



Mr E Williams
Major Applications and Plans
The Planning Inspectorate,
Temple Quay House,
Temple Quay,
Bristol,
BS1 6PN

Our Ref: DHA/AP/13141/S46

3rd December 2018

Dear Mr Williams

WHEELABRATOR TECHNOLOGIES INC.,

PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: WHEELABRATOR KEMSLEY K3 GENERATING STATION AND WKN WASTE-TO-ENERGY FACILITY

NOTIFICATION OF A PROPOSED APPLICATION IN ACCORDANCE WITH SECTION 46 OF THE PLANNING ACT 2008

APPLICATION REFERENCE: EN010083

I write pursuant to Section 46 of The Planning Act 2008 ("The Act") and hereby give notice that Wheelabrator Technologies Inc. (WTI) intend to submit an application for a Development Consent Order relating to the K3 generating station and WKN waste-to-energy facility.

Consent will be sought to increase the generating capacity of K3 from 49.9MW to 75MW, together with allowing K3 to process an additional 107,000 tonnes of post-recycled waste per annum. Consent will then also be sought through the same application for the construction and operation of WKN; a new waste-to-energy facility on land adjacent to K3 with an electrical generating capacity of 42MW which would be capable of processing up to 390,000 tonnes of post recycled waste per annum.

Consultation under Section 42 of The Act

Letters are being sent at the end of November and start of December 2018 to prescribed bodies, relevant statutory undertakers, specified Local Authorities and those parties with an interest in the land as prescribed by Section 42 of The Act.

It is intended that all consultees will have received those S42 letters by the 4th December 2018, to allow the S42 consultation to coincide with the commencement of the S48 period. The deadline provided for responses to the S42 consultation is the 10th January 2019, which therefore provides a 37 day period (in excess of the required minimum of 28 days) in order to provide consultees with sufficient time to respond given that period spans the Christmas to New Year period. The 10th January 2019 deadline does make provision for consultees to still have the minimum 28 day period should the delivery of any S42 packs be delayed.

planning transport design environment infrastructure

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S42 consultees have been provided with a covering letter, a copy of the S48 notice (as the proposed scheme is a development for which Environmental Impact Assessment is required), and a USB containing a draft Development Consent Order and Environmental Statement and a non-technical Preliminary Environmental Information Report, together with a set of key maps and plans to illustrate the location of the site and proposed development. Those same documents and plans are also available on the applicant's website (www.wtikemsley.co.uk).

Section 46 of The Act

In accordance with Section 46(1) of The Act please find enclosed with this letter the documents provided to the consultation bodies under Section 42. I have also included for reference the list of those prescribed bodies, statutory undertakers and local authorities who have been consulted.

Consultation under Section 47 of The Act

WTI consulted on and agreed a Statement of Community Consultation with Swale Borough Council and Kent County Council in October 2018 and undertook consultation with the local community at the beginning of November 2018 which included the distribution of an information leaflet to around 15,000 homes and business together with three local consultation events.

The deadline provided for public comments is also the 10th January 2018 which provides a period of some 71 days from the first public consultation event. A draft Consultation Report is being prepared and will be finalised following the conclusion of the consultation period so that it can be provided to the Inspectorate for informal comment ahead of it forming part of the application.

Publicity under Section 48 of The Act

The notice prepared to address Section 48 of The Act has been published in the Sittingbourne News Extra and Sheerness Times Guardian on the 28th November 2018 and will be published again in those papers on the 5th December 2018, as well as being published in the Medway Messenger on the 3rd December and 10th December 2018. The same notice is being placed in the London Gazette and a nationally circulating paper by the 5th December 2018.

The S48 notice provides the same deadline for responses, the 10th January 2019, as defined for the purposes of the S42 consultation. That provides a period of 37 days starting on the date of the second consecutive notice being placed in the locally circulating newspapers.

Timetable for submission

It remains the intention of the applicant to submit the application around April 2019. We will keep the Inspectorate updated should that intention alter for any reason and will continue to liaise regarding further meetings in 2019 to discuss the draft DCO and to provide the Inspectorate the opportunity to review key application documents ahead of submission.



I trust that this letter is sufficient to satisfy Section 46 of The Act and would welcome confirmation of that in due course. Please do not hesitate to contact me should you have any queries or require anything further at this stage.

Yours sincerely



David Harvey
Director

Enc.

Covering letter to S.42 consultees

Section 42 Mailing List

USB provided to S.42 consultees, containing the draft DCO, Environmental Statement, PEIR and application plans

Notice publicised under S.48 of The Act