

planning
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Document 3.1 – ES Volume 2

Appendix 3.7: Response to S42 consultation 2019

Wheelabrator Kemsley (K3 Generating Station) and Wheelabrator Kemsley North
(WKN) Waste to Energy Facility DCO

September 2019 -Submission Version

PINS ref: EN010083



Response to the S42 Consultation and S48 Publication 2019 Comments

Introduction

Section 42 of the Planning Act 2008 (the Act) requires the applicant to consult various prescribed bodies, directly affected and adjoining local authorities, the Greater London Authority where relevant and any parties identified under S44, such as owner, lessees, tenants or occupiers and others. Section 48 of the Act requires the applicant to publicise the proposed application in the prescribed manner.

The pre-application consultation and publicity is set out in full in the Consultation Report [Document 4.1] which forms part of the DCO application. In summary, S42 consultation packs, which comprised a CD containing all consultation documents were sent to all consultees and sent to the required parties on Monday 29th July 2019 with the S42 consultation packs sent to the S44 parties by Tuesday 30th July 2019. In accordance with the EIA Regulations a copy of the Section 48 notice was included within the S42 consultation packs.

The S42 consultation pack included Preliminary Environmental Information Report which provides a non-technical summary of the ES for consultation purposes and explains the approach being taken to the K3 and WKN application. This included details of how to obtain the full 2018 S42 Environmental Statement a copy of which was available on the consultation website. A copy of the consultation letter and the relevant documents, which were also published on WTI's website, is provided in Technical Appendix 3.6 as well as any consultation responses received.

Statutory notices under Section 48 were placed in two local newspapers on the 24th and 31st July 2019, the London Gazette online 30th July 2019 and in the paper 31st July 2019 and the Daily Telegraph on the 31st July 2019 and a third local newspaper on the 29th July 2019 and 5th and 12th August 2019.

Responses were received from 20 of the bodies that were consulted under Section 42 and there were no responses of relevance to the ES received as a result of the Section 48 notices. The full consultation responses are provided in Appendix 3.6.

The following table sets out the key issues raised by consultees and provides responses to each of the relevant comments i.e. where a suggested amendment to the proposed scope of the ES is made. Comments that do not suggest an amendment to the scope of the draft ES pursuant to the S42 consultation have been excluded for ease of reference.

Where applicable, cross-references are made to where the issues have been addressed in the ES. Please note, where comments received from consultees are quite lengthy, only the main points have been extracted and noted in the comment's column below.

Statutory and non-statutory consultee scoping response/comments	Response to issues raised in scoping/cross references to where issues have been addressed
Environment Agency	
Thank you for consulting us on the above. We wish to reiterate our previous comments, which I have attached for your convenience.	
Natural England	
<p>"Natural England has considered the latest documents submitted against the range of our interests in the natural environment. As such, our comments focus mainly on ecology, air quality, water quality, hydrology, and disturbance (noise, light and visual) to ecological receptors. This letter addresses the points raised in our DAS response letter from Alison Giacomelli dated 10th January 2019.</p> <p>It is Natural England view that the points raised in the response have been addressed by the additional information provided in the latest draft Environmental Chapters. Based on the presumption that there is no overlap between the construction of the K3 and the WKN facilities.</p> <p>Should the timeline for the K3 construction slip and subsequently overlap with the WKN construction then K3 can no longer be considered part of the baseline but should be reassessed as part of an updated in combination assessment."</p>	<p>The construction of K3 and the WKN Proposed Development will not overlap.</p>
Historic England	
<p>We wrote to you on 16th January 2017 (our ref: PA00460255) regarding an EIA screening/scoping opinion in relation to a power upgrade of K3, Kemsley Generating Station. In that letter, we recommended that this application should be supported by a thorough assessment of the potential impacts of the scheme upon the Historic Environment.</p> <p>We said that the proposed development is likely to be visible across a large area and could, as a result, affect the significance of heritage assets at some distance. In particular, we drew your attention to the presence of Castle Rough scheduled monument (National Heritage List no 1013368), which lies c.500m south-south west</p>	<p>The content of the S42 response in 2019 appears in stark contrast to the response received for the 2018 S42 consultation that stated 'we do not wish to offer any comments... It is not necessary for us to be consulted again... unless there are material changes to the proposals.' There have been no such changes.</p> <p>The response to the PEIR appears to be based on a misapprehension of the baseline situation and the development for which consent is being sought. This may be due to the discontinuity in the Officers responding. It is perhaps evident that the Officer has not read the draft ES pursuant to the 2018 S42 consultation in which the later PEIR should be read alongside and was available on the consultation website.</p>

of the proposed development site, noting that it may be inter-visible with the proposed buildings.

