990, the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) and the Town and Country Planning (Applications) Regulations 1988 and does not prevent the need to comply with any other enactment, by-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required.

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can obtain from the Secretary of State at Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

creating a better place

Mr Mike Clifton  
Kent County Council  
Planning Applications Unit  
County Hall (Invicta House)  
Maidstone  
Kent  
ME14 1XX



Environment  
Agency

**Our ref:** KT/2016/121936/01-L01  
**Your ref:** KCC/SW/0265/2016  
**Date:** 11 November 2016

Dear Mr Clifton

**THE CONSTRUCTION AND OPERATION OF AN INCINERATOR BOTTOM ASH (IBA) RECYCLING FACILITY ON LAND ADJACENT TO THE KEMSLEY SUSTAINABLE ENERGY PLANT**

**KEMSLEY IBA RECYCLING FACILITY, RIDHAM AVENUE, SITTINGBOURNE, KENT, ME10 2TD**

Thank you for consulting us on the above application. We have reviewed the information submitted and consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

**Condition:** No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reasons:** To prevent pollution of controlled waters and comply with the National Planning Policy Framework.

**Condition:** No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation

Environment Agency  
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)





strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reasons:** To prevent pollution of controlled waters and comply with the NPPF.

**Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reasons:** To prevent pollution of controlled waters and comply with the NPPF.

### **Informatives**

#### **Drainage**

From the information submitted, we understand that there will be no infiltration to ground. We have no objection to the drainage strategy in principle, but may require more detailed information to be provided at the permitting stage (such as confirmation of impermeable and permeable areas).

#### **Environmental Permit**

We will require more information through the permit application process for the proposed activity. The applicant will need to apply to amend their Environmental Permit. As the treatment of residues falls under the definition of a Schedule 5.1 Part A(1) activity, we will write to you under separate cover regarding the most suitable option to do this.

Since the original facility was permitted, operators consigning treated IBA off-site as a non-hazardous waste, are required to have analytical evidence from an agreed sampling plan in place before the material can be consigned off site. As such, storage capacities need to reflect the need to retain material on-site until sample results are obtained. As the size and design of the buildings is a material consideration under planning, we recommend that Kent County Council assures itself proposed storage capacities for routine and non-routine operations are sufficient.

Further pre-application advice on Environmental Permitting Regulations is available to the applicant if needed.

Although not strictly related to the planning application, we would re-iterate the opportunity this development offers to support the development of APC recovery markets, through the suitable use of construction products recovering APC Residues. There are drivers in the current permit for applying the waste hierarchy to residues from incineration, and the current derogation on Waste Acceptance Criteria which many incineration plants rely to landfill APC residues, maybe removed in the future. The current K2 facility operated by E.On UK CHP Ltd, are currently recovering large volumes of APC residues in this manner.

#### **Above ground storage of oils, fuels or chemicals**

Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary

Page 2 of 4  
Environment Agency

Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH

Customer services line: 03708 506 506

Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.

All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

All precautions must be taken to avoid discharges and spills to the ground both during and after construction. For advice on pollution prevention, the applicant should refer to our advice online, which can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/290124/LIT\\_1404\\_8bdf51.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/290124/LIT_1404_8bdf51.pdf)

### **Waste**

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2), provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste.

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore its handling, transport, treatment and disposal is subject to waste management legislation which includes:

- i. Duty of Care Regulations 1991
- ii. The Waste (England and Wales) Regulations 2011
- iii. Hazardous Waste (England and Wales) Regulations 2005
- iv. Pollution Prevention and Control Regulations (England and Wales) 2000
- v. Environmental Permitting (England and Wales) Regulations 2010

### **Additional information**

#### **Flood Risk**

Based on the Flood Risk Assessment submitted with this application (RPS / JER6933 / October 2016), we have no objection to the proposal. The application has proved that adequate finished floor levels can be achieved. The site manager should ensure that the new Recycling Facility will receive Flood Warnings from the Environment Agency should they be issued.

We have no comments to make with regards to the surface water drainage. We recommend that the Lead Local Flood Authority, Kent County Council be consulted accordingly.

#### **Contamination**

We have reviewed the Desk Study and Preliminary Risk Assessment report produced by RPS, dated September 2016 (ref: JER6846). The reported actions and analysis of risks and liabilities detailed in the submitted report are agreed in principle as being in accordance with relevant guidance and good practice. The recommendations for further investigation should be undertaken. The findings from such investigations may also be useful for any potential

Page 3 of 4

Environment Agency

Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH

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[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

Site Condition Report required when an Environmental Permit is sought.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

**Please note:** the submitted reports are sufficient to satisfy part 1 of the above condition.

**Decision notice request**

We record the outcome of planning decisions and request the decision notice is emailed to [kslplanning@environment-agency.gov.uk](mailto:kslplanning@environment-agency.gov.uk)

We trust this is of use. Please do not hesitate to contact us if we can provide any further information.

Yours sincerely,

**Miss Ghada S. Mitri**  
**Sustainable Places Planning Specialist**  
**Kent and South London**  
Direct dial 01732 223181  
Direct e-mail [kslplanning@environment-agency.gov.uk](mailto:kslplanning@environment-agency.gov.uk)



Reference: KCC/SW/0265/2016

**KENT COUNTY COUNCIL  
THE TOWN AND COUNTRY PLANNING  
(ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011**

**SCREENING OPINION UNDER REGULATION 7**

To: Wheelabrator Technologies (UK) Ltd  
C/o H & C Consultancy Ltd  
15 Sherbourne Road  
West Bridgford  
Nottingham  
NG2 7BN

**Proposed development: The construction and operation of an Incinerator Bottom Ash (IBA) Recycling Facility on land adjacent to the Kemsley Sustainable Energy Plant at Kemsley IBA Recycling Facility, Ridham Avenue, Sittingbourne, Kent, ME10 2TD.**

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority, under the Town and Country Planning Act, considers that the above proposed development referred to in your application dated 23 September 2016 relates to Schedule 2 Development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations which in this particular case **does not** constitute EIA development for the following reasons:

The development subject of this screening opinion request constitutes a 'Schedule 2 Development' by virtue of paragraph 13(b) (changes or extensions to Schedule 2 developments) of the 2011 Regulations. The current planning application seeks planning permission for an Incinerator Bottom Ash (IBA) Recycling Facility that it is proposed would receive IBA directly from the adjacent Kemsley Sustainable Energy Plant (SEP) which was previously granted permission by Kent County Council in March 2012 (Ref. SW/10/444). The SEP permission has since been subject to subsequent permissions for 'non-material amendments' to its layout and building footprint elevations, which included amongst other matters, the removal of an IBA recycling facility which was permitted as part of the original proposals to process the IBA from the SEP development.

The application seeks planning permission for an IBA Recycling Facility principally comprising of an IBA storage and drop down area, process building and IBA aggregate (IBAA) storage area, associated drainage system, external lighting and landscaping. The raw IBA would be received directly from the adjacent Kemsley SEP via a conveyor. The raw IBA would then be transferred to the process building where metals are recovered and a secondary aggregate known as incinerator bottom ash aggregate (IBAA) is recovered for use in the construction industry (thus avoiding the need to landfill the raw IBA and win primary aggregates, moving waste up the waste hierarchy).

The application, whilst falling outside of the development footprint of the permitted SEP, physically adjoins its north western site boundary and would be functionally linked to it. As

such it is therefore considered to constitute an extension to it. Accordingly, for the purposes of the 2011 Regulations, this screening exercise assesses whether the SEP as extended would have significant effects on the environment. The proposed IBA Recycling Facility would exceed the threshold for a change or extension of a development already authorised which in this case is the permitted SEP, in that it would exceed an area of 0.5 hectares.

The application is accompanied by a Planning Application Supporting Statement appended to which are separate documents comprising of;

- Transport Assessment
- Noise Assessment
- Ecological Impact Assessment
- Flood Risk Assessment
- Ground Condition Desk Top Study and Preliminary Assessment
- Fugitive Emissions Risk Assessment and Management Plan
- External Lighting and,
- Drainage Design Philosophy

Whilst the application site is not within a 'sensitive area' as defined in Part 1 Regulation 2(1), much of the surrounding area to the north east, east and south of the site is subject to national and international designations for nature conservation largely on the basis of the over wintering bird population. The sites include The Swale Special Protection Area (SPA), Ramsar and Site of Special Scientific Interest.

The original SEP application was accompanied by an environmental statement which included an assessment of the potential environmental effects from the development in relation to the existing conditions on site and its surroundings. Having regard to the specified information required under Schedule 3 paragraphs 1, 2 and 3 of the 2011 Regulations the following key matters were taken into account:

- Need
- Traffic
- Air Quality
- Landscape and Visual Impact
- Ecology and Nature Conservation
- Hydrology and Flood Risk
- Hydrogeology and Ground Conditions
- Noise and Vibration
- Archaeology and Cultural Heritage
- Socio Economic Impacts; and,
- Amenity

Having regard to the environmental information submitted in support of the application and taking into account views and comments from statutory consultees, in granting permission the County Council considered that the proposed development would not have significant effects upon the environment by virtue of its nature, size or location subject to the imposition of conditions and the satisfactory completion of a legal agreement to secure off-site ecological mitigation measures.

This latest Screening Opinion request considers in combination the potential for significant adverse effects from the proposed SEP granted under planning permission SW/10/444, as changed/extended by the proposed IBA facility. Taking the selection criteria set out in Schedule 3 into consideration where relevant together with the findings of the original 2010 ES and the assessments submitted with the application for the IBA Recycling Facility, the likelihood of significant effects have been assessed under the following headings;

- Landscape and Visual Impact
- Ecology and Biodiversity
- Cultural Heritage
- Traffic
- Noise and Vibration
- Air Quality and Climate
- Hydrology and Flood Risk
- Ground Conditions and Hydrogeology
- Agriculture
- Socio-economics and Community and
- Cumulative effects

The Planning Practice Guidance indicates that it should not be presumed that development above the indicative thresholds will always be EIA development, or those falling below these thresholds could never give rise to significant effects. The Planning Practice Guidance suggests key considerations for this type of development are the scale of the proposed development and the nature of the potential impacts particularly in terms of discharge, emissions or odour. Each development needs to be considered on its own merits, the fundamental test being whether, within the given location, a particular development and its impacts are likely to result in significant effects on the environment.

Having regard to the information supplied within the formal Screening Opinion Request and paragraphs 1, 2 and 3 of Schedule of the 2011 Regulations, it is considered that the proposed development would not have significant effects upon the environment by virtue of its nature, size or location if planning permission were to be granted.

Under the circumstances, the proposed development **does not** need to be accompanied by an environmental statement as defined in the 2011 Regulations.

*NB: This decision is reached based upon the information contained in the planning application documents and the conclusions of the accompanying supporting information. The County Council reserves the right to revisit this decision should any of those conclusions together with any further supporting information be questioned by consultees or any third party during the processing of the application.*

Dated this Seventh day of December 2016

(Signed)..........  
Head of Planning Applications Group

INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT ME14 1XX

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm or significant environmental effects, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

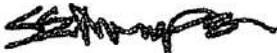
In addition please be advised of the following informatives:

1. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.
2. You are advised that this planning permission reflects:
  - (a) the development provided for by planning permission SW/10/444 dated 6 March 2012;
  - (b) the deletion of condition 4 and amendment to condition 2 of planning permission SW/10/444 by planning permission SW/14/506680 dated 21 April 2015;
  - (c) the non-material amendment to planning permission SW/10/444 relating to building footprint, elevations, appearance and site layout approved under planning reference SW/10/444/RB on 27 March 2017; and
  - (d) the following details approved pursuant to conditions attached to planning permission SW/10/444 (with planning references and dates):
    - (i) rail strategy (condition 6), contamination risk (condition 10), buffer management zone for ditch (condition 11), environmental management plan (condition 12), programme of archaeological work (condition 13), scheme of landscaping (condition 14) and waste bunkers (condition 20) (SW/10/444/RVAR, dated 23 September 2013); and
    - (ii) rail strategy (condition 6), buffer zone alongside western ditch (condition 11), environmental monitoring and mitigation plan (condition 12), landscaping scheme (condition 14) and storage bunkers (condition 20) (SW/10/444/RVAR, dated 27 June 2017).

Further detail on these is provided in Schedule 1 titled "Relevant permissions, non-material amendments and approved details" attached to this decision notice.



Dated this Twenty Third day of August 2017



(Signed).....  
Head of Planning Applications Group

KENT COUNTY COUNCIL  
PLANNING APPLICATIONS GROUP  
FIRST FLOOR, INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT ME14 1XX



RPS Planning and Development.  
Suite D10 Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB

**Planning Applications Group**  
First Floor, Invicta House  
County Hall  
Maidstone  
Kent ME14 1XX  
Tel: 03000 411200

Website: [www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)  
Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)  
Direct Dial/Ext: 03000 413484  
Text relay: 18001 03000 417171  
Ask for: Mr Jim Wooldridge  
Your ref:  
Our ref: SW/17/502996  
Date: 23 August 2017

### **TOWN AND COUNTRY PLANNING ACT 1990**

Dear Sir/Madam

**APPLICATION:** SW/17/502996

**PROPOSAL:** Section 73 application to vary the wording of condition 16 of planning permission SW/10/444 (as amended by SW/10/506680) to allow an amended surface water management scheme at the Sustainable Energy Plant to serve Kemsley Paper Mill

**LOCATION:** Land North East of Kemsley Paper Mill, Ridham Avenue, Sittingbourne, Kent, ME10 2TD

The above mentioned planning application received for the formal observations of the County Council, as County Planning Authority has now received consideration.

