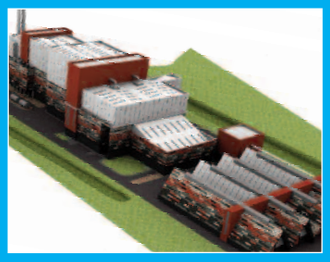
planning application supporting statement



Sustainable Energy Plant, Kemsley Paper Mill, Sittingbourne, Kent.

'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 FACILITY, OFFICE ACCOMMODATION, VEHICLE PARKING, LANDSCAPING, DRAINAGE AND ACCESS.'

MARCH 2010

E.ON Energy from Waste

ST REGIS

DEVELOPMENT OF A SUSTAINABLE ENERGY PLANT.

KEMSLEY PAPER MILL, SITTINGBOURNE, KENT

ST REGIS PAPER COMPANY LIMITED & E.ON ENERGY FROM WASTE UK LIMITED

Planning Application Supporting Statement

Prepared by:
Andrew Stevenson

Checked by:
Jonathan Standen

34 Lisbon Street
Leeds
LS1 4LX

Date December 2009
Tel 0113 220 6190
Fax 0113 243 9161
Email rpsld@rpsgroup.com

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2 Introduction

2.1 Backgroud and Context

2.1.1 This planning application supporting statement is submitted on behalf of St. Regis Paper Company Limited and E.ON Energy from Waste in support of a planning application for a Sustainable Energy Plant. The proposal is for the:

> 'Development of a sustainable energy plant to serve Kemsley Paper Mill, comprising pre treated waste fuel reception, moving grate technology, power generation and export facility, air cooled condenser, 2 stacks (90 metres high), transformer building, bottom ash facility, steam pipe connection, office accommodation, vehicle parking, landscaping, drainage and access.'

2.1.2 The energy requirements at Kemsley paper mill are currently met by the on site Combined Heat and Power (CHP) plant which is fuelled by natural gas, a fossil fuel based energy source and by a Waste to Energy plant which burns rejects from the paper making process. Both plants are owned and operated by E.ON. The mill is an intensive user of energy, consuming 55 MWe per hour of electricity and 150 MWth per hour of steam. The mill's energy cost is circa £50m per annum which represents around 25% of turnover. The pricing of natural gas has been extremely volatile in the UK in recent years which, with the European market less de-regulated than the UK, has put Kemsley mill at a disadvantage to its European competitors. The UK paper industry as a whole has suffered of late from high and volatile energy prices and 22 paper mills have closed in the UK over the last 5 years, including three in Kent. Further, with the UK becoming more reliant upon imported natural gas, there is concern about the future security of supply of natural gas. Consequently, the price of natural gas is forecast to increase over the long term and will continue to be volatile.

2.1.3 Although natural gas will remain as a significant source of energy for the mill through the CHP, there is a clear strategic need for Kemsley mill to diversify its fuel source and to thereby reduce its reliance on natural gas. The proposed Sustainable Energy Plant (SEP) will reduce its dependence on fossil fuel, improve the carbon footprint of Kemsley mill, ensure a greater degree of energy supply security and improve the competitive position of the mill.

2.1.4 The SEP will have net generation capability of 48.5 MWe per hour of electricity. Under the anticipated electricity and gas pricing outlook, the SEP will usually be set up to generate 36 MWe per hour of electricity and provide in excess of 50 MWth per hour of steam to the mill. However, if required, the SEP will be able to increase its steam provision to fulfil the mill's entire steam demand, with its electricity requirements being met from the national grid.

2.1.5 The fuel source of the SEP will be approximately 500,000 to 550,000 tonnes per annum of pre treated waste comprising Solid Recovered Fuel waste, Commercial & Industrial waste and pre treated Municipal Solid Waste, which may include up to approximately 25,000 tonnes per annum of the paper making process rejects from the mill which are currently sent to landfill.

2.1.6 The SEP therefore has the dual role of an energy generating station and a waste management facility.

2.1.7 The source of those pre treated wastes has yet to be determined. Subject to appropriate fuel supply agreements, It is anticipated that pre treated waste will be sourced from Kent with the balance from London, the South East and elsewhere in the UK subject to commercial viability. The SEP will use Energy from Waste Technology to recover energy from waste which would otherwise be landfilled. The process is by definition waste recovery rather than disposal, and the bio-degradable fraction would be regarded as a renewable energy source. The SEP will produce Good Quality CHP.