This development could, potentially, have an impact upon designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we expect the Preliminary Environmental Information Report (PEIR) to contain a thorough assessment of the likely effects that the proposed development might have upon those elements which contribute to the significance of these assets.

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

The PEIR (dated July 2019) gives insufficient regard to setting-related effects in relation to individual assets. There is no record of whether the Historic England guidance on setting assessment has been followed. Castle Rough Scheduled Monument is described as "not visible from any distance away"; however, no consideration is evidenced as to whether the proposed development, when constructed, would be visible from the asset. There are listed buildings to the east that may experience the proposed development in long views; however, no consideration of those possible views or the nature of the assets' significance and whether it might be affected has been presented in the PEIR.

The PEIR and 2018 draft Environmental Statement and Desk Based Assessment discuss the presence of known heritage assets and include a figure indicating their location, but do not assess the significance of those known assets or present information about them in a clearly readable, tabulated form, such as a gazetteer. There is no evidence provided that the Significance Criteria described in the 2018 draft Environmental Statement have been used. These are standard practices which we would expect to see in the Environmental Statement.

Their absence leads to the risk that an insufficiently robust understanding of the significance of the historic environment is demonstrated.

Historic England advice Significance

The closest designated heritage asset to the proposed development is Castle Rough (National Heritage List Entry no. 1013368), a medieval moated settlement site,

The application essentially comprises two principal elements. The first is the K3 facility. This was consented in 2012 and construction work is well-advanced. It therefore forms part of the baseline setting of heritage assets in the area. The proposal will clearly not result in K3 encroaching upon the 'green-space' that separates Castle Rough from the nearby industrial activity as it is a part of that baseline activity. It will not therefore affect the baseline setting of Castle Rough, which sits 450m to the south-west, or indeed any other heritage asset. I note that in their Scoping Opinion, PINS agree that effects associated with the construction and operation of K3 may be scoped out of the EIA. Whilst the DCO application seeks consent for the construction of K3 the practical effect of the K3 Proposed Development is no change to the scale, mass or form of K3 as consented. K3 as consented is due to become fully operational in late 2019 and will remain as constructed even in the absence of the proposed DCO.

The second element is the WKN Proposed Development. This is a new build and therefore will theoretically result in change in the setting of heritage assets in the surrounding area. However, WKN will sit immediately to the north of K3 (and will not exceed the scale or mass of the K3 facility) and immediately to the north-east of the existing Kemsley Paper Mill and the recently consented Kemsley K4 facility, both large structures of industrial appearance. From the vicinity of Castle Rough, WKN will be obscured by these structures, whilst in any views where this is not the case, WKN will appear as an integral part of an existing industrial complex. Consequently, any change in the setting of heritage assets resulting from WKN will be barely perceptible and with no potential to harm the cultural significance of heritage assets. Hence the statement in the PEIR that its construction and operation will have no significant effect.

Notwithstanding the above, I can confirm that the Environmental Statement submitted addresses the two recommendations that conclude the letter. It contains an assessment of the potential effects of WKN upon the setting of designated heritage assets, including Castle Rough and the Listed Buildings raised in the letter. The assessment has been carried out with due reference to the current guidance and is based on an understanding of the assets' cultural significance and the contribution of setting to this. The assessment is presented in a narrative form in line with the current guidance and utilising the criteria contained in the 2018 draft ES. The assessment of effects upon Castle Rough is supported by visualisations showing predicted views from the surrounding area.

consisting of a waterlogged moat defining an island on which the buildings of a manor would have stood. Moated sites form a significant class of medieval monument and are important for understanding the distribution of wealth and status in the countryside, being interpreted as prestigious aristocratic and seigneurial residences. Castle Rough is a site of particular importance because although its medieval buildings no longer exist above ground, most of the remainder of the site survives intact to a great extent.