I write to inform you that the County Planning Authority resolved that planning permission be granted as set out in the attached formal notification.

Please note the conditions imposed and the informatives as described.

Yours faithfully

Sharon Thompson  
Head of Planning Applications Group



Reference Code of  
Application: SW/17/502996

## KENT COUNTY COUNCIL

### TOWN AND COUNTRY PLANNING ACT 1990 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

#### NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: Wheelabrator Technologies  
c/o RPS Planning and Development.  
Suite D10 Josephs Well  
Hanover Walk  
Leeds  
LS3 1AB

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Act, HAS GRANTED PERMISSION for development of land situated at Land North East of Kemsley Paper Mill, Ridham Avenue, Sittingbourne, Kent, ME10 2TD and being the Section 73 application to vary the wording of condition 16 of planning permission SW/10/444 [i.e. the development of a sustainable energy plant to serve Kemsley Paper Mill, comprising waste fuel reception, moving grate technology, power generation and export facility, air cooled condensers, transformer, bottom ash handling facility, office accommodation, vehicle parking, landscaping, drainage and access] (as amended by SW/10/506680 [i.e. the variation of conditions 2 and 4 of planning permission SW/10/444 to allow a variation to the permitted hours of delivery to allow for 24 hours 7 days per week operation]) to allow an amended surface water management scheme at the Sustainable Energy Plant to serve Kemsley Paper Mill, referred to within the application for permission for development dated 18 May 2017, received on 18 May 2017, as amplified and amended by the email from Andrew Stevenson of RPS Planning & Development dated 6 June 2017 (09:33 hours) with attached details, SUBJECT TO THE FOLLOWING CONDITIONS:

1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission. Written notification of the actual date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).*

2. Unless otherwise approved beforehand in writing by the Waste Planning Authority, the development to which this permission relates shall be carried out and completed in all respects strictly in accordance with the details permitted under planning reference SW/10/444 on 6 March 2012, as amended and/or supplemented by planning permission SW/14/506680 dated 21 April 2015, the non-material amendment to

planning permission SW/10/444 dated 27 March 2017 [i.e. building footprint, elevations, appearance and site layout] under planning reference SW/10/444/RB, the details approved pursuant to planning permission SW/10/444 on 23 September 2013 [i.e. rail strategy (condition 6), contamination risk (condition 10), buffer management zone for ditch (condition 11), environmental management plan (condition 12), programme of archaeological work (condition 13), scheme of landscaping (condition 14) and waste bunkers (condition 20)] and 27 June 2017 [i.e. rail strategy (condition 6), buffer zone alongside western ditch (condition 11), environmental monitoring and mitigation plan (condition 12), landscaping scheme (condition 14) and storage bunkers (condition 20)] and the details submitted with the application referred to above, and as stipulated in the conditions set out above and below.

*Reason: For the avoidance of doubt and to maintain planning control over the development.*

3. The maximum number of Heavy Goods Vehicle Movements to and from the Application Site shall not exceed a combined total of 258 movements per day save for movements in accordance with condition 5 subject to any prior written variation as approved by the Waste Planning Authority.

*Reason: In the interests of highway safety.*

4. Deleted by planning permission SW/14/506680 (dated 21 April 2015).
5. Waste deliveries originating from and returning to the railway depot at Ridham Docks accessing and egressing the Application Site by the use of Ridham Dock Road shall not be subject to condition 3 of the permission.

*Reason: In order to encourage the reduction in the number of HGV movements generated by the Development on the local public road network.*

6. The rail strategy approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 27 June 2017 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: In order to encourage the reduction in the number of HGV movements generated by the Development on the local public road network.*

7. With the exception of construction using the concrete slip-forming method, construction using constant pour methods for concrete laying and internal process works relating to mechanical and/or electrical equipment installation, construction activities shall only take place between 07:00 and 19:00 hours Monday to Friday inclusive and 07:00 and 16:00 hours on Saturday and Sunday with no construction activities to take place on Bank or Public Holidays subject to any prior written variation as approved by the Waste Planning Authority.

*Reason: In order to avoid any adverse disturbance to breeding birds.*

8. All piling shall be by way of Auger other than where an alternative method is required for structural reasons. In such circumstances the prior written consent of the Waste Planning Authority shall be required which shall only be given if it has been demonstrated that there is no resultant unacceptable risk to groundwater and that impact piling will not take place between 1 April and 31 August in any given year, subject to any prior written variation as approved by the Waste Planning Authority.

*Reason: In order to avoid any risks to groundwater and any disturbance to breeding birds.*

9. Noise levels as measured at the residential locations as set out in Figure 12.1 of Chapter 12 (Noise and Vibration) of the Environmental Statement (March 2010) attributable directly to the Development hereby permitted shall not exceed the background levels set out in Appendix 12.5 of the Environmental Statement (March 2010) (Operational Noise Assessment) dated 24 November 2009.

*Reason: In order to avoid any adverse impact from noise.*

10. The scheme to deal with the risks associated with contamination of the Application Site approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 23 September 2013 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: To ensure that any risks to groundwater and surface waters are appropriately mitigated.*

11. The scheme for the provision and management of a buffer zone alongside and including the ditch within the west of the application area as shown on Figure 4.2 of the Planning Application Supporting Statement approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 27 June 2017 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: In order to protect the ecological value of the ditch.*

12. The detailed Environmental Management Plan including Construction Method Statement approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 27 June 2017 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: In order to protect the bio-diversity and geological interests of the Application Site and surrounding area.*

13. The programme of archaeological work approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 23 September 2013 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: To ensure that features of archaeological interest are properly examined and recorded.*

14. The scheme of landscaping and tree planting approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 27 June 2017 shall be implemented as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: In order to help reduce the visual impact of the development.*

15. All trees and shrubs planted under the scheme as approved under condition 14 above shall be maintained for a period of 5 years. Any trees or shrubs that either die, are lost, damaged or become diseased during this 5 year period shall be replaced with a tree or shrub of the same species within the next available planting season.

*Reason: In order to help reduce the visual impact of the development.*

16. The Development hereby permitted shall be carried out strictly in accordance with either:
- A. The Flood Risk Assessment (FRA) submitted in May 2017 which includes the following detailed mitigation measures:
1. The Surface Water Management and Foul Drainage Philosophy (including the drainage layout and surface water storage pond as shown on drawing referenced 16315 / A0 / 0301 Rev H and site section referenced 16315 / A0 / 0250 Rev G at Appendix B) which shall be constructed and operational prior to the acceptance of waste by the development;
  2. A safe route into and out of the Application Site to an appropriate safe haven shall be identified and provided; and
  3. Finished floor levels are to be set in accordance with the FRA.

or

- B. A Flood Risk Assessment and Surface Water Drainage Philosophy submitted to and approved by the Waste Planning Authority in writing.

*Reason: In order to reduce the risk of flooding and ensure the safe access and egress from and to the Application Site.*

17. All surface water drainage from the Application Site discharging to a local water course shall be attenuated for a 1:100 year return storm with a limited discharge of 7 litres per second per hectare or the equivalent run off from a Greenfield site for a 1:2 storm.

*Reason: In order to reduce the risk of flooding and ensure the safe access and egress from the Application Site.*

18. Work on the proposed drainage outfall to the Swale (as shown on Figure 4.25 Proposed Drainage Layout of the Planning Application Site Supporting Statement) shall only take place between 1 April and 31 September in any given year.

*Reason: In order to prevent any unacceptable risk to the environment.*

19. All fuels, oils and other liquids with the potential to contaminate the Application Site shall be stored in a secure bunded area in order to prevent any accidental or unauthorised discharge to the ground. The area for storage shall not drain to any surface water system. Where it is proposed to store more than 200 litres of any type of oil on the Application Site it must be stored in accordance with the provisions of the Control of Pollution (Oil Storage) (England) Regulations 2001. Where a drum or barrel has a capacity less than 200 litres a drip tray capable of retaining 25% of the maximum capacity of the drum or barrel may be used in lieu of storing the drum or barrel in the secure bunded area.

*Reason: In order to prevent any unacceptable risk to the environment.*

20. The storage bunkers into which waste would initially be tipped approved by the Waste Planning Authority under planning reference SW/10/444/RVAR on 27 June 2017 shall be installed / constructed as approved unless otherwise approved beforehand in writing by the Waste Planning Authority.

*Reason: To ensure that in the event of plant shutting down that any waste stored in the storage bunkers can be readily removed or contained in a manner so as to prevent the creation of any unacceptable and unpleasant odours in the interests of residential amenity.*

21. Details of an external lighting strategy which follows best practice to reduce the impact of light spillage on the adjacent SPA and Ramsar site shall be submitted to the Waste Planning Authority for approval prior to the installation of external lighting on the Application Site. External lighting shall only be installed on the Application Site in accordance with the approved lighting strategy.

*Reason: In order to protect the bio-diversity and geological interests of the Application Site and surrounding area.*

22. Other than waste arising from within Kent all waste used as a fuel in the Sustainable Energy Plant hereby permitted shall be pre-treated. Unless otherwise agreed in writing by the Waste Planning Authority no less than 20% of the annual waste throughput shall be pre-treated waste sourced from within the area defined as Hinterland shown on the plan attached to the letter from RPS dated 17 march 2011 entitled Kent & Hinterland and which includes Kent, Tandridge, Thurrock and Medway.

*Reason: To ensure that waste processed at the plant is sourced consistent with the principles of net regional and sub-regional self-sufficiency and having regard to the proximity principle.*

23. In the event that Kemsley Paper Mill no longer requires heat and/or power from the Sustainable Energy Plant hereby permitted, the operator of the plant shall submit a scheme to the Waste Planning Authority setting out details of the steps that will be taken to identify alternative users of the heat and/or power generated.

*Reason: To ensure that the plant continues to operate as a means of providing a sustainable supply of energy.*

#### Town and Country Planning (Development Management Procedure) (England) Order 2015

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's current planning policy and associated guidance and the relevant Circulars, including the NPPF and associated planning practice guidance, together with the relevant Development Plan policies, including the following:-

**Kent Minerals and Waste Local Plan 2013-30 (July 2016)** – Policies CSW1, CSW2, CSW4, CSW6, CSW7, CSW8, CSW16, DM1, DM2, DM3, DM5, DM10, DM11, DM12, DM13, DM14, DM15, DM16 and DM19.

**Bearing Fruits 2031: The Swale Borough Local Plan (July 2017)** – Policies ST1, ST5, CP1, CP2, CP4, CP7, CP8, DM6, DM14, DM19, DM20, DM21, DM22, DM23, DM24, DM28, DM30 and DM34.

Where necessary the planning authority has engaged with the applicants and other interested parties to address and resolve issues arising during the processing and determination of this planning application, in order to deliver sustainable development, to ensure that the details of the proposed development are acceptable and that any potential impacts can be satisfactorily mitigated.

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm or significant environmental effects, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

1. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to submit further details to the County Planning Authority for approval may need to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is the applicant's responsibility to ensure that such details are submitted. The County Council may consider it appropriate to carry out consultations and other procedures prior to giving a formal decision on these matters and it is unlikely that this will take less than 4 weeks. The above information should be taken into account when programming the implementation of the permission. **Any development that takes place in breach of such conditions is likely to be regarded as unlawful** and may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time.
2. You are advised that this planning permission reflects:
  - (a) the development provided for by planning permission SW/10/444 dated 6 March 2012;
  - (b) the deletion of condition 4 and amendment to condition 2 of planning permission SW/10/444 by planning permission SW/14/506680 dated 21 April 2015;
  - (c) the non-material amendment to planning permission SW/10/444 relating to building footprint, elevations, appearance and site layout approved under planning reference SW/10/444/RB on 27 March 2017; and
  - (d) the following details approved pursuant to conditions attached to planning permission SW/10/444 (with planning references and dates):
    - (i) rail strategy (condition 6), contamination risk (condition 10), buffer management zone for ditch (condition 11), environmental management plan (condition 12), programme of archaeological work (condition 13), scheme of landscaping (condition 14) and waste bunkers (condition 20) (SW/10/444/RVAR, dated 23 September 2013); and
    - (ii) rail strategy (condition 6), buffer zone alongside western ditch (condition 11), environmental monitoring and mitigation plan (condition 12), landscaping scheme (condition 14) and storage bunkers (condition 20) (SW/10/444/RVAR, dated 27 June 2017).

Further detail on these is provided in Schedule 1 titled "Relevant permissions, non-material amendments and approved details" attached to this decision notice.



