



Application for Development Consent for Nationally Significant Infrastructure Projects under the Planning Act 2008

* required information

Application Form

Please read guidance documents relating to the submission of applications prior to completing this form including government guidance and the Planning Inspectorate's Advice Note Six: Preparation and submission of application documents.

* Do you have a reference number?

Yes No

* Reference number

1. Applicant

* Organisation

Address

* Building number or name

* Street

* City or town

County or administrative area

* Postcode

* Country

* Name of contact

* Telephone number

Fax number

* Email

2. Agent

* Are you an agent acting on behalf of the Applicant?

Yes No

* Organisation

Continued from previous page...

Address

* Building number or name	Eclipse House, Eclipse Park
* Street	Eclipse House
* City or town	Maidstone
County or administrative area	Kent
* Postcode	ME14 3EN
* Country	United Kingdom
* Name of contact	Mr David Harvey
* Telephone number	01622 776 226
Fax number	
* Email	david.harvey@dhaplanning.co.uk

3. Fee

* State the arrangement for the application fee payment:

- BACS CHAPS Cheque

* Please provide payment reference details

4. Confirming why the Planning Inspectorate should receive the application

* Brief statement to explain why this application is, or is to be treated as, a development for which development consent is required under the Planning Act 2008

Development consent is being sought by Wheelabrator Technologies Inc. (WTI) for the construction and operation of the Wheelabrator Kemsley ('K3') and Wheelabrator Kemsley North ('WKN') waste-to-energy generating stations in Kemsley, Sittingbourne, Kent.

Planning permission was granted for the K3 facility in 2012 by Kent County Council and the facility is currently being constructed and is expected to be operational in late 2019, with a consented generating capacity of up to 49.9MW and an annual throughput of up to 550,000 tonnes of waste. WTI have identified that K3 is capable, through internal efficiencies and upgrades, of generating an additional 25.1MW, and through increased operational availability of the facility is capable of processing an additional 107,000 tonnes of waste per annum.

No physical works would be required to K3 to facilitate either the proposed increased generating capacity or the proposed increased waste tonnage throughput. The project cannot therefore be categorised as the extension of an existing generating station under the Planning Act 2008. In order to properly categorise and consent the proposed increase in generating capacity and waste tonnage throughput, consent is therefore being sought for the construction and operation of the K3 facility with a generating capacity of up to 75MW and a tonnage throughput of up to 657,000 tonnes per annum. In that respect the proposed K3 facility is an onshore generating station in England with a generating capacity of more than 50MW and is therefore a nationally significant infrastructure project under Sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008. In accordance with Part 31 of the Planning Act 2008 development consent is sought as the proposed K3 development is a nationally significant infrastructure project.

Wheelabrator Kemsley North (WKN) is a proposed waste-to-energy generating station with a generating capacity

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of up to 42MW and an annual throughput of up to 390,000 tonnes of waste. WKN is therefore not a nationally significant infrastructure project under Sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008. However on the 27th June 2018 the Secretary of State for Business, Energy and Industrial Strategy exercised his power under Section 35 of the Planning Act 2008 to direct that WKN is nationally significant and is therefore to be treated as a development for which development consent is required. The WKN development proposed is similar to that described in the WTJ Section 35 request submitted to the Secretary of State and accordingly this application also seeks development consent for the WKN project.

5. Non-technical description of the Proposed Development



*** Brief non-technical description of the Proposed Development**

Planning permission was granted by Kent County Council in 2012 for the K3 generating station with a generating capacity of up to 49.9MW and a tonnage throughput capacity of up to 550,000 tonnes of waste per annum. K3 is currently being constructed and is expected to be operational in late 2019. K3 will be operated by Wheelabrator Technologies Inc. and will incinerate waste and waste derived fuels to produce steam, some of which will be exported to the adjacent DS Smith Kemsley Paper mill for use within their production process and some which will power a turbine to produce electricity for export to the grid.

Waste would be delivered to the K3 site by Heavy Goods Vehicles and Refuse Collection Vehicles. There is not currently the ability to deliver waste to site via other methods, such as rail or water, as that is dependant on the location, amount and type of waste being delivered. However WTJ will continue to regularly review the ability to use other alternative methods to transport waste.

Upon arrival vehicles are weighed at the entrance weighbridge before proceeding to the tipping hall where waste is deposited into the fuel (waste) bunker. Overhead cranes are used to manage the consistency and distribution of waste within the waste bunker and to transfer waste into a feed hopper which feeds the boiler, where waste is incinerated at temperatures exceeding 1000 degrees celsius. The hot gases produced are used to produce high pressure steam which is used to drive a turbine and produce electricity which is exported to the distribution network, with steam also exported to DS Smith. The gases are passed through a range of treatments before clean exhaust gas is discharged via the stack. The ash remaining from the incineration process is exported from site and either landfilled or used as an aggregate by the construction industry.

WTJ have identified that the generating capacity of the K3 facility can be increased up to 75MW through internal operational changes to the plant without any alterations to the consented layout and design of the facility. WTJ's experience has demonstrated that modern waste-to-energy facilities can operate for longer between maintenance periods and that K3 would therefore be capable of processing a greater annual tonnage of waste than the 550,000 currently consented. In addition there is greater variety being experienced in the Calorific Value of the waste being processed in similar plants, with a lower Calorific Value meaning that more waste can be processed to generate the same level of power output.