This has preserved a wide range of features in addition to the moat itself, including a barbican gate, which has not been identified at any other Kent moated site. The moat and interior island have considerable archaeological potential for the recovery of settlement evidence, organic artefacts, and for retrieval of evidence of the environment in which the monument was constructed.

The significance of the moated site is further informed not only by the physical evidence within the immediate settlement area, but also by an understanding of the rural or semi-rural surroundings in which it would have been constructed and used.

Although much industrial development has taken place in the wider landscape surrounding Castle Rough, the site currently sits within a pocket of green-space, separated from the industrial activity on the Kemsley ridge by the natural valley topography and the immediate surrounding green space to the west. It is also buffered by the Kemsley marshes to the east. The historic function and position of Castle Rough, at the interface between the valley uplands, the marshes, and estuary beyond, can therefore still be interpreted and understood.

Several listed buildings also have settings within which the proposed development may be perceptible. These include the Grade II listed buildings 'Kingshill Farmhouse' (National Heritage List Entry No. 1258073) and 'Barn Adjoining Cattle Shed Immediately North of Kings Hill Farmhouse' (National Heritage List Entry no. 1243080). These eighteenth-century historic buildings are located approximately 1.8km to the north-east of the proposed development, across flat marshland and The Swale. Similarly, another eighteenth-century Grade II listed building, 'Little Murston Farmhouse' (National Heritage List Entry no. 1061035) is located approximately 1.4km across low-lying ground to the south-west. The significance of these assets, and the interests that contribute to that significance, are not explained in the PEIR or 2018 draft ES and DBA.

Impact

It is our view that, as reported, this application has potential to result in harm to the significance of designated heritage assets, including a scheduled monument and Grade II listed buildings, primarily through changes to their setting. The harm would relate to the construction of large modern buildings within views from those assets.

We note, however, that the evidence base presented in relation to setting and views lacks detail, and that full assessment and reporting would establish whether any harm would take place.

The PEIR refers to an impact assessment of setting-related impacts that was carried out prior to the Environmental Statement published in 2010. It should be noted that this assessment was carried out prior to production of Historic England's guidance on setting and as such should be revisited as part of this application.

Policy

Under the National Planning Policy Framework (NPPF) it is a core planning principle to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (para.184 NPPF). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. No other planning concern is given a greater sense of importance in the NPPF.

The more important the asset, the greater the weight should be (para.193 NPPF).

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are an irreplaceable resource, any harm or loss should require clear and convincing justification (para.194 NPPF). The onus is therefore on you to rigorously test the necessity of any harmful works.

You should aim to achieve sustainable development, seeking economic, social and environmental gains jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable

solutions. (para.9 NPPF). Achieving sustainable development involves contributing to protecting and enhancing our natural, built and historic environment (para.8 NPPF).

Your authority should therefore also seek to improve proposals so that they avoid or minimise harm to the significance of designated heritage assets, whether through changes to the asset or to its setting.

Any harm or loss should require clear and convincing justification. An application should demonstrate that all less harmful alternatives have been carefully considered. If a proposal cannot be amended to avoid all harm, and the harm is less than substantial, this can be weighed against the public benefits of the proposal (para.196 NPPF).

The significance of a heritage asset is determined not only by the physical fabric of a place but also by its appearance, its associations with other places and its relationship with its surroundings. Setting is the surroundings in which an asset is experienced and it embraces all of the surroundings in which the asset can be experienced.

Historic England's recommended approach to assessing the effect of development within the setting of heritage assets can be found at the following web address:

<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritageassets/>

Position

It is our view that the PEIR provides insufficient information regarding the significance of the heritage assets, and historic environment in general, in the vicinity of the proposed development. In addition, the PEIR provides insufficient information to provide a robust understanding of the likely effects of the proposed development on the setting and views of heritage assets.

If it is found that the proposed development would result in harm to any heritage assets, opportunities should be sought to deliver benefits to the historic environment, to mitigate that harm.