2.1.8 The available data shows that even after the Regional Waste Recycling and Composting targets have been met, there are significant quantities of waste available within Kent, London and South East. The SEP would therefore make a significant contribution to landfill diversion. The SEP would also make a significant contribution to meeting the Regional Renewable Energy Target.

2.1.9 The SEP will be developed by E.ON Energy from Waste. It is anticipated that it will be operational by 2014, following the civil engineering works associated with the plant construction and the process work involved in the mechanical and electrical equipment installation, fit out and commissioning of the plant.

2.1.10 The proposal assumes that the means of delivery of waste fuel to the site will be by road, though whilst this is demonstrated to be acceptable in highways terms, it is presented as the worst case scenario. The applicant is actively pursuing options for importation of waste to the site via water and/or rail as an alternative if this proves to be practicable and viable, depending on the source of pre treated waste.

2.1.11 Figure 1.1 illustrates the general location of the proposals site and Figure 1.2 shows the planning application boundary. Figure 1.3 illustrates the site topography and Figure 1.4 the site ownership. Figures 4.1 to 4.7 illustrate the site layout and elevations. Figures 4.29 to 4.36 set out visualisations of the scheme.

2.1.12 The aims of the statement are:

- To describe the site and its surroundings
- To describe the proposal
- To review the planning policy framework, and assessing the proposals against its provisions and having regard to any other material consideration ; and,
- To explain how the key issues have been addressed in developing the proposal.

The Applicants

2.1.13 St Regis Paper Company Limited (St Regis) and E.ON Energy from Waste UK Limited (Eon Energy from Waste) are co applicants.

2.1.14 St Regis is a wholly owned subsidiary of DS Smith Plc. Kemsley paper mill is owned and operated by St Regis, and produces circa 900,000 tonnes of recycled paper and recycled de-inked, white pulp. Every year, Kemsley paper mill takes around 1.1 million tonnes of waste paper and manufactures it into a range of high quality recycled papers.

2.1.15 The company's infrastructure of four paper mills, a recycling operation (Severnside Recycling), and a Head Office generates a turnover of more than £350 million per annum. Sales are predominantly within the UK market place; however it also has a significant export business. Overall St Regis employs approximately 1,700 people of whom 645 work at Kemsley; there are a further 205 third party contractors working full-time at Kemsley bringing the number of people working at the site to 800.

2.1.16 St. Regis' annual output of recycled paper and pulp products is in the region of 1.2 million tonnes, making it by far the largest papermaker in the UK. The annual input of recovered waste paper is around 1.4 million tonnes, which means it is one of the biggest recycling operations in Europe. The waste paper is supplied predominantly by Severnside Recycling, which recovers circa 1.8m tonnes annually of waste paper grades in the UK.

2.1.17 Its corrugated grades are supplied to the packaging industry for conversion into card board and boxes. In addition its specialist papers go into many different industries including construction, tissues, food manufacturing, stationery and education. All of its products are 100% recycled and 100% recyclable.

2.1.18 E.ON, the project co developer with St Regis, is a leading power and gas company, employing around 17,000 people in the UK and over 93,000 people worldwide. It generates and distributes electricity, and retails power and gas.

2.1.19 E.ON in the UK is a market leader in combined heat and power, providing its customers with around 600MW of electricity and more than 1,000MW of heat at 13 sites across the country. This includes its existing gas-fired CHP plant at Kemsley Mill.

2.1.20 E.ON Energy from Waste has a strong track record in developing, building and operating Sustainable Energy Plants. The company has a portfolio of plants similar to the one proposed at Kemsley in operation or under construction in Germany, Holland and Luxembourg.

2.1.21 E.ON Energy from Waste's plants operate to the highest technical and environmental standards and in Germany have the capacity to handle nearly five million tonnes of waste per year and to produce 2,600GWh of electricity as well as 2,300GWh of heat.