Dated this Twenty Third day of August 2017



(Signed).....  
Head of Planning Applications Group

KENT COUNTY COUNCIL  
PLANNING APPLICATIONS GROUP  
FIRST FLOOR, INVICTA HOUSE  
COUNTY HALL  
MAIDSTONE  
KENT ME14 1XX

## Schedule 1

### Relevant permissions, non-material amendments and approved details

Note: Where shown in *italics and underlined*, the details referred to have been superseded by a more recent approval

Planning Permission / Approval / Details	Date
<p><b>Planning permission SW/10/444</b></p> <p>The development of a sustainable energy plant to serve Kemsley Paper Mill, comprising waste fuel reception, moving grate technology, power generation and export facility, air cooled condensers, transformer, bottom ash handling facility, office accommodation, vehicle parking, landscaping, drainage and access on land to the North East of Kemsley Paper Mill, Kemsley, Sittingbourne, Kent, ME10 2TD.</p> <ul style="list-style-type: none"> <li>• Application dated 23 March 2010, as amplified in the letters from RPS dated: <ul style="list-style-type: none"> <li>○ 5 October 2010 enclosing further supplementary reports in respect of biodiversity information and information to inform an appropriate assessment together with a separate report in response to observations made by the Environment Agency;</li> <li>○ 15 October 2010; and</li> <li>○ 26 November 2010; and 17 March 2011 enclosing a plan entitled Kent &amp; Hinterland.</li> </ul> </li> </ul>	<p><b>6 March 2012</b></p>
<p><b>Planning approval SW/10/444/RVAR</b></p> <p>Details pursuant to conditions <u>6 (Rail Strategy)</u>, 10 (Contamination Risk), <u>11 (Buffer Management Zone)</u>, 12 (Environmental Management Plan), 13 (Archaeology), <u>14 (Landscaping)</u> and <u>20 (Details of the Waste Bunker)</u> of planning permission SW/10/444.</p> <ul style="list-style-type: none"> <li>• Details set out in the RPS letter dated 5 August 2013, received with accompanying Planning Statements entitled “Application for Approval of Details Reserved by Condition” and “Scheme for Discharge of Condition 10” dated July 2013, as amended by: <ul style="list-style-type: none"> <li>○ Drawing number 16315/A1/4.21A Rev E received with accompanying RPS letter dated 17 September 2013 and as further amended by:</li> <li>○ Drawing number 16315/A1/4.21A Rev F entitled “Landscape Masterplan”.</li> </ul> </li> </ul>	<p><b>23 September 2013</b></p>

<p><b>Planning permission SW/14/506680</b></p> <p>Section 73 application to vary conditions 2 and 4 of planning permission SW/10/444 to allow a variation to the permitted hours of delivery to allow for 24 hours 7 days per week operation.</p> <ul style="list-style-type: none"> <li>• Application dated 11 November 2014, as amplified in: <ul style="list-style-type: none"> <li>○ The email from Jonathan Standen (RPS) dated 12 February 2015.</li> </ul> </li> </ul>	<p><b>21 April 2015</b></p>
<p><b>Non-Material amendment approval SW/10/444/RB</b></p> <p>Non-material amendments to site layout, building footprints, elevations and appearance of planning permission SW/10/444.</p> <ul style="list-style-type: none"> <li>• Application and letter dated 2 March 2017 with drawing numbers: <ul style="list-style-type: none"> <li>○ 4.1C Site Location Plan</li> <li>○ 4.2C Proposed Building Layout</li> <li>○ 4.3C Proposed Site Layout</li> <li>○ 4.4C SE Elevation &amp; Section</li> <li>○ 4.5C NE Elevation &amp; Section</li> <li>○ 4.6C SW Elevation &amp; Section</li> <li>○ 4.7C NW Elevation &amp; Section</li> <li>○ 4.8C SE Elevation b/w</li> <li>○ 4.9C NE Elevation b/w</li> <li>○ 4.10 SW Elevation b/w</li> <li>○ 4.11C NW Elevation b/w</li> <li>○ 4.12C Site Layout &amp; Access</li> <li>○ 4.13C Proposed Structure for Air Cooled Condenser Elevations</li> <li>○ 4.19C Typical Office and Staff Amenities Building Floor Plans</li> <li>○ 4.20C Proposed Gatehouse Floor Plan and Elevations</li> <li>○ 4.21C Landscape Masterplan</li> <li>○ 4.22C Boundary Treatment</li> <li>○ 4.24C Site Sections</li> <li>○ 4.25C Proposed Drainage Layout</li> <li>○ 4.26C Proposed Levels</li> <li>○ 4.27C Fuel Bunker Level +2.0m</li> <li>○ 4.28C Fuel Bunker Level +20.0m and Level +36.0m</li> <li>○ 4.29C Fuel Bunker Section A-A</li> <li>○ 4.30C Fuel Bunker Section B-B</li> <li>○ 4.31C Tipping Hall Layout Level +0.0m</li> <li>○ 4.32C Tipping Hall Section A-A</li> <li>○ 4.33C Overall Roof Layout Comparison Drawing</li> <li>○ 4.34C Illustration 1 of 7</li> <li>○ 4.35C Illustration 2 of 7</li> <li>○ 4.36C Illustration 3 of 7</li> <li>○ 4.37C Illustration 4 of 7</li> <li>○ 4.38C Illustration 5 of 7</li> <li>○ 4.39C Illustration 6 of 7</li> </ul> </li> </ul>	<p><b>27 March 2017</b></p>

<ul style="list-style-type: none"> <li>○ 4.40C Illustration 7 of 7</li> <li>○ 4.41C Western Ditch</li> </ul> <p><u>Note:</u> This approval further revised the details previously approved under the non-material amendments approved on 18 December 2015 (under planning reference SW/10/444RA) and 2 September 2013 (under planning reference SW/10/444/R) which are not listed here.</p>	
<p><b>Planning approval SW/10/444/RVAR</b></p> <p>Details pursuant to conditions 6 (Rail Strategy), 11 (Buffer Zone alongside the Western Ditch), 12 (Environmental Monitoring &amp; Mitigation Plan), 14 (Landscaping Scheme) and 20 (Storage Bunkers) imposed on planning permission SW/10/444.</p> <ul style="list-style-type: none"> <li>• Details submitted on 3 April 2017 within the letter from Andrew Stevenson of RPS Planning &amp; Development Ltd and accompanying documents titled “Wheelabrator Kemsley Generating Station Condition 6: Revised Rail Strategy” (dated 24 March 2017), “Kemsley EFW, Kemsley Paper Mill, Sittingbourne, Kent: Ditch Buffer Zone Management Plan” (dated January 2017) and “Kemsley Sustainable Energy Plant Environmental Monitoring and Mitigation Plan Kemsley, Kent” (dated November 2016) and drawing numbers 16315/A1/4.21 Rev K titled “Landscape Masterplan” (dated January 2017), 16315/A1/P/0220 Rev B titled “Fuel Bunker Level +2.000m” (dated 14 February 2017), 16315/A1/P/0221 Rev B titled “Fuel Bunker Level +20.000m and Level +36.000m” (dated 14 February 2017), 16315/A1/P/0222 Rev B titled “Fuel Bunker Section A-A” (dated 15 February 2017) and 16315/A0/P/0223 Rev B titled “Fuel Bunker Section B-B” (dated 15 February 2017)</li> </ul>	<p><b>27 June 2017</b></p>

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

- This permission is confined to permission under the Town and Country Planning Act 1990, the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) and the Town and Country Planning (Applications) Regulations 1988 and does not prevent the need to comply with any other enactment, by-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required.

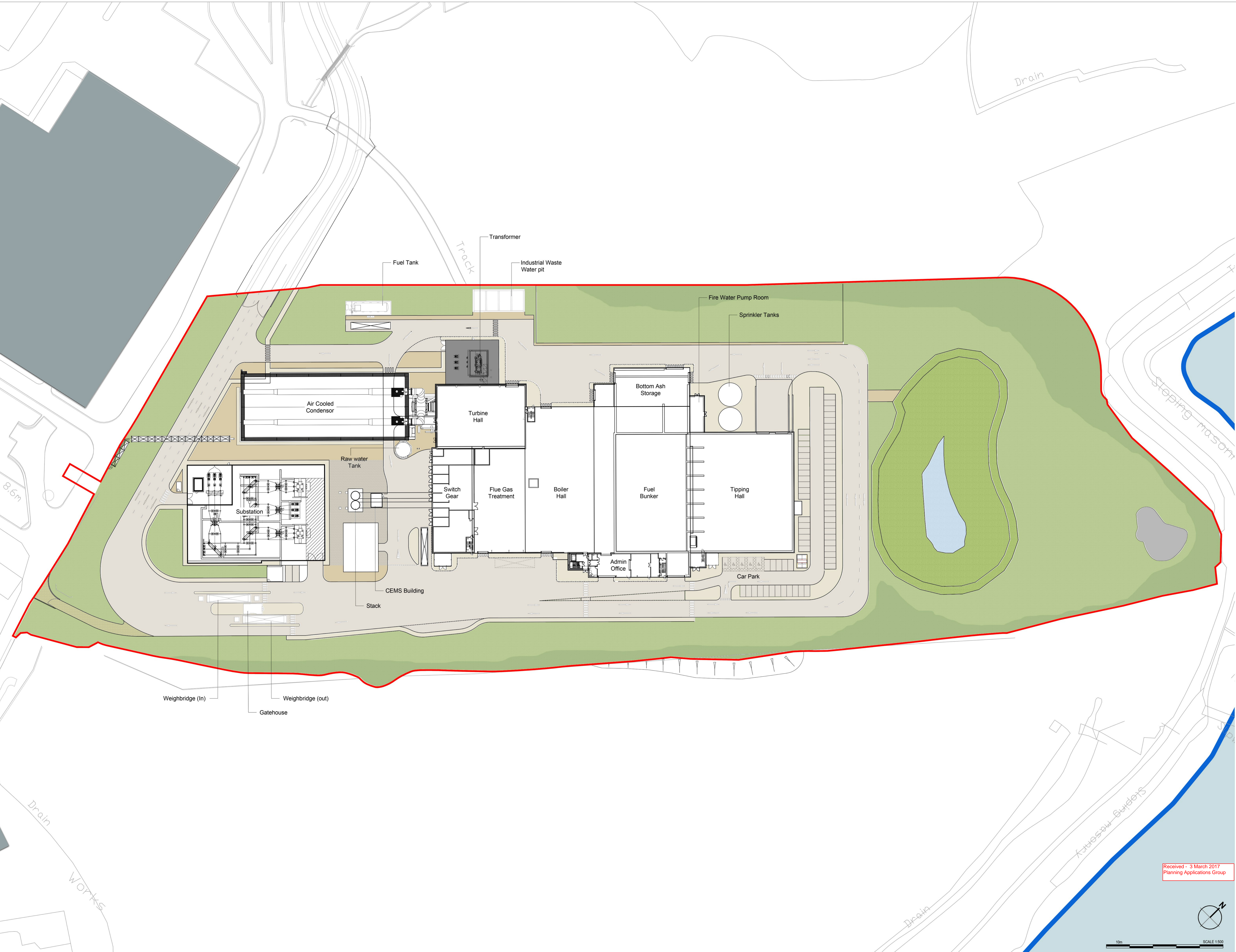
#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

## **Appendix 5 – K3 Approved layout and elevations**

notes :

1. If this drawing has been received electronically it is the recipient's responsibility to print the document to the correct scale.
2. All dimensions are in millimetres unless stated otherwise. It is recommended that information is not scaled off this drawing.
3. This drawing should be read in conjunction with all other relevant drawings and specifications.



Drawing for **PLANNING** purposes only

J	Client logos updated. Steam export rack updated as per CNIM drawing. Internal equipment not shown.	JT	EMGD	14.02.17
H	Hibernacula added. Previous site boundary line removed. Hatches updated.	JH	CD	20.01.17
G	Drawing updated to suit NMA site plan 2016	DDP	CD	11.01.17
F	Logos confirmed. Site layout/access clarified	AJL	RS	28.06.12
E	Site layout updated.	JAT	SG	08.10.12
D	E.ON logo added.	KRY	PRP	15.02.10
C	Surrounding site context and site gates added. Existing OS and colours altered.	SMG	PRP	09.12.09
B	Entrance clarified. Red line boundary confirmed. Critical dimensions added.	AJL	PRP	02.12.09
A	Boundary confirmed, swale extent reduced.	PRP	RS	19.11.09
RV	amendments	TV	CD	date

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 E rpsenr@rpsgroup.com

Client  
**Wheelabrator TECHNOLOGIES**  
 Project **Kemsley Sustainable Energy Plant**  
 Title **Proposed Building Layout**

Drawing Status **Preliminary** Date Created **November 2009** Drawing Scale **1:500**  
 Project Leader **RS** Drawn By **JAT** Initial Review **SG**

Drawing Number **16315 / A0 / P / 0105 J**  
 FIGURE 4.2C

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 Planning Applications Group



notes :

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2. All dimensions are in millimetres unless stated otherwise. It is recommended that information is not scaled off this drawing.
3. This drawing should be read in conjunction with all other relevant drawings and specifications.
4. Internal dimensions to be confirmed at a later stage.