In practice the K3 proposals would therefore result in the K3 facility, without any changes to the layout or design of the facility as currently being constructed, being able to generate an additional 25.1MW of electricity and being able to process an additional 107,000 tonnes of waste per annum. However as no physical works are proposed to K3, the project cannot be categorised as the extension of an existing generating station under the Planning Act 2008. Consent is therefore being sought for the construction and operation of the K3 facility to its ultimate proposed generating capacity of up to 75MW, and with its ultimate proposed waste tonnage throughput of 657,000 tonnes.

Wheelabrator Kemsley North (WKN) would be a separate single line waste-to-energy generating station which is being proposed on land immediately adjacent and to the north of the K3 facility, on a site currently being used as the K3 construction laydown area. WKN would comprise a series of main and ancillary buildings, with the primary elements being a tipping hall, a fuel waste bunker, a boiler hall, a turbine hall housing a steam turbine and generator, a flue gas turbine, air cooled condensers, an electricity substation, a stack of between 90 to 99m, store buildings and raw and fire water tanks, together with ancillary weighbridges and gatehouses, a fuel tank and a vehicle ramp to the tipping hall. The waste-to-energy process would be as described above for K3.

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WKN would be capable of processing up to 350,000 tonnes of waste per annum and would have a generating capacity of up to 42MW. WKN would be capable of exporting steam to the Kemsley Paper mill via K3 when K3 is being maintained, as well as to external users, and WTI will continue to seek potential users of the steam generated by WKN.

6. Location or route of the Proposed Development ?

* Description of location of application site(s), or route of development (reference to appropriate plans)

The K3 facility is currently being constructed on land immediately to the east of the DS Smith Paper mill, to the north of Kemsley in Sittingbourne, Kent. The K3 site covers an area of approximately 5.5 hectares, with the paper mill to the west, a historic landfill site to the south and the Swale estuary to the east.

WKN would be located immediately to the north of the K3 site, on land currently being used as the construction laydown area for K3. The WKN site is 2.5 hectares in size.

Both the K3 and WKN facilities would have an operational access which runs along their western boundary, beside the eastern boundary of the paper mill site. It is proposed that WKN would have a temporary construction access running along an existing jetty access road to the north of the WKN site. The temporary laydown area for WKN would be located to the north-east of the WKN development site.

* Is the site a single site or a linear site?

- Single site Linear site

Grid reference

* Easting

* Northing

* Document reference

* Document reference

7. Associated Development ?

* Associated Development is included within this application:

- Yes No

* Document reference

* Document reference

* Document reference

Continued from previous page...

Add another reference

8. a) Consultation Report

?

* Document reference

4.1 - Consultation Report

Add another reference

8. b) Copies of newspaper notices

?

* Document reference

1.4 - Copies of Newspaper Notices

Add another reference

9. Draft Development Consent Order

?

* Document reference

2.1 - Draft Development Consent Order

Add another reference

10. Explanatory Memorandum

?

* Document reference

2.2 - Explanatory Memorandum

Add another reference

11. Land Plan

?

* Document reference

5.4 - Land Plan

Add another reference

12. Works Plan

?

* Document reference

5.5a - K3 Works Plan

* Document reference

5.5b - WKN Works Plan

Remove this reference

* Document reference

5.6 - WKN Parameter Plan

Remove this reference

* Document reference

Various - K3 Approved Plan Set

Remove this reference

Add another reference

13. Compulsory Acquisition of land or an interest in land or right over land

?

Continued from previous page...

* Issues are relevant for this application:

Yes No

14. a) Environmental Impact Assessment (EIA)

?

* Environmental Statement (ES) required:

Yes No

* ES Document Reference

* ES Document Reference

* ES Document Reference

* ES Document Reference

14. b) Screening Opinion/ Direction and Scoping Opinion/Direction

?

* Screening Opinion sought, or direction received:

Yes No

* Scoping Opinion sought:

Yes No

Document reference

14. c) Publicity required under Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (or where the transitional provisions apply, Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009)

?

In addition to publishing the notice, a copy of the notice was sent to:

* the consultation bodies

* Yes

* the persons notified to the Applicant in accordance with Regulation 11(1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (or where the transitional provisions apply, Regulation 9(1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009):

Yes No, not applicable

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15. European sites (to which Regulation 63 of The Conservation of Habitats and Species Regulations 2017 and/ or Regulation 28 of the Conservation of Offshore Marine Habitats and Species Regulations 2017 applies) or a Ramsar site

?

* Report required for this application:

Yes No

* Document reference

16. A plan, with accompanying information, identifying any statutory or non statutory sites or features of nature conservation, geological or landscape importance; habitats of protected species, important habitats or other diversity features; and water bodies in a River Basin Management Plan - together with an assessment of any effects likely to be caused by the Proposed Development.

?