Recommendation

We may be in a position to support the application if the following actions were satisfactorily undertaken:

1. The Environmental Statement and supporting documents should provide an assessment of the significance of the assets within the study areas, and justify those assessments with baseline information and descriptions, and present that information in an accessible format (i.e. a gazetteer).
2. An appraisal of the effect of the development on the setting of assets within the study areas should be undertaken and reported on in the Environmental Statement and supporting documents, in accordance with Step 1 of Historic England's guidance on the setting of heritage assets. Following that, a full description and impact assessment should be carried out, and reported, for any assets whose settings are capable of being affected by the proposed development in any way.

Health and Safety Executive

"The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended."

The WKN Proposed Development does not fall within the remit of The Planning (Hazardous Substances) Regulations 2015 as amended.

Kent County Council

"The comments raised by the County Council in response to the previous consultation dated 10 January 2019 (Appendix 1) continue to be of relevance and should be considered by the Applicant accordingly. To avoid duplication, the County Council has not repeated those comments within this response."

In relation to these matters please see Appendix 3.4 and 3.5 of the ES.

"The County Council has reviewed the documents for this consultation and would raise the following comments.

Highways and Transportation

The County Council, as Local Highway Authority raises the following comments, in conjunction with those raised within the response dated 10 January 2019.

Baseline conditions

The traffic and junction counts were completed on neutral dates in March 2017 and June 2016. Whilst the counts were acceptable at the time of the original application, a significant period of time has now elapsed. As the application description has been amended, up to date base data is required, as the evidence needs to be relevant to the current application.

This is particularly pertinent in respect of the movements relating to the original K3 application, which must now be assessed against current conditions.

The crash data submitted includes information up to 2017 and as such is now outdated. The Transport Assessment (TA) will need to be amended to include information and data up to the 2019 date of submission.

Site Location & Policy Compliance

The Transport Assessment includes the correct location and details of the surrounding highway network. However, it fails to mention that there is an operating dockyard and redundant railway siding within one mile of the application site. In order to comply with the National Planning Policy Framework (NPPF), development should seek to encourage sustainable travel, lessen traffic generation and its detrimental impacts, and reduce carbon emissions and climate impacts. There is a clear opportunity to deliver the large quantities of waste via rail or water. The fact that the surrounding highway network is over capacity at both the M2 J5 and Grovehurst junctions adds significant argument to seeking alternative means of waste delivery.

Without investigations on the use of the available and alternative methods of delivery, it is considered that the application does not fully comply with the NPPF.

WKN Staff (operational) - An estimation of staff numbers ranges between 35 to 50 over three shift periods. A total of 42 car movements are therefore expected, representing the 84% travelling by car, however only 37 car movements appear to be accounted for in the TA. An explanation of this is required.

The Applicant notes KCC comments with regard to the age of the base data. The Applicant will review the necessity to update the baseline data in consultation with KCC.

A Rail and Water Strategy looking at the feasibility of alternative means of delivering waste to the facilities are provided as Documents 3.8 and 3.9 submitted with the application.

An explanation will be provided for the numbers used and subject to discussion and agreement with KCC in the required Statement of Common Ground.

WKN Construction - The Transport Assessment demonstrates that a peak of 482 staff would be on site during months 24-40 of construction with 90 associated HGV movements. The County Council requests evidence from the existing K3 construction programme to evaluate that the level of HGV movements for that application are robust. Further to that, KCC requests that the hourly number of deliveries is demonstrated through traffic count evidence for one week. The information will provide evidence that the assumptions that have been made are justifiable

An explanation will be provided for the numbers used and subject to discussion and agreement with KCC in the required Statement of Common Ground.

Junction Assessments

The consultation suggests that the volume of development generated traffic represents only a small proportion of the current traffic flows on the adjacent highway. This statement is disputed. Taking account of the currently submitted base movements of 2000, clearly the development generation of 666 represents a substantial impact on the volumes of HGVs. In addition, the completed counts as submitted would have included K3 construction HGVs, which would need be deducted and thus increase the overall development impact.

An explanation will be provided for the numbers used and subject to discussion and agreement with KCC in the required Statement of Common Ground.

Updated 2019 junction assessments will need to be submitted.

The development will be expected to provide appropriate mitigation to any junction found to be operating above capacity as a result of cumulative development impact. This should be expected to be proportionate to the full amount of movements relating to the new application title.