Key:

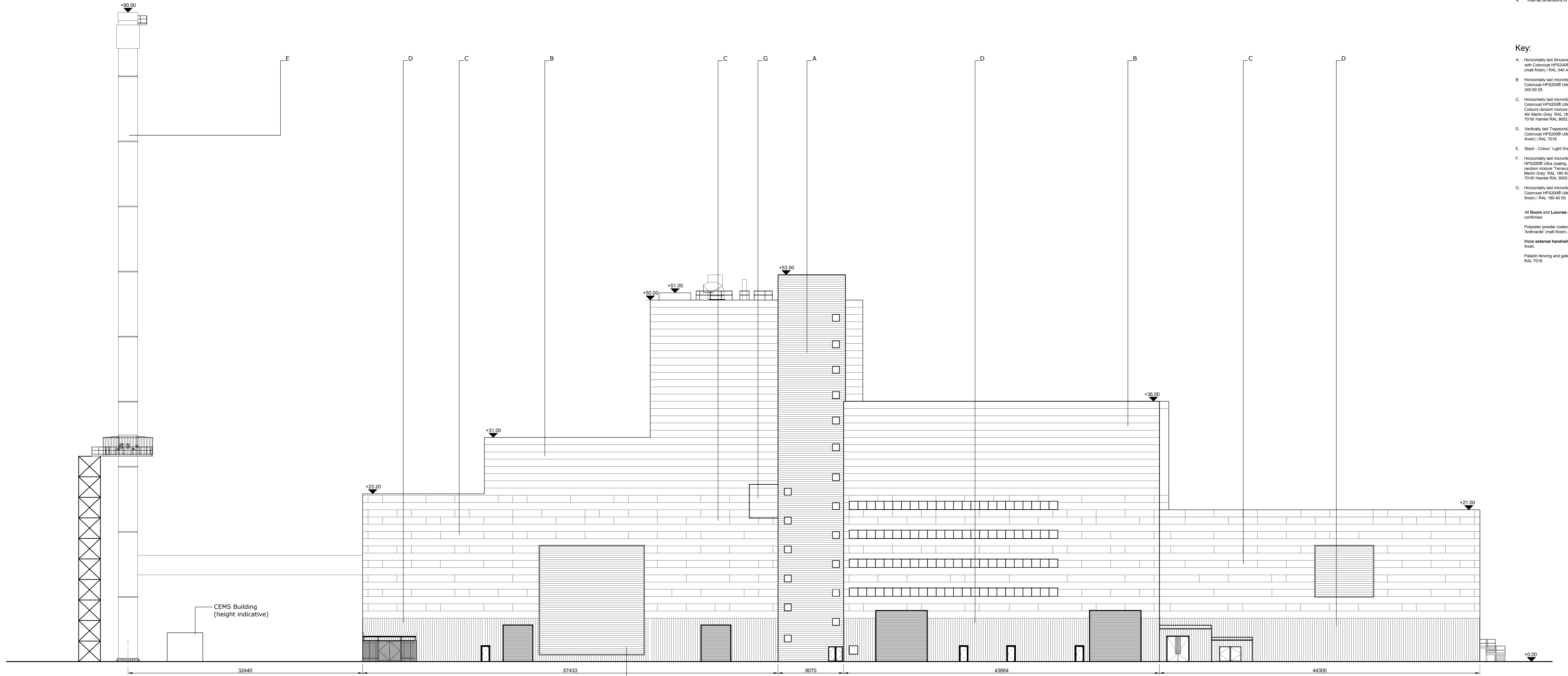
- A. Horizontally laid Sinusoidal profile insulated built-up cladding with Colorcoat HPS2000 Ultra coating - Colour Terracotta (matt finish) / RAL 940 40 40
- B. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2000 Ultra coating - Colour Albatross / RAL 240 80 05
- C. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2000 Ultra coating, 100mm deep oolite - Colours random mixture Terracotta (matt finish) RAL 940 40 40 Merin Grey RAL 180 40 05 Anthracite (matt finish) RAL 7016 Hamlet RAL 9002
- D. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS2000 Ultra coating - Colour Anthracite (matt finish) / RAL 7016
- E. Stack - Colour Light Grey / RAL 7035
- F. Horizontally laid microb profile cladding sheet with Colorcoat HPS2000 Ultra coating, 100mm deep bands - Colours random mixture Terracotta (matt finish) RAL 940 40 40 Merin Grey RAL 180 40 05 Anthracite (matt finish) RAL 7016 Hamlet RAL 9002
- G. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2000 Ultra coating - Colour Terracotta (matt finish) / RAL 940 40 40

All Doors and Louvers - colour and dimensions to be confirmed

Polyester powder coated aluminum window frames - Colour Anthracite (matt finish) / RAL 7016

Metal external handrails and plant support - Galvanised finish

Paladin fencing and gates - Colour Anthracite (matt finish) / RAL 7016



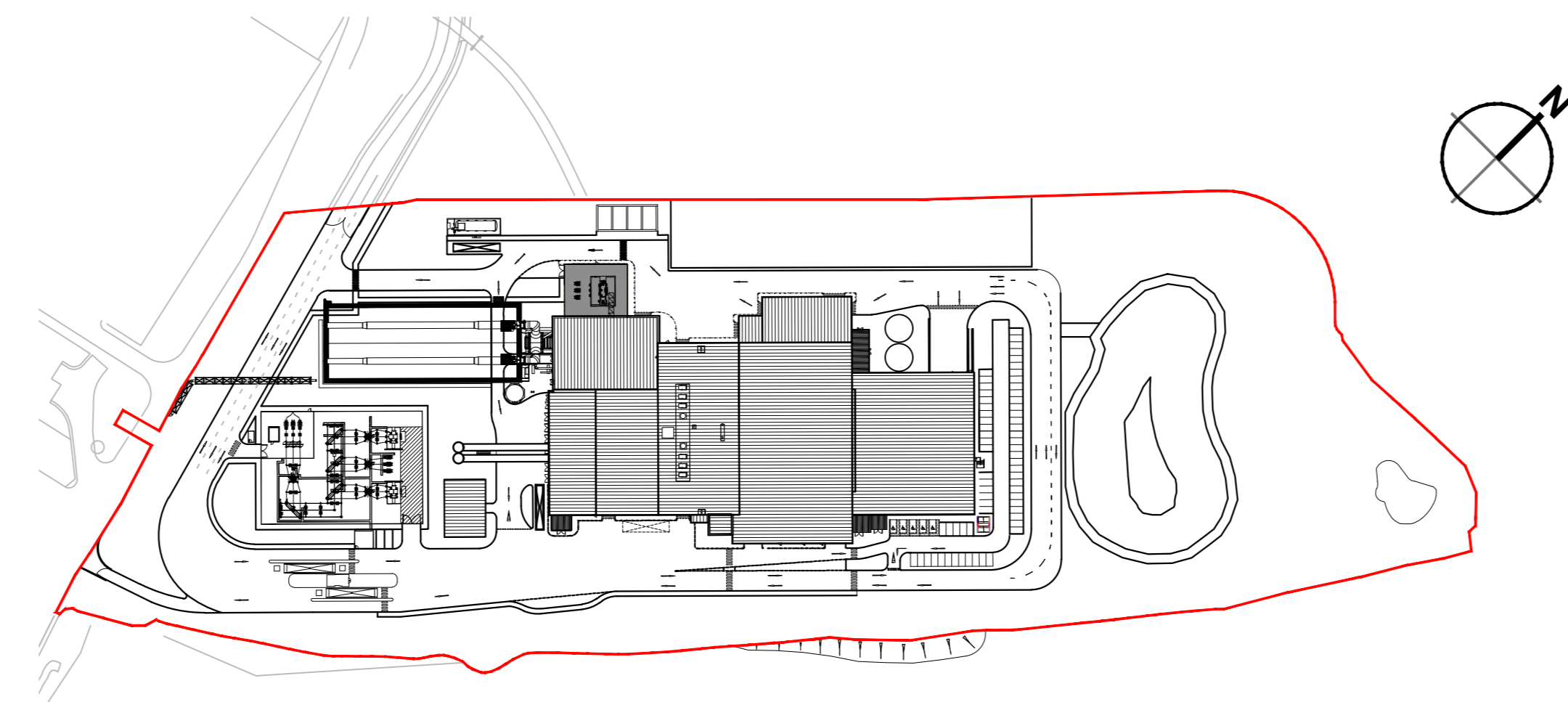
South East Elevation  
Scale 1:200

Dimensions of doors and louvers TBC

Drawing for **PLANNING** purposes only

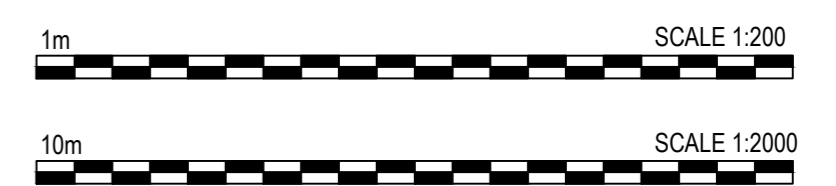
Content of drawing based on UMC drawing number 502520020154\_UMG0300 and CNIM drawing AAK-04-0202\_64G0008. Reproduced with permission

H	Admin H AC area updated. Escape stairs updated to be un-enclosed stair. Key Plan updated.	JT	CMGD 28.02.17
G	Client logos updated. Steam export rack updated as per CNIM drawing. Walkway enclosure added. CEMS Building added. Escape stair added. Any updated.	JT	CMGD 13.02.17
F	Dimensions added	JH	CMGD 20.01.17
E	Elevation and Site Plan updated.	JH	CMGD 10.01.17
D	Elevations Updated to suit latest UI design. Keyplan updated to show revised site plan. Cladding design clarified.	A.J.L.	RS 05.07.13
C	Elevations updated.	JAT	SG 0.10.12
B	E.ON logo added. Building extents confirmed.	KRy	PRP 15.02.10
A	Crane area material changed. Keyplan outline clarified.	A.J.L.	PRP 18.01.10



Key Plan  
Scale 1:2000

SE Elevation



Received: 3 March 2017  
Planning Applications Group

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Client  
**Wheelabrator TECHNOLOGIES**

Project  
**Kemsley Sustainable Energy Plant**

Title  
**Main Building Proposed South East Elevation**

Drawing Status Preliminary	Date Created 23.11.09	Drawing Scale 1:200
Project Leader AWY	Drawn By PRP	Initial Review RS

Drawing Number  
**16315 / A0 / P / 0125 H**

Rev



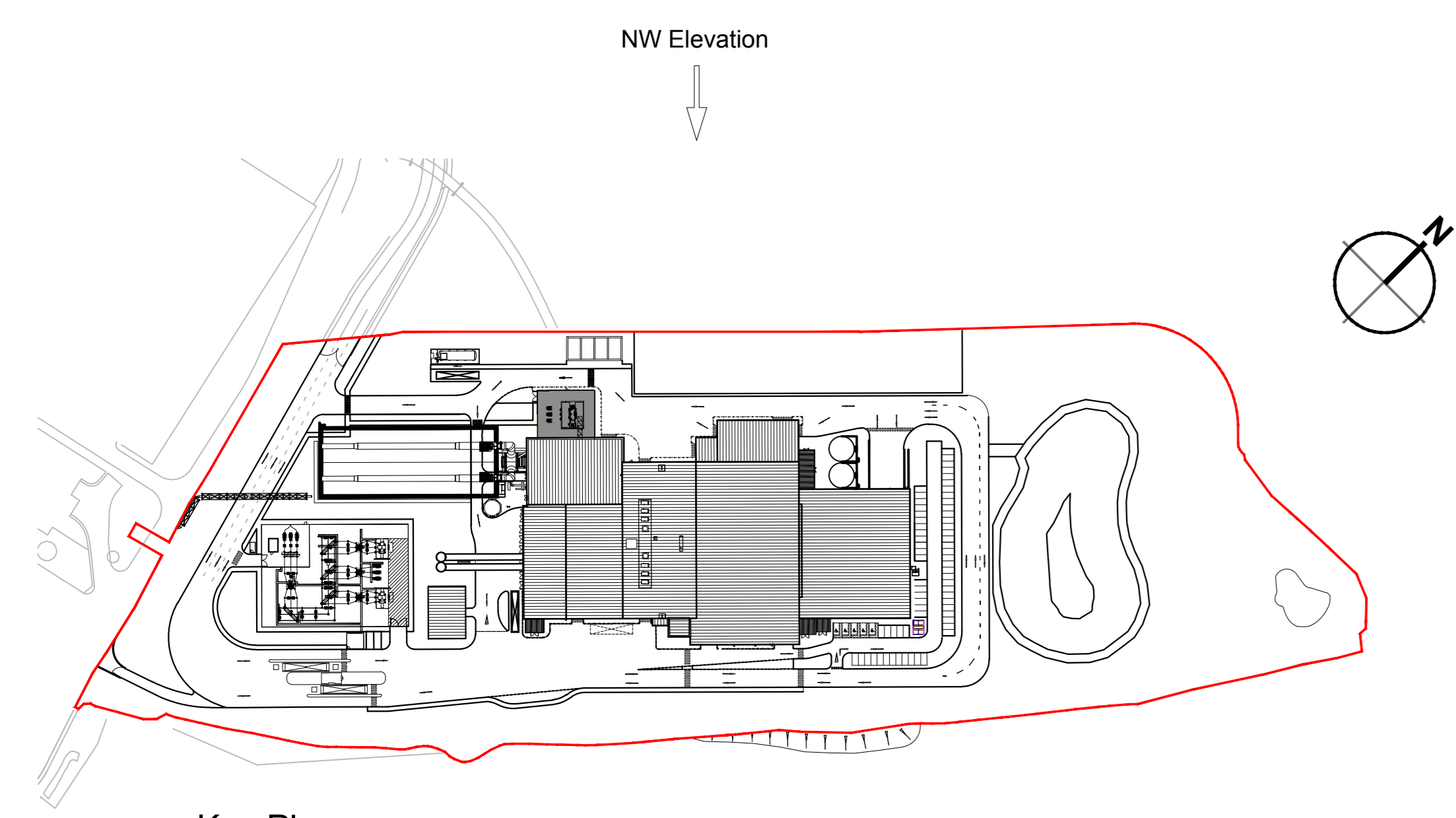
notes :

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4. Internal dimensions to be confirmed at a later stage.