* Issues are relevant for this application:

Yes No

* Document reference

* Document reference

* Document reference

17. A plan, with accompanying information, identifying any statutory or non statutory sites or features of the historic environment such as scheduled monuments, World Heritage sites, listed buildings and other historic structures, archaeological sites and registered battlefields, together with an assessment of any effects likely to be caused by the Proposed Development

?

* Issues are relevant for this application:

Yes No

* Document reference

18. Flood Risk Assessment

?

Continued from previous page...

* Flood Risk Assessment required:

Yes No

* Document reference

19. Matters set out in section 79(1) (statutory nuisances etc) of the Environmental Protection Act 1990

?

* Statement required for this application:

Yes No

* Document reference

20. A plan with any accompanying information identifying any Crown land

?

* Issues are relevant for this application:

Yes No

21. A plan identifying new or altered means of access, stopping up of streets or any diversions, extinguishments or creation or rights of way or public rights of navigation

?

* Issues are relevant for this application:

Yes No

22. Additional information for specific types of infrastructure

?

* Additional information is required to be submitted in accordance with Regulation 6 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009:

Yes No

* Provide a brief description

* Document reference

Continued from previous page...

Regulation 6 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 requires additional information to be submitted with the following types of development.

* Please check any of the following boxes that apply:

- Construction or extension of a non offshore generating station (Reg. 6 (1a))
- Construction or extension of an offshore generating station (Reg. 6 (1b))
- Highway related development (Reg. 6 (2) (part 1))
- Construction or alteration of a railway (Reg. 6 (2) (part 2))
- Construction or alteration of harbour facilities (Reg. 6 (3))
- Construction of a pipeline (Reg. 6 (4))
- Construction or alteration of a hazardous waste facility (Reg. 6 (5))
- Construction of a dam or reservoir (Reg. 6 (6))

Construction or extension of a non offshore generating station (Reg. 6 (1a))

* Provide details of the proposed route and method of installation for any cable

Not applicable - the application is for the construction of onshore generating stations

* Provide a statement as to whether applications will be made for safety zones

Not applicable - the application is for the construction of onshore generating stations

Construction or extension of an offshore generating station (Reg. 6 (1b))

* Provide a statement of who will be responsible for designing and building the connection to the electricity grid

The K3 grid connection is already being constructed as part of the construction of the K3 facility and comprises a buried duct and cable which runs to an existing UK Power Networks electricity substation located within the DS Smith paper mill site. WKN would connect to the same electricity substation as K3 by connecting into the existing duct which connects K3 to the substation. Additional works will be required at the substation to connect the cable into the overhead lines. WTI are responsible for providing the connection between K3 and WKN and the electricity substation. UK Power Networks are responsible for any necessary upgrading works within the substation itself.

* Is it a gas fuelled generating station?

- Yes No

23. Any other plans, drawings and sections necessary to describe the proposal for which development consent is sought, and any other documents, reports or information to support the application



Provide a brief description of any other plans, drawings and sections that are being submitted with this application

Project K3 Approved Plans - K3 is being constructed and is expected to be operational to its consented generating capacity of 49.9MW in late 2019. No physical changes to the layout or design of the facility are required to facilitate the increased generating capacity. The Works Plans for the K3 facility therefore comprise the 'as built' plan set of

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drawings. The Application Guide [Document 1.2] and the Planning Statement [Document 4.2] list and describe the K3 plans.

Document reference

Document reference

Provide a brief description of any other documents considered necessary to support the application

1.2 - Application Guide - provides an overview of the K3 and WKN proposed developments and the content of the application.

4.2 - Planning Statement - assesses the proposed developments against relevant legislation and national and local planning policies and other relevant guidance

4.3 - Design and Access Statement - assesses the site context and the design and layout of the proposed K3 and WKN facilities

4.6 - Fuel Availability and Waste Hierarchy Study - provides an assessment of fuel availability and the compliance of the proposals with the waste hierarchy and with relevant waste local plan policies, in accordance with the Biomass/Waste Impacts Section of EN 3.

4.7 - CHP Assessment - demonstrates that WKN is CHP ready

4.8 and 4.9 - K3 and WKN Rail and Water Transportation Strategies - assess the ability for waste to be delivered to the K3 and WKN sites via alternative methods of transport to road, and establishes an ongoing commitment to review the ability to transport waste to the K3 and WKN facilities via alternative methods.

Document reference

Document reference

Document reference

Document reference

Document reference

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Document reference

Document reference

Provide a brief description of any other information provided that is in support of the application, but which has not been explicitly required

Document reference

24. Other consents/ licences required under other legislation



* Other consents/ licences are required:

Yes No

* Provide a list of consents/licences

You must cite the document references as appropriate

* Document reference

25. Declaration



I declare to the best of my knowledge that the information given in this form and enclosed maps, plans and other documents are true.

Please note there is a requirement for one hard copy of the form to be signed. Please ensure that when you submit you include at least one signed copy. Further copies do not require the hand written signature.

Signature

(For and on behalf of the Applicant)

* Name

Continued from previous page...

(In block letters)

* Date 11 / 09 / 2019
 dd mm yyyy

* Organisation DHA Planning Ltd

* Position within the
organisation Director