Summary of Development

2.1.22 In summary the development will comprise the following:

- The capability to generate in excess of 50 MWth per hour of steam to the paper mill. Dependent upon its calorific value, the SEP will import as its feed stock approximately 500,000 to 550,000 tonnes per annum of pre treated waste comprising Solid Recovered Fuel waste, Commercial & Industrial waste and Municipal Solid Waste.
- The plant may accept up to approximately 25,000 tonnes of waste plastics from the paper mill (included in the above).
- The plant is a recovery plant under the R1 calculation of the Waste Directive.
- The average net calorific value of 10.5 MJ/kg will fall within the range of 8 MJ/kg to 16 MJ/kg.
- Power generation capability of 48.5 MWe of net electricity per hour.
- Grid connection cables to supply generated electricity to the public supply network.
- Two line moving grate with thermal combustion capacity of 100 MW per line.
- Two stacks with a height of 90 meters from ground level.
- Waste reception hall and waste storage bunker.
- Waste handling systems and feed hoppers.
- Bottom ash handling.
- Bottom ash storage and maturation facility.
- Flue gas treatment.
- Boiler, steam turbine and air cooled condenser
- Heat extraction system and infrastructure providing connectivity to adjacent paper mill.

- Weighbridge and access arrangements.
- Control room, administration building and workshops.
- Transformers
- Site landscaping
- Importation of approximately 20,300m^3 of clean inert fill.

2.1.23 In line with government policy and the requirements of the site and its setting, due regard has been paid to the architectural design of the proposed Sustainable Energy Plant. RPS Architects were commissioned to develop the building envelope for the SEP taking account of the site and its setting. Details of their approach are set out in the Design and Access Statement which accompanies this application.

2.1.24 The proposals presented are a comprehensive response to:

- The site context, constraints and opportunities
- Policies set out within the development plan
- Input from stakeholders
- The findings of the Environmental Impact Assessment.

Local Authority Administrative Boundary

2.1.25 The planning application falls entirely within the administrative boundary of both Kent County Council and Swale Borough Council. Kent County Council is the determining authority for the planning application.

Environmental Impact Assessment

2.1.25 The planning application is accompanied by an Environmental Statement prepared in accordance with Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

2.1.26 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 specify certain types of development for which EIA is mandatory (Schedule 1 Developments).

2.1.27 Waste Treatment facilities are deemed to fall under Category 10 of Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. This *identifies "Waste disposal installations for the incineration or chemical treatment (as defined in Annex IIA to Council Directive 75/442/EEC under heading D9) of non-hazardous waste with a capacity exceeding 100 tonnes per day"* as Schedule 1 development. The Regulations require EIA in every case for Schedule 1 development.

2.1.28 The 1999 Regulations and associated guidance need to be capable of being applied to all forms of development, and not purely waste management facilities. Each development proposal, by virtue of its particular setting, design etc., is unique: the potential impacts associated with one waste management facility may not be the same as the next. Schedule 2 of the regulations identifies that Environmental Impact Assessment may be required for Energy industry development. Category 3a provides '*Industrial installations for the production of electricity, steam and hot water (unless included in Schedule 1)- the area exceeds 0.5 hectares.'*

2.1.29 In order to produce an adequate and focused EIA, and in the interests of transparency, formal Scoping Requests were submitted to Kent County Council in addition to topic specific consultations with the relevant bodies.

2.1.30 A copy of the Scoping Request to, and the resulting 'Scoping Opinion' issued by Kent County Council with related consultee responses are included as Technical Appendices to the Environmental Statement 1.1and 1.2 respectively.

Community Engagement

2.1.31 In addition to the formal scoping request to the planning authority and other topic specific consultations noted above and within specific chapters, St Regis Paper Company Limited and E.ON Energy from Waste have undertaken an extensive programme of stakeholder engagement to ensure that stakeholders were fully informed of the proposals and were given the opportunity to input into the identification of key issues to be addressed through the Environmental Impact Assessment process.

2.1.32 The Planning and Compulsory Purchase Act 2004 introduced pre-application requirements for public consultation, as an essential element to make the planning system a more transparent process. The Act requires regional planning bodies and local planning authorities to prepare a Statement of Community Involvement (SCI), in which they set out their policy on involving their community in preparing regional spatial strategies, local development documents and consulting on planning applications.

2.1.33 This requirement for public consultation stems from Planning Policy Statement 1: Delivering Sustainable Development, published in February 2005. Section 41 states that local communities should be consulted on proposals for development and Section 43 proposes that effective community involvement requires an approach which:

- tells communities about emerging proposals in good time
- enables communities to put forward ideas and suggestions and
- Participate in developing proposals

- ensures that consultation takes place in locations that are widely accessible
- consults on formal proposals
- provides and seeks feedback.