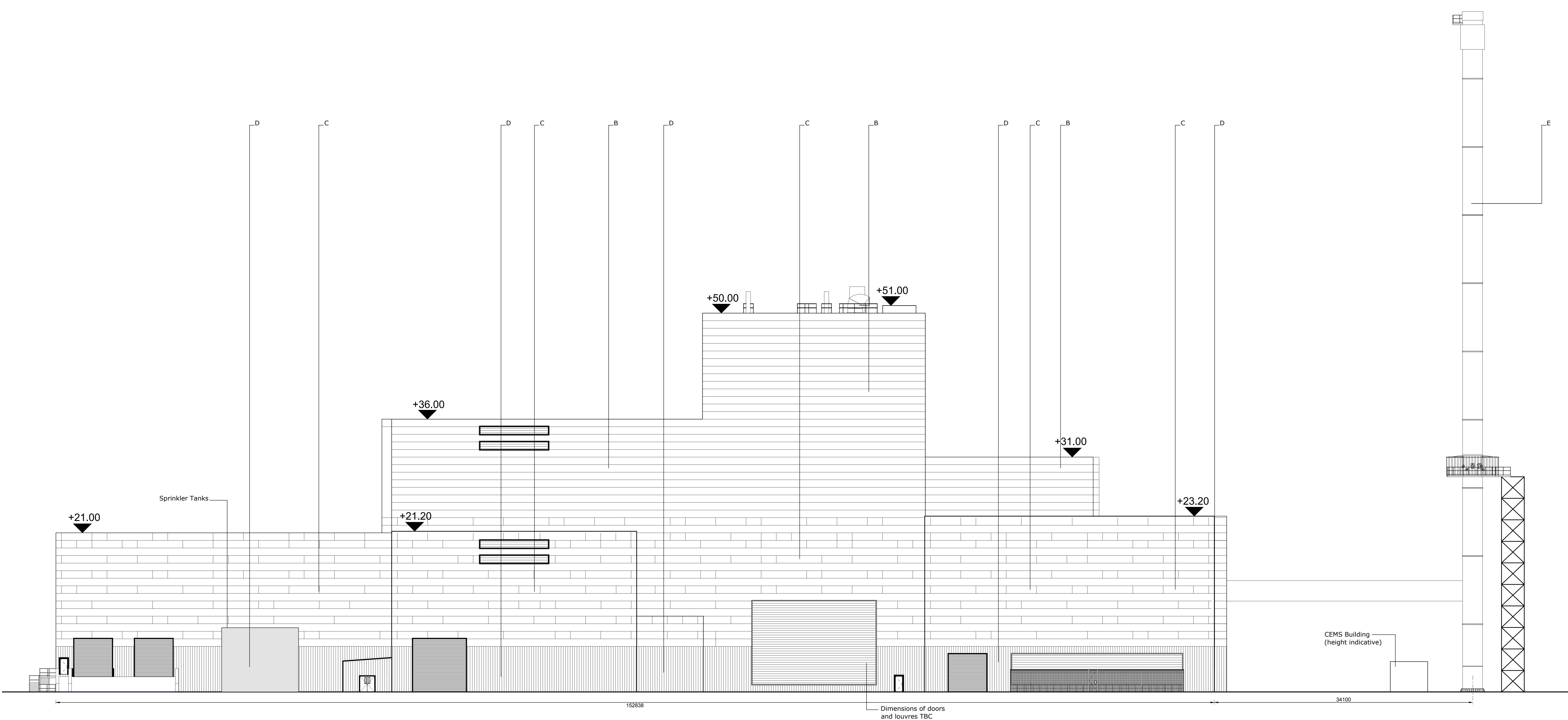
Key:

- A. Horizontally laid Sinuoidal profile insulated built-up cladding with Colorcoat HPS2008 Ultra coating - Colour Terracotta (matt finish) / RAL 940 40 40
- B. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2008 Ultra coating - Colour Albatross / RAL 240 80 05
- C. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2008 Ultra coating, 1000mm deep louvers - Colour random mosaic Terracotta (matt finish) RAL 940 40 40 Merin Grey RAL 180 40 05 Anthracite (matt finish) RAL 7016 Hamlet RAL 9002
- D. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS2008 Ultra coating - Colour Anthracite (matt finish) / RAL 7016
- E. Stack - Colour Light Grey / RAL 7035
- F. Horizontally laid microb profile cladding sheet with Colorcoat HPS2008 Ultra coating, 1000mm deep louvers - Colour random mosaic Terracotta (matt finish) RAL 940 40 40 Merin Grey RAL 180 40 05 Anthracite (matt finish) RAL 7016 Hamlet RAL 9002
- G. Horizontally laid microb profile insulated cladding panel with Colorcoat HPS2008 Ultra coating - Colour Terracotta (matt finish) / RAL 940 40 40

All Doors and Louvers - colour and dimensions to be confirmed  
 Polyester powder coated aluminium window frames - Colour Anthracite (matt finish) / RAL 7016  
 Metal external handrails and plant support - Galvanised finish  
 Palatin fencing and gates - Colour Anthracite (matt finish) / RAL 7016



Key Plan  
Scale 1:2000



North West Elevation  
Scale 1:200

Drawing for **PLANNING** purposes only  
 Content of drawing based on UMC drawing number 502520020154, UMG0300 and CNIM drawing AAK-04-0202\_04G0008. Reproduced with permission

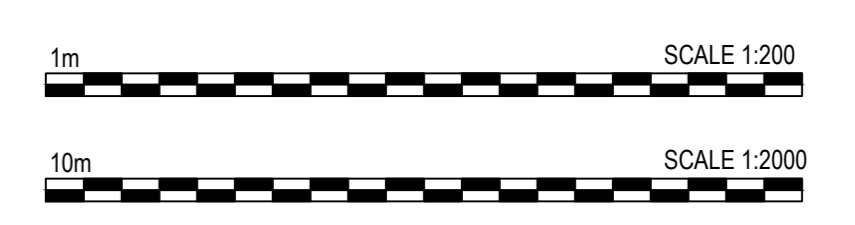
H	Escape stairs updated to be un-enclosed stair. Key Plan updated.	JT	CMGD	28.02.17
G	Client logos updated. Walkway enclosure added. Transformer fence added. CEMS building added. Escape stair added. Key updated.	JT	CMGD	13.02.17
F	Dimensions added	MT	CD	20.01.17
E	Elevation and Site Plan updated.	JH	CMGD	10.01.17
D	Elevations updated to suit latest UI design. Keyplan updated to show revised site plan. Cladding design clarified.	A.JL	RS	05.07.13
C	Elevations updated.	JAT	SG	0..10.12
B	E.ON logo added. URU height confirmed.	KRy	PRP	15.02.10
A	UMA building extents confirmed. Keyplan updated. Stack colour confirmed	A.JL	PRP	18.01.10

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 E rpsnewark@rpsgroup.com

Client  
 Project **Kemsley Sustainable Energy Plant**  
 Title **Main Building Proposed North West Elevation**

Drawing Status	Date Created	Drawing Scale
Preliminary	23.11.09	1:200
Project Leader	Drawn By	Initial Review
AWY	PRP	RS

Drawing Number **16315 / A0 / P / 0128 H** Rev  
**FIGURE 4.11C**



Received - 3 March 2017  
Planning Applications Group

notes :

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3. This drawing should be read in conjunction with all other relevant drawings and specifications.
4. Internal dimensions to be confirmed at a later stage.

Key:

- A. Horizontally laid Sinusoidal profile insulated built-up cladding with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
- B. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
- C. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating, 1000mm deep bands - Colours random mixture 'Terracotta' (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002
- D. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
- E. Stack - Colour 'Light Grey' / RAL 7035
- F. Horizontally laid microrib profile cladding sheet with Colorcoat HPS200® Ultra coating, 1000mm deep bands - Colours random mixture 'Terracotta' (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002
- G. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 180 40 05

All Doors and Louvres - colour and dimensions to be confirmed  
 Polyester powder coated aluminium window frames - Colour 'Anthracite' (matt finish) / RAL 7016  
 Metal external handrails and plant support - Galvanised finish.  
 Paladin fencing and gates - Colour 'Anthracite' (matt finish) / RAL 7016

Drawing for **PLANNING** purposes only

Content of drawing based on UMC drawing number 502520020154\_UMG0301 and CNIM drawing AAK-04-0202\_64G0008. Reproduced with permission

J	Key Plan updated.	JT	CMGD	28.02.17
H	Client logos updated. Steam export rack updated as per CNIM drawing. Walkway enclosure added. Key updated.	JT	CMGD	13.02.17
G	Dimensions added	MT	CD	20.01.17
F	Elevation and Site Plan updated.	JH	CMGD	10.01.17
E	Elevations Updated to suit latest UI design. Keyplan updated to show revised site plan. Cladding design clarified.	AJL	RS	05.07.13
D	Elevation amended to suit comments.	JAT	SG	15.10.12
C	Elevations updated.	JAT	SG	0.10.12
B	E.ON logo added. Building extents confirmed.	KRy	PRP	15.02.10
A	UMA building extents confirmed. Keyplan updated. Stack colour confirmed	AJL	PRP	18.01.10

rev	amendments	by	ckd	date
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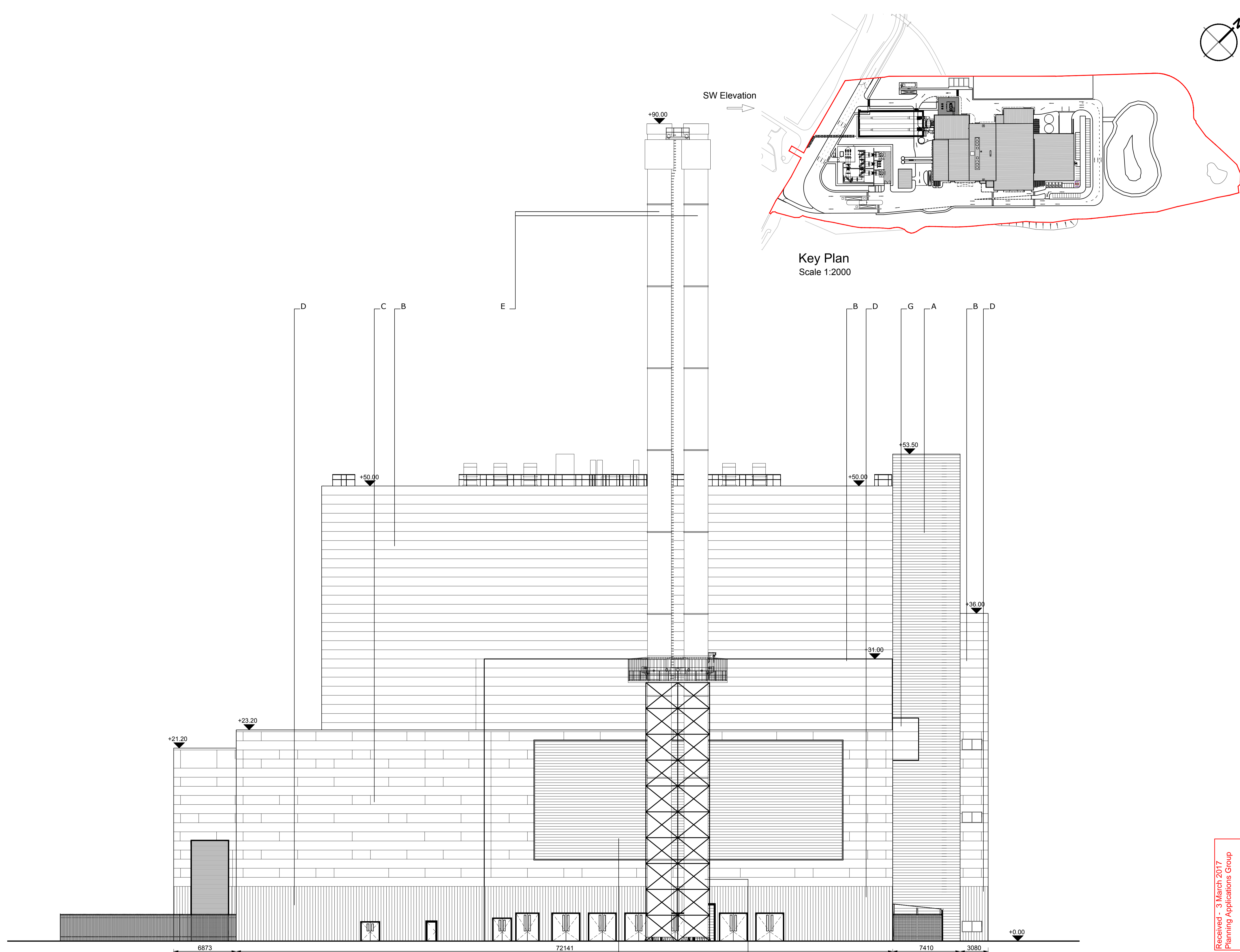
Project **Kemsley Sustainable Energy Plant**

Title **Main Building Proposed South West Elevation**

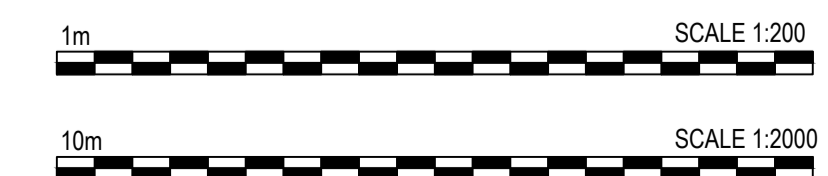
Drawing Status Preliminary	Date Created 23.11.09	Drawing Scale 1:200
Project Leader AWY	Drawn By PRP	Initial Review RS

Drawing Number **16315 / A1 / P / 0127** Rev

**FIGURE 4.10C**



South West Elevation  
 Scale 1:200



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Key:

- A. Horizontally laid Sinusoidal profile insulated built-up cladding with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
- B. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
- C. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating - 1000mm deep bands - Colours random mixture 'Terracotta' (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002
- D. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
- E. Stack - Colour 'Light Grey' / RAL 7035
- F. Horizontally laid microrib profile cladding sheet with Colorcoat HPS200® Ultra coating - 1000mm deep bands - Colours random mixture 'Terracotta' (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002
- G. Horizontally laid microrib profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 180 40 05

All Doors and Louvres - colour and dimensions to be confirmed.