This will continue to be discussed with KCC and the subject of the required Statement of Common Ground.

Air Quality

Part of the A2 corridor, mainly Ospringe to Faversham, is declared as an Air Quality Management Area (AQMA). This AQMA has recorded the third highest levels of Nitrogen Dioxide (the main pollutant from vehicle exhausts) in the County. Therefore, from a strategic air quality perspective, the Applicant will need to have clear mitigation in place to demonstrate that the development will not have a negative impact on air quality."

A full air quality assessment is presented in Chapter 5 of the ES and its appendices.

Minster Parish Council

Firstly, the impact on traffic flow is important. The Swale Way / A249 dumbbell roundabout (known as the Grovehurst roundabout) is currently regularly gridlocked at extended peak periods with queues stretching back to the Swale Way / Barge Way Roundabout and at times as far back as the DS Smith main entrance for over half a mile. The Swale Way / A249 dumbbell roundabout is at the evening peak, for traffic that is travelling northbound on the A249 wanting to access the Grovehurst Roundabout is regularly queued back onto the A249 main carriageway which also presents as a serious safety hazard. Allowing this application would be in direct conflict with Highways England advice that it will not support any further significant sources of traffic generation (on the A249 corridor) until the Stockbury M2 / A249 Junction 5 upgrade is completed (Taken from Planning Reference: 17/505711/: Land at Wises Lane, Borden, Kent ME10 1GD also Planning Ref: 19/501921/FULL: Land At Belgrave Road Halfway Kent ME12 3EE and press article <https://www.kentonline.co.uk/sheerness/news/roads-chiefs-put-brakes-on-plans-for-new-housing-206252/>).

Furthermore, there is no consideration in its review of committed developments of the enormous Aldi Southern Region Distribution Centre which is now operational and providing the requirements for 120 Aldi stores throughout the south and south-east. (An Aldi store on average has 3 HGV Aldi deliveries per day noting that 100% of this HGV traffic will pass through the Stockbury M2 / A249 Junction 5.) Neither does it consider the Morrisons' Warehouse which is alleged to accept a vehicle every two minutes. Secondly, the impact on the Grovehurst Roundabout which is a single carriageway dumbbell roundabout will be substantial. This is because it has a lower capacity than a single lane circular roundabout and half the capacity of a two-lane circular roundabout. (The capacity of a roundabout varies based on entry angle, lane width, and the number of entry and circulating lanes. As with other types of junctions, operational performance depends heavily on the flow volumes from various approaches. A single-lane roundabout can handle approximately 20,000–26,000 vehicles per day, while a two-lane design supports 40,000 to 50,000.) Although there is a plan to update this roundabout, with no funding currently in place, this could take several years to achieve. Therefore, allowing this application will result in total gridlock. For example, traffic approaching the Grovehurst Roundabout from the D.S. Smith facilities themselves and traffic travelling north along the A249 route is already gridlocked at peak periods. This proposal will exacerbate the existing problem unless significant improvements are made to the highway network. The Parish Council estimates that over the year, one million and

A full Traffic and Transport Assessment undertaken by a Competent Expert is provided in Appendix 4.1 of the ES. This includes a full capacity assessment of the local road network including the effect of the K3 and WKN Proposed Developments with 46 other local development schemes. The assessment will be subject to scrutiny from KCC as the Lead Local Highway Authority and the subject of a Statement of Common Ground.

A full comprehensive air quality assessment of the likely effects on human and ecological receptors is presented in Chapter 5 of the ES. Further, the K3 and WKN Proposed Developments will be the subject of an Environmental Permit issued by the Environment Agency. Emissions from the facilities will be continuously monitored 24 hours a day and regulated by the Environment Agency.

All residual waste from the facilities will be disposed of at appropriately licenced facilities the subject of their own environmental controls pursuant to their own permits issued by the Environment Agency.

forty-seven tonnes of waste will be carried by approximately 200,000 per annum additional heavy goods vehicles (HGVs) movements and this very significant number of HGVs and cars will descend upon this area due to their involvement with these proposals. This is in direct conflict with Paragraph 32 of the National Planning Policy Framework (NPPF) which makes it clear that: "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". To mitigate this effect, it is suggested that the DCO should not be applied for until the proposed upgrading of the Grovehurst Roundabout is completed. If this application is permitted, the opportunity to travel along these routes within a reasonable timescale will be severely compromised or in the worst-case scenario even lost.