Polyester powder coated aluminium window frames - Colour 'Anthracite' (matt finish) / RAL 7016

Metal external handrails and plant support - Galvanised finish.

Paladin fencing and gates - Colour 'Anthracite' (matt finish) / RAL 7016

Drawing for **PLANNING** purposes only

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H	Admin H AC area updated. Escape stairs updated to be un-enclosed stair. Key Plan updated.	JT	CMGD	28.02.17
G	Client logos updated. Steam export rack updated as per CNIM drawing. Escape stair added. Key updated.	JT	CMGD	13.02.17
F	Dimensions added	MT	CD	20.01.17
E	Elevation and Site Plan updated.	JH	CMGD	10.01.17
D	Elevations Updated to suit latest UI design. Keyplan updated to show revised site plan. Cladding design clarified.	AJL	RS	05.07.13
C	Elevations updated.	JAT	SG	0.10.12
B	E.ON logo added.	KRy	PRP	15.02.10
A	UMA building extents confirmed. Keyplan updated. Stack colour confirmed	AJL	PRP	18.01.10

rev	amendments	by	ckd	date
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E [rpsnewark@rpsgroup.com](mailto:rpsnewark@rpsgroup.com)



Client

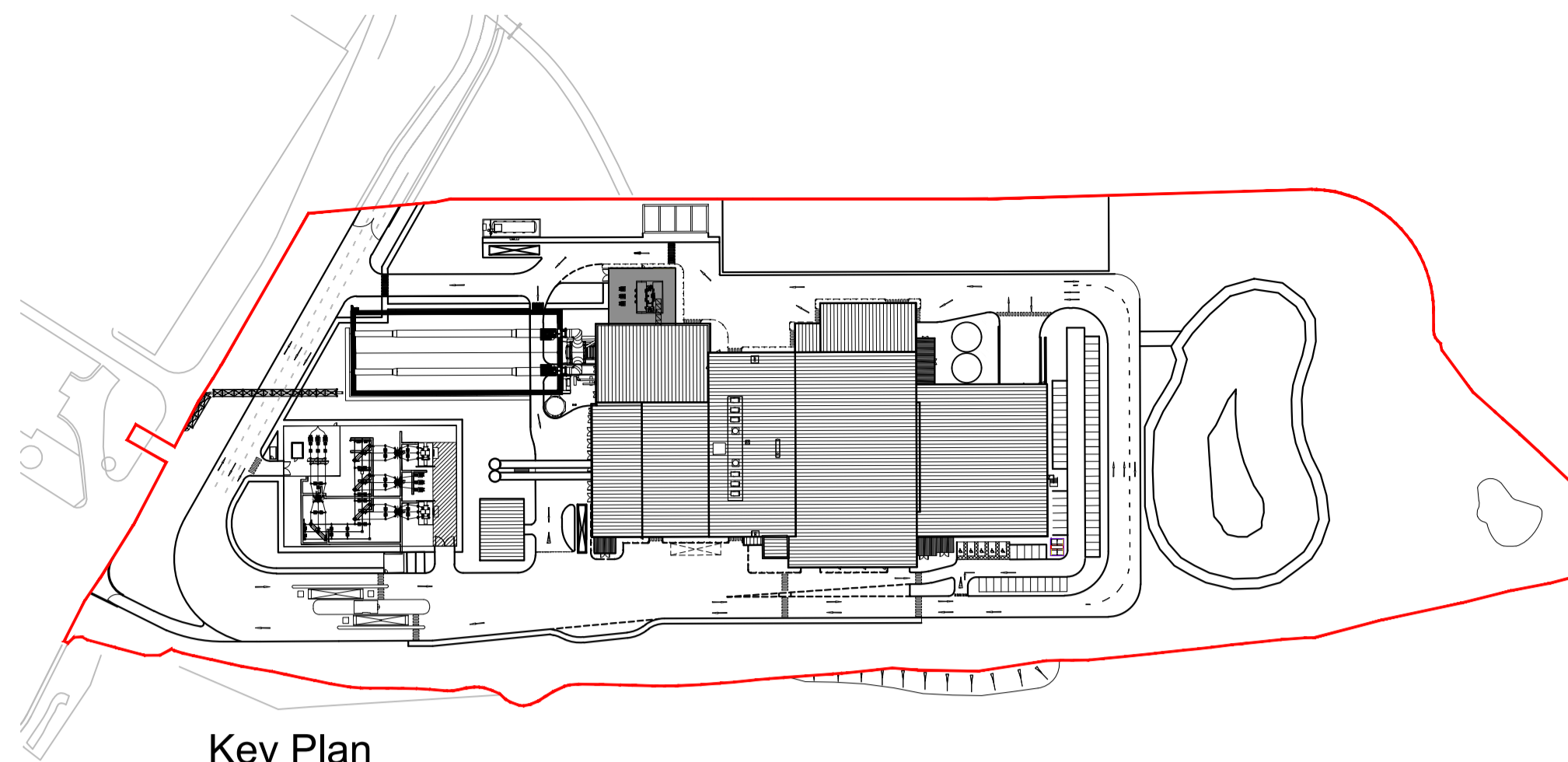
Project **Kemsley Sustainable Energy Plant**

Title **Main Building Proposed North East Elevation**

Drawing Status: Preliminary  
Date Created: 23.11.09  
Project Leader: AWY  
Drawn By: PRP  
Initial Review: RS

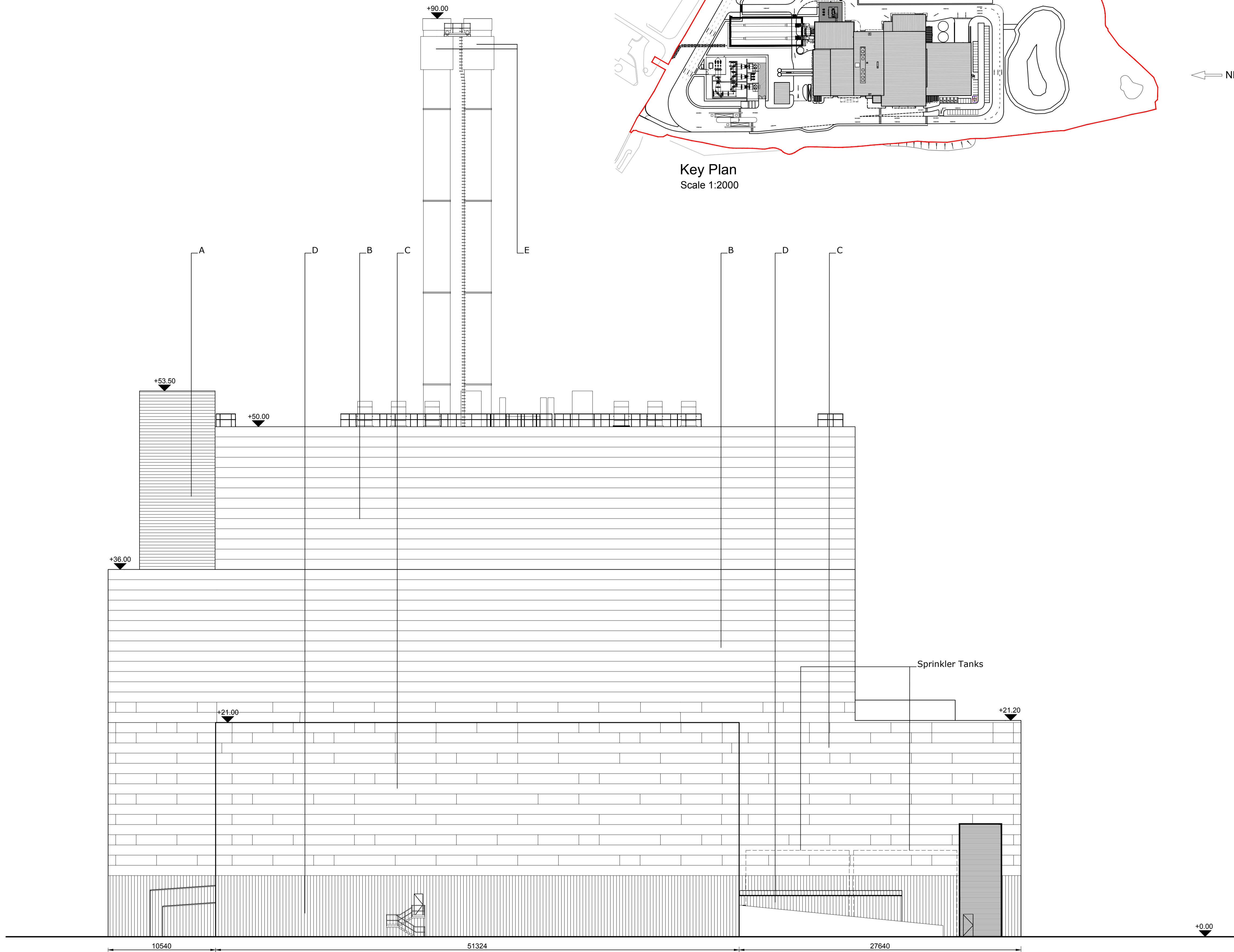
Drawing Number: **16315 / A1 / P / 0126 H**

**FIGURE 4. C**



Key Plan  
Scale 1:2000

← NE Elevation



North East Elevation  
Scale 1:200

Received - 3 March 2017  
Planning Applications Group

notes :

1. If this drawing has been received electronically it is the recipients responsibility to print the document to the correct scale. It is recommended that information is not scaled off this drawing.
2. All dimensions are in millimetres unless stated otherwise. It is recommended that information is not scaled off this drawing.
3. This drawing should be read in conjunction with all other relevant drawings and specifications.
4. Information based on drawing reference: OH8013-0202/62G105.

Key:

- A. Horizontally laid Sinusoidal profile insulated built-up cladding with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
- B. Vertically laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
- C. Horizontally laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating, 1000mm deep bands - Colours random mixture 'Terracotta (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002
- D. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
- E. Stack - Colour 'Light Grey' / RAL 7035
- F. Horizontally laid Flat profile cladding sheet with Colorcoat HPS200® Ultra coating, 1000mm deep bands - Colours random mixture 'Terracotta (matt finish) RAL 040 40 40/ Merlin Grey RAL 180 40 05/ Anthracite (matt finish) RAL 7016/ Hamlet RAL 9002

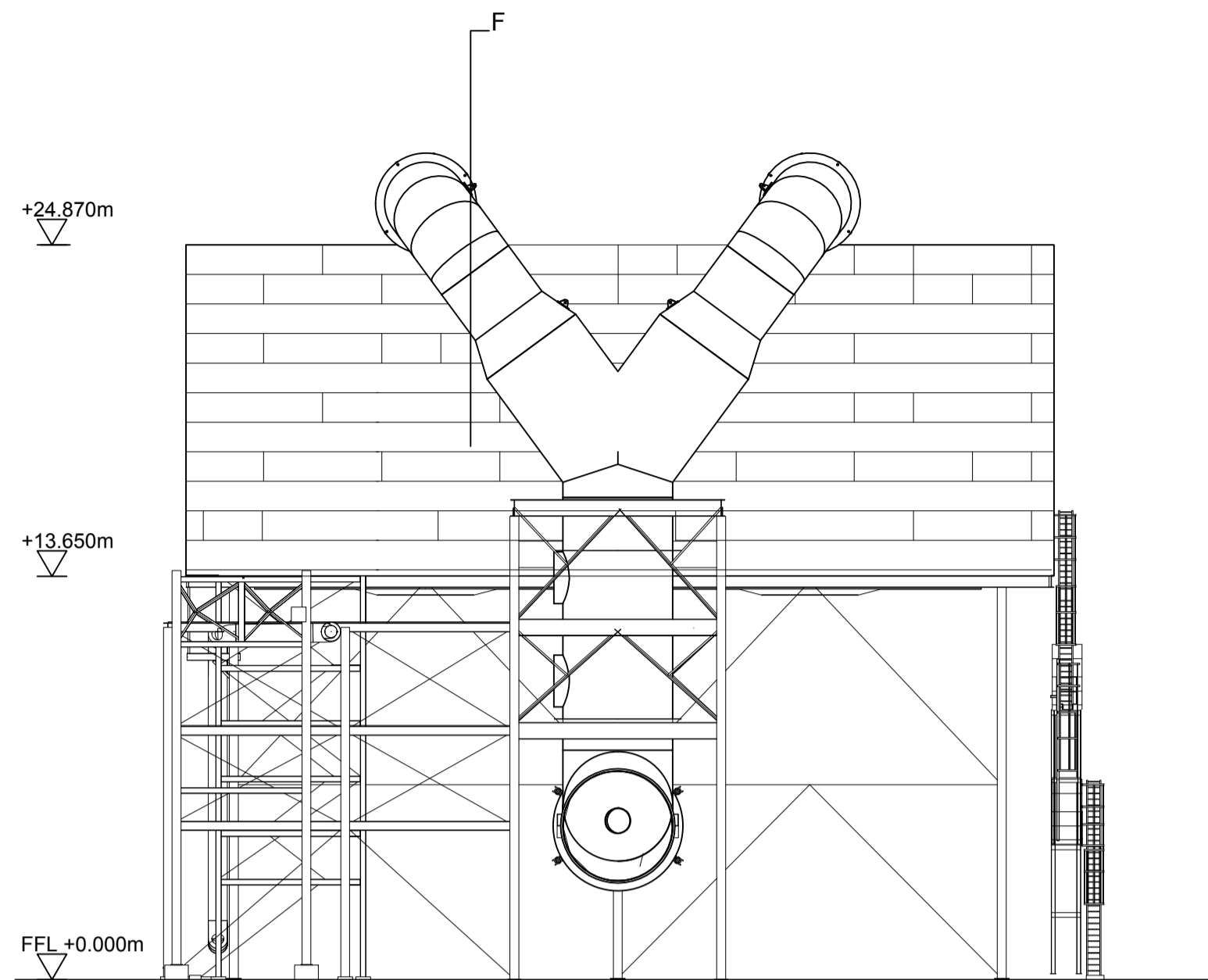
All Doors and Louvres- colour and dimensions to be confirmed

Polyester powder coated aluminium window frames - Colour 'Anthracite' (matt finish) / RAL 7016

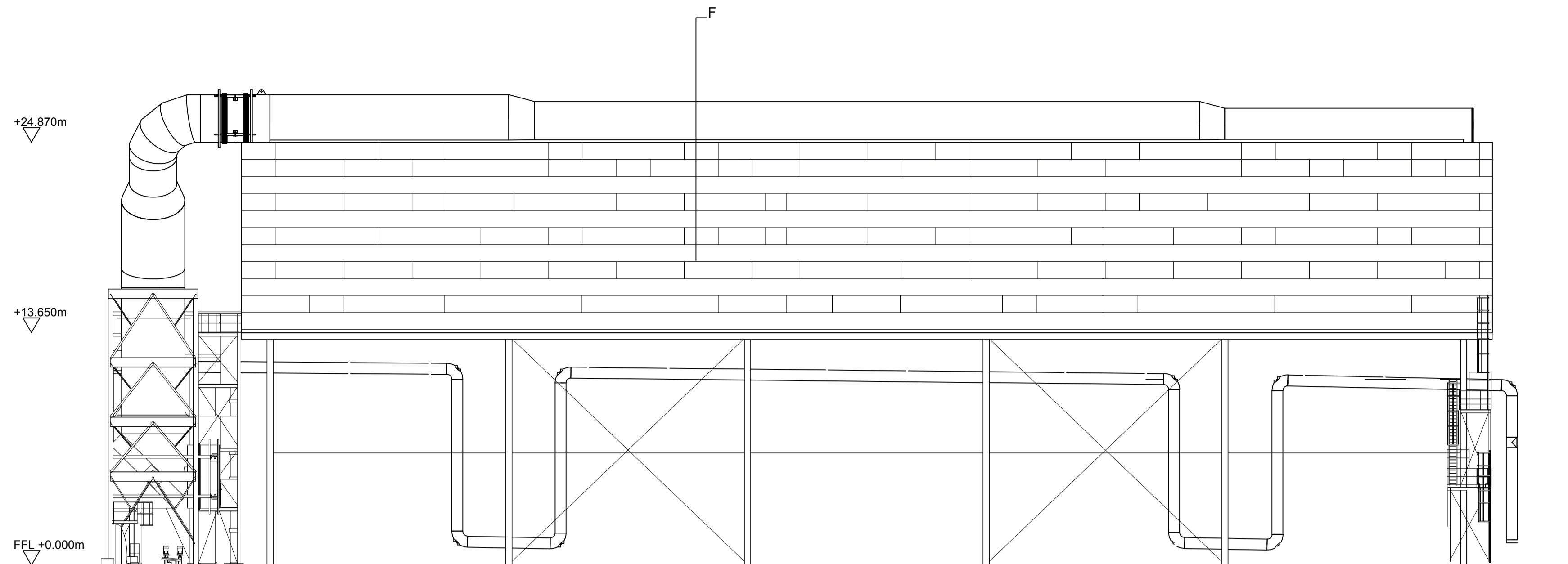
Metal external handrails and plant support - Galvanised finish.