Thirdly, the Parish Council is also seriously concerned about the environmental impact of, what appears in effect to be the doubling of the current level of waste coming into the area, with both the expansion to the existing Generating Station and the introduction of the WKN facility. Not only will the increased capacity of the facility lead to substantially more waste delivery traffic, with a corresponding increase in HGV exhaust pollution, but the disposal of the products of burning – bottom ash and flue dust – will generate yet more traffic locally. Flue dust in particular is a hazardous waste product and constitutes around 8% of the raw waste input. The only licenced site in Kent for flue dust disposal is at Norwood Farm Landfill on the Isle of Sheppey, a mere 3 miles from the proposed WTE plant. The applicants have outsourced their flue dust disposal, without revealing its destination, but the likelihood of it being anywhere other than Norwood Farm is highly improbable. Allington WTE plant, Maidstone, already uses it as the most cost-effective option. Use of Norwood Farm would produce an additional 8000 20-tonne HGV movements per annum (to and from the Sheppey site) along already heavily congested roads, with all the extra vehicle pollution that would entail for local residents. Fugitive emissions of toxic fumes, regularly reported from WTE plants elsewhere, would be carried directly towards Sheppey on the prevailing south-westerly winds – so constituting another potential hazard to the residents of the same area within which the flue dust would be disposed of.

In addition to the above, the Parish Council has concerns over the future capacity of the two plants, currently the 49.9MW site is capable of disposing of 550,000 tons of waste each year. The plans include a 25.1MW increase to the current Generating Station, but only to dispose of an additional 107,000 tons of waste each year. The WKN facility will produce up to 42MW, but again will dispose a maximum of 390,000 tonnes of waste each year. It seems obvious from the maths that since

both facilities will be built to significantly increase waste disposal in the future, the current proposals do not include any details of possible future expansion. Bearing this in mind, there are concerns that should demand continue to outstrip supply, then both sites could quickly be required to take on additional waste disposal. This is seriously concerning and must be addressed as a priority. The Parish Council asks why an application for the 75 MW CHP was not applied for from the onset when it constitutes a Nationally Significant Infrastructure Project (NSIP) where an application for a DCO is required? The K3 CHP plant was clearly designed and constructed to be able to operate at an output level of 75MW from its design inception. The Parish Council also questions the applicant's failure to provide a proper report on the Traffic Flow Data for the K3 - 75 MW CHP which is imperative if you are to properly understand this application and its effect on the highway network. In its place are separate spreadsheets which are confusing and not at all transparent as the process should be. Further questions could also be asked about the environmental impact with no information supplied on continuous or periodic monitoring. The percentage of refuse collection vehicles, flue ash and bottom ash waste also needs to be known. Here, there are concerns that the periods for waste deliveries will have a knock-on effect on the Grovehurst A249 Junction and M2 junctions as most of the deliveries are scheduled to take place during peak periods.

Bobbing Parish Council

I refer to the above and write to express Bobbing Parish Councils concern at the impact this development will have on:

The Grovehurst Interchange and the A249, which are already at full capacity; how much extra traffic will this development bring on to the A249, there is no mention of figures in any details.

The environmental impact on the nearby SSSI/Ramsar Site, to lessen we would urge you to consider moving materials via the River or by Rail.

A full Traffic and Transport Assessment undertaken by a Competent Expert is provided in Appendix 4.1 of the ES. This includes a full capacity assessment of the local road network including the effect of the K3 and WKN Proposed Developments with 46 other local development schemes. The assessment will be subject to scrutiny from KCC as the Lead Local Highway Authority and the subject of a Statement of Common Ground.

A full comprehensive air quality assessment of the likely effects on human and ecological receptors is presented in Chapter 5 of the ES. Further, the K3 and WKN Proposed Developments will be the subject of an Environmental Permit issued by the Environment Agency. Emissions from the facilities will be continuously monitored 24 hours a day and regulated by the Environment Agency.