Paladin fencing and gates - Colour 'Anthracite' (matt finish) / RAL 7016

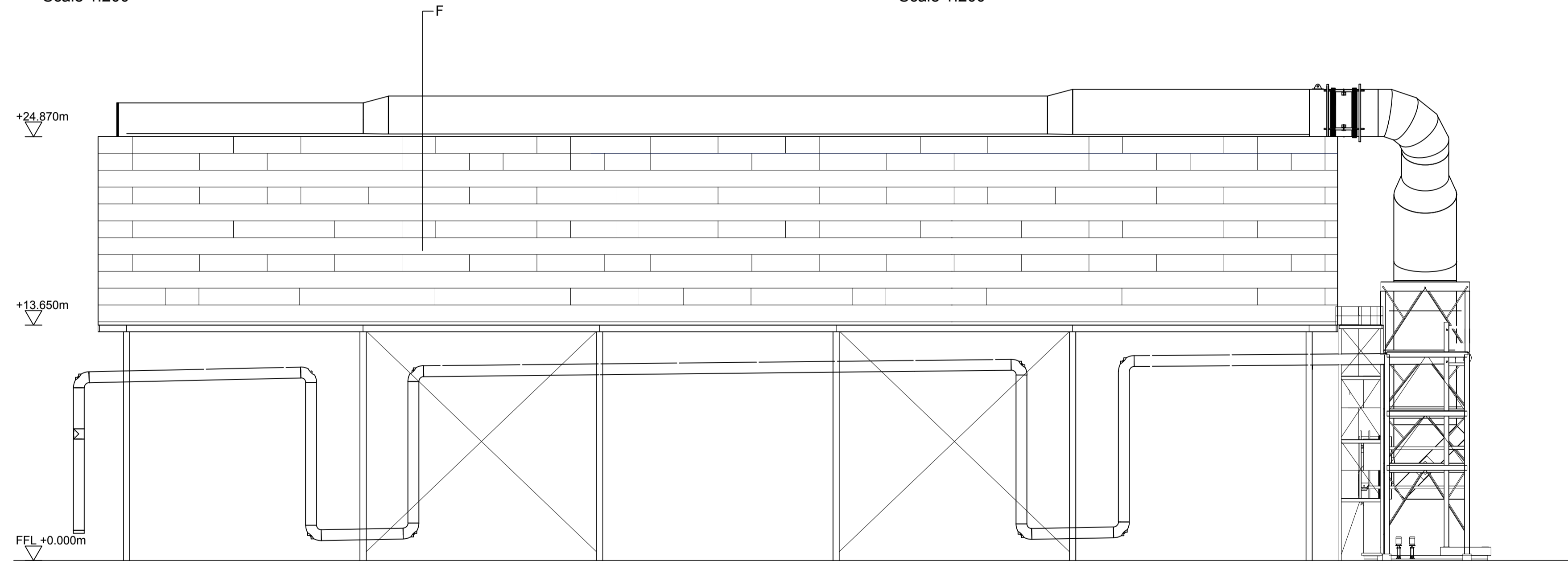
Drawing for PLANNING purposes only



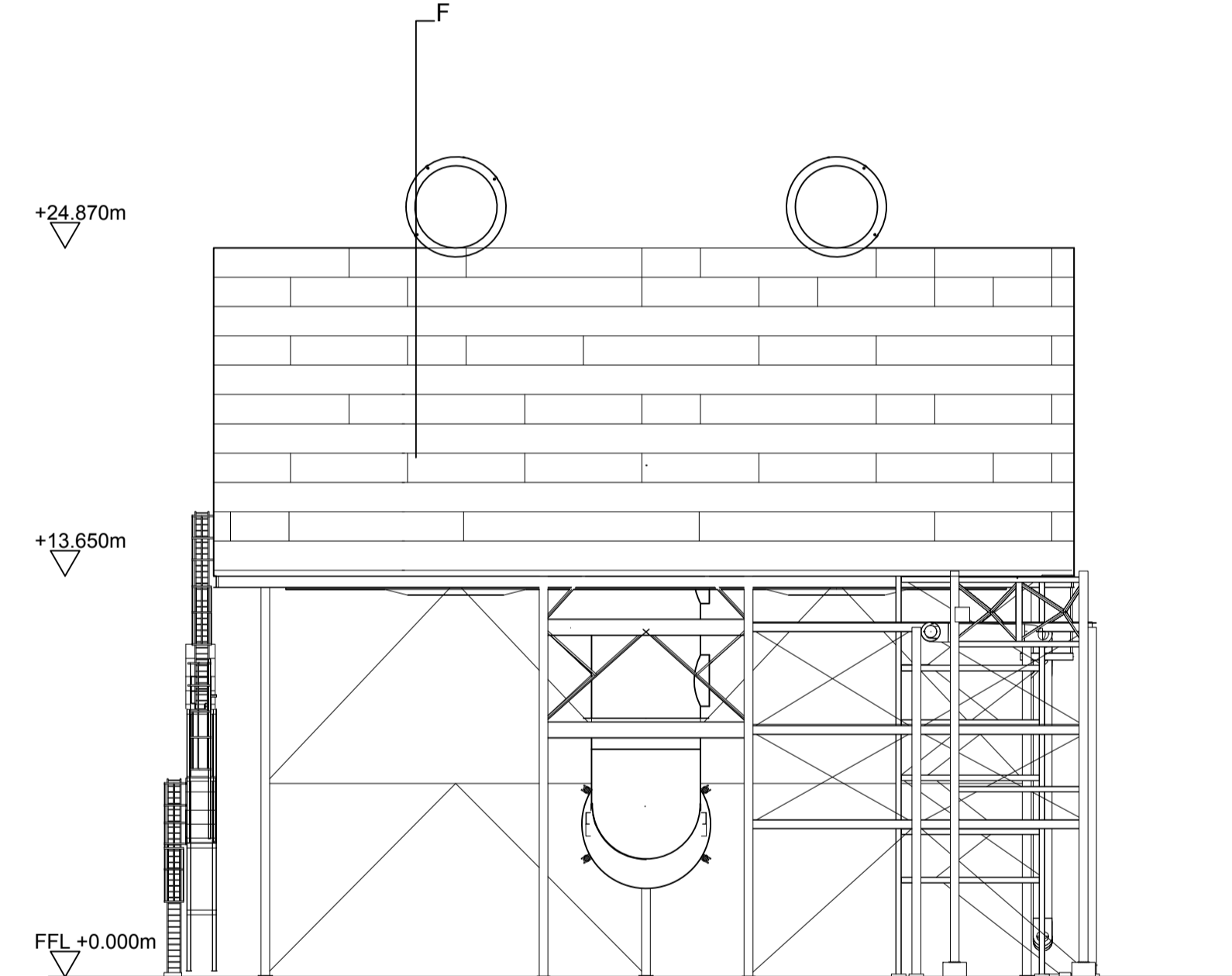
North East Elevation  
Scale 1:200



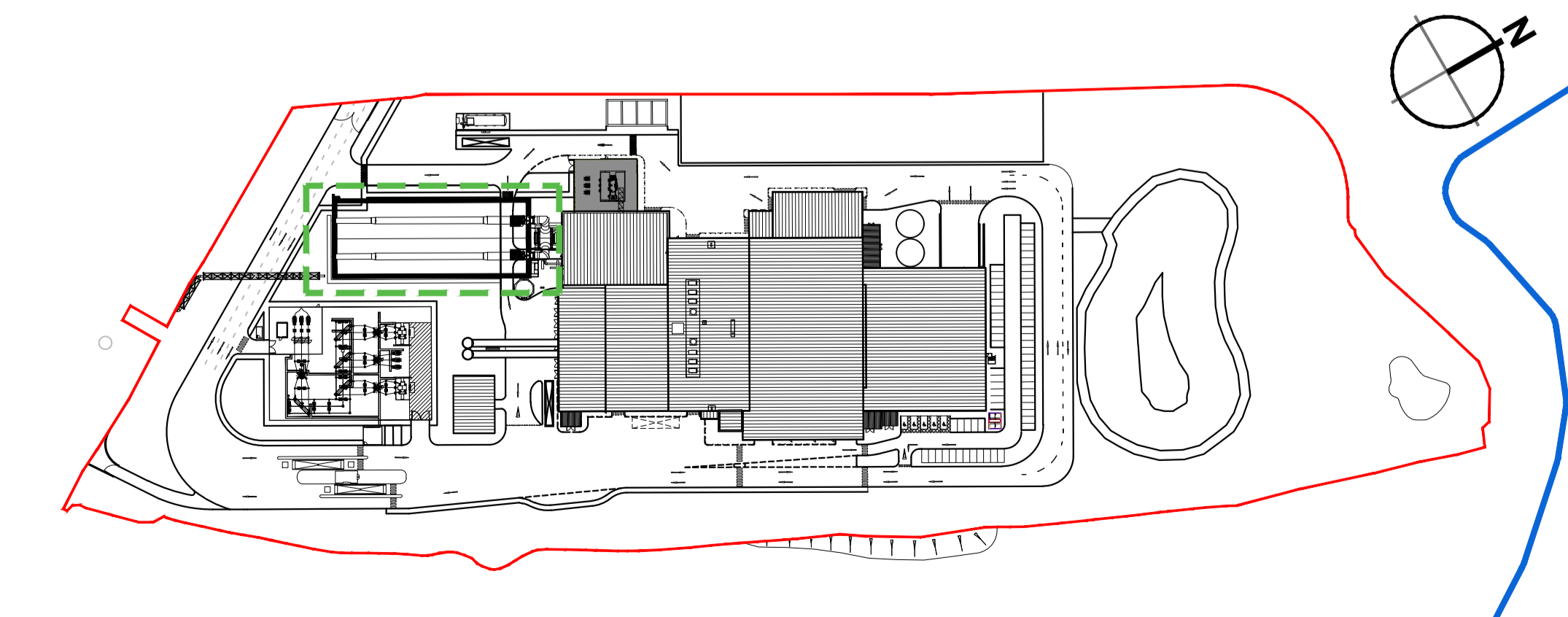
North West Elevation  
Scale 1:200



South East Elevation  
Scale 1:200

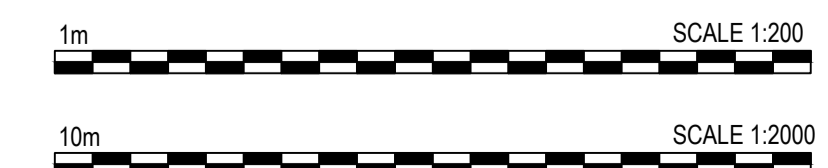


South West Elevation  
Scale 1:200



Location Plan  
Scale 1:2000

Received - 3 March 2017  
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rev	amendments	by	ckd	date
L	ACC cladding amended.	CB	CMGD	28.02.17
K	Client logos updated. Key updated. Location Plan updated.	JT	CMGD	14.02.17
J	Updated to show and suit NMA 2016 design.	JH	CD	09.01.17
H	Updated to suit current site layout received from EPC contractor	AE	JAT	17.11.15
G	Updated as per clients comments 26.10.15.	MK	JAT	27.10.15
F	Updated to suit current building layout received from EPC contractor.	MK	JAT	20.10.15
E	Client logos updated. URC scale confirmed. Keyplan layout updated.	AJL	RS	08.07.13
D	Elevations amended to suit comments.	JAT	SG	15.10.12
C	Elevation information and key updated.	JAT	SG	08.10.12
B	E.ON logo added.	KRy	PRP	15.02.10
A	Support structure rationalised. Cladding amended to reflect non-insulated cladding sheet.	AL	PRP	15.01.10



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Client

Project **Kemsley Sustainable Energy Plant**

Title **Proposed Structure for Air Cooled Condenser Elevations**

Drawing Status **Preliminary** Date Created **23.11.09** Drawing Scale **1:200**  
Project Leader **AWY** Drawn By **PRP** Initial Review **RS**

Drawing Number **16315 / A1 / P / 0121 L** Rev

# **Appendix 6 –Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017: information for inclusion in an ES**

1. A description of the development, including in particular—

- (a) a description of the location of the development;
- (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
- (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
- (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.

2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

4. A description of the factors specified in regulation 5(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydro-morphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.

5. A description of the likely significant effects of the development on the environment resulting from, *inter alia*—

- (a) the construction and existence of the development, including, where relevant, demolition works;
- (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;

- (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
- (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
- (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
- (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
- (g) the technologies and the substances used.

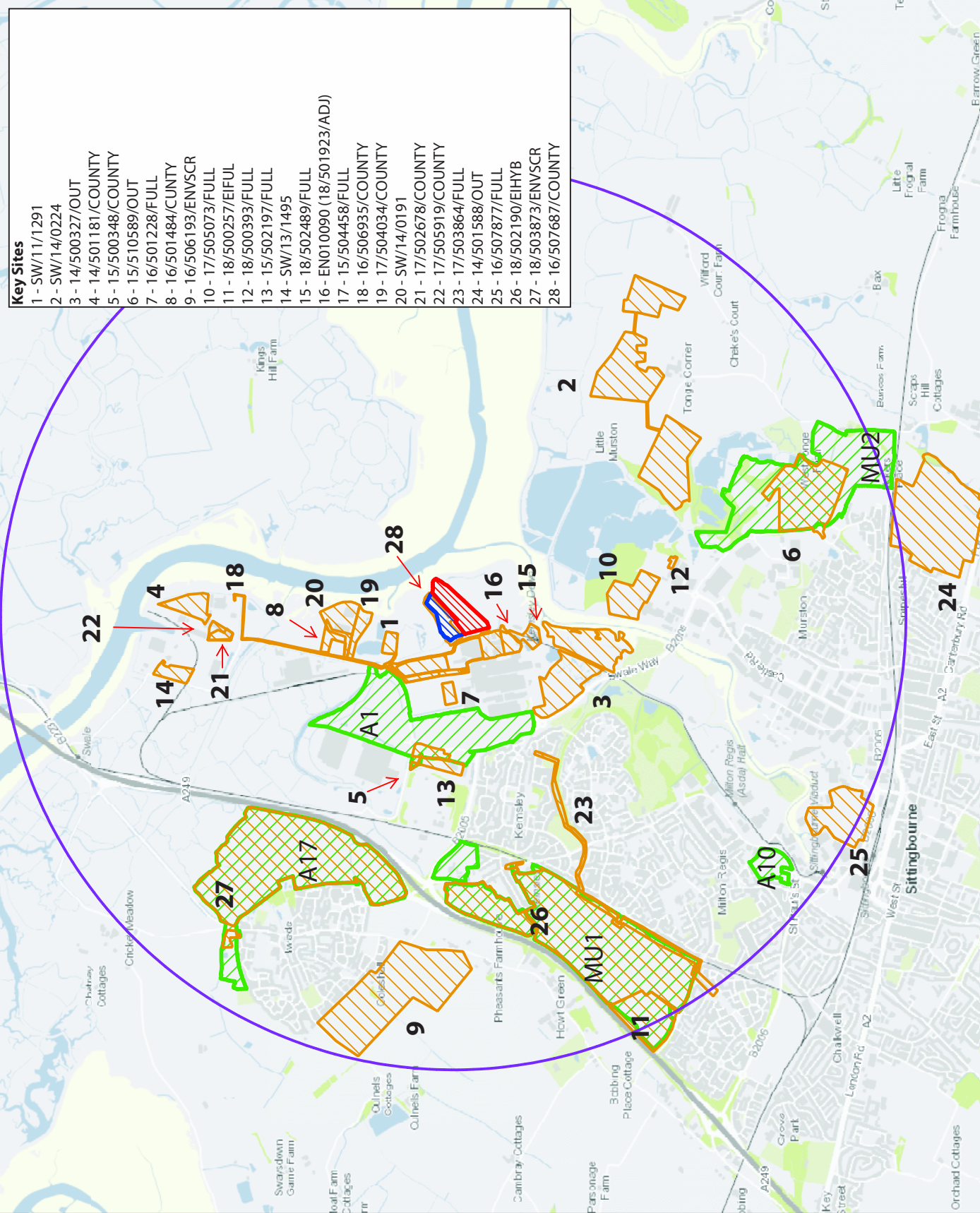
The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(a) and Directive 2009/147/EC(b).

6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council(c) or Council Directive 2009/71/Euratom(d) or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.
9. A non-technical summary of the information provided under paragraphs 1 to 8.
10. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.

## **Appendix 7 - Map of cumulative developments**

**Legend**

-  K3
-  WKN
-  3KM area
-  Other developments within 3km of the site(s)
-  Local Plan Allocations within 3km of the site(s)



**Figure 1.6 - Cumulative developments within 3Km of the site(s)**  
 CLIENT: Wheelabrator Technologies Inc

Job: K3 and Wheelabrator Kemsley North  
 SCALE: A3: 1:25,000  
 DATE: September 2018  
 JOB NO.: 13141



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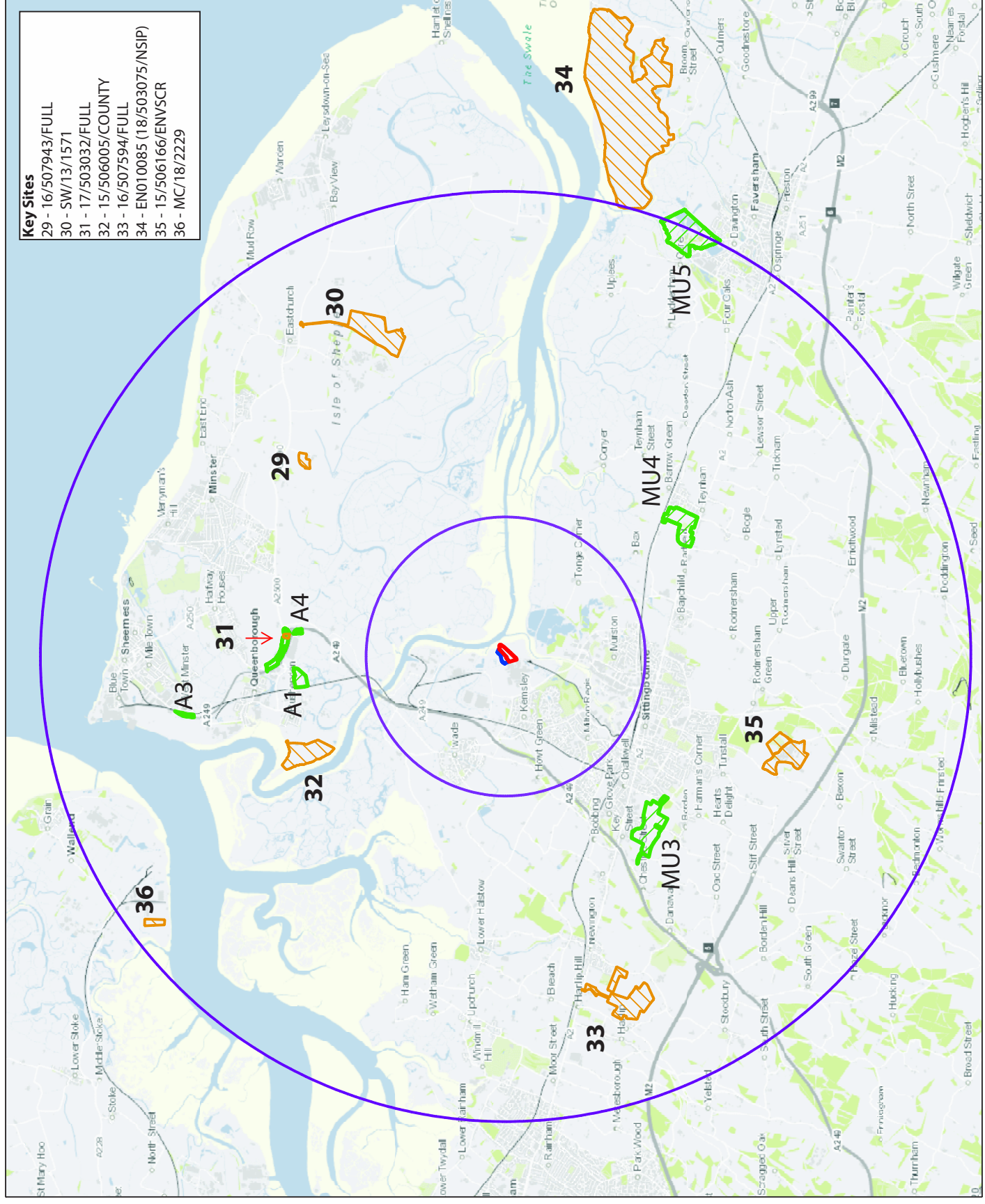




**Legend**

-  K3
-  WKN
-  10KM area
-  3KM area
-  Industrial and Energy developments within 10km of the site(s)
-  Industrial/ Energy/Mixed use Local Plan Allocations within 10Km of the site(s)

- Key Sites**
- 29 - 16/507943/FULL
  - 30 - SW/13/1571
  - 31 - 17/503032/FULL
  - 32 - 15/506005/COUNTY
  - 33 - 16/507594/FULL
  - 34 - EN010085 (18/503075/NSIP)
  - 35 - 15/506166/ENVSCR
  - 36 - MC/18/2229



TITLE **Figure 1.7 - Cumulative developments within 10KM of the site(s)**  
 CLIENT Wheelabrator Technologies Inc

Job K3 and Wheelabrator Kemsley North  
 SCALE A3 DATE 1:80,000 September 2018  
 JOB NO. 13141



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