2.1.34 Pre-application consultation is not compulsory and planning authorities cannot refuse to determine applications where pre-application consultation has not been undertaken. St Regis Paper Mill Company Ltd and E.ON Energy from Waste considers that pre-application consultation is important in helping to develop its proposals in an appropriate way and desirable in seeking views from key stakeholders. Guidance on pre-application consultation is provided in the Statement of Community Involvement which was formally adopted on 22 June 2006.

2.1.35 Details of the pre-application consultation undertaken by St Regis Paper Company Ltd and E.ON Energy from Waste, summarised below is set out within the accompanying Stakeholder Engagement Report for the project. This is in line with the guidance set out within the adopted Kent Statement of Community Involvement.

2.1.36 A summary of the process is set out below:

- **Newsletters** - 13,987 newsletters with covering letter issued to local residents and businesses via first class Royal Mail on Thursday 11 June 2009; received Saturday 13 June2009 and Monday 15 June 2009. A second newsletter with covering letter was circulated in mid November to a smaller distribution (6,284 addresses) based on levels of interest and feedback from the first mailing. The distribution area consists of the Swale Borough Council wards of Kemsley and Milton Regis, plus the village of Iwade. Letters and newsletters were also sent to people who had expressed an interest in the project but fell outside the area of the second mailing.

- **Posters -** A4 posters advertising the public exhibitions (example attached) were displayed from Thursday 18 June in six locations in Kemsley:
  - Village Stores, Ridham Avenue
  - The Kemsley Arms, Ridham Avenue
  - Kemsley Village Hall, Ridham Avenue
  - Grovehurst Surgery, Grovehurst Rd
  - Pharmacy, Grovehurst Rd
  - Grovehurst Newsagents, Grovehurst Rd

The same locations were used to publicise the second round of exhibitions

- **Other letters -** Letters/emails highlighting/providing update on the project sent to:
  - Swale Borough Council officers.
  - Swale leader and relevant Cabinet members.
  - Swale ward members.
  - Kent County Council ward members.
  - Kent County Council Cabinet members.
  - Local MP.
  - Conservative Parliamentary Candidate.
  - UKTI.
  - Locate in Kent.

- **Website -** www.kemsleyenergy.co.uk went live on 13 June 2009

- **Press activity -** Press releases issued to:
  - Announce proposals (issued 15 June 2009 to Your Swale, KM Sittingbourne, East Kent Gazette, KM Kent Business, Kent Director, South East Business and Kent on Sunday).
  - Promote public exhibitions (issued 23/6/2009 and 24/6/2009 to Your Swale, KM Sittingbourne, East Kent Gazette)
  - Follow up on public exhibitions (issued 7/7/2009 to Your Swale, KM Sittingbourne, East Kent Gazette)
  - Promote second round of exhibitions (issued 16/11/2009 to Your Swale, KM Sittingbourne, East Kent Gazette, yourcounty.co.uk and onlykent.co.uk)
  - Follow up on second round of public exhibitions (issued 30/11/2009 to Your Swale, KM Sittingbourne, East Kent Gazette, yourcounty.co.uk and onlykent.co.uk)

- **Adverts**
  - Adverts to promote the first round of public exhibitions about the proposals appeared in the East Kent Gazette (24 June 2009 and 1 July 2009) and the KM Sittingbourne Extra (19 June 2009 and 26 June 2009).
  - Adverts to promote the second round of public exhibitions about the proposals appeared in the East Kent Gazette (18 and 25 November 2009) and the KM Sittingbourne Extra (18 and 25 November 2009).

- **Exhibitions -** Project exhibitions where held at Kemsley Village Hall on the 2nd and 3rd of July 2009 and the 26th and 27th of November 2009. A further public exhibition was held in Iwade Village Hall on 13th January 2010.

- **Helpline**
  - Free helpline (0800 8815429) went live from 1st June 2009.

- **Correspondence received**
  - Dedicated project email set up – info@kemsleyenergy.co.uk
  - Dedicated project address set up – Kemsley Energy Project, Kemsley Mill, Sittingbourne, Kent, ME10 2TD

2.1.37 With the planning application now submitted to Kent County Council, a programme of post-application public engagement will be launched and will include; newsletters, existing facility site visits, and briefings for decision makers and influencers.

Feedback from Public Information Days

2.1.38 During the five Public Information Days a total of 128 people took the opportunity to learn more about the proposals for the first time and speak to members of the development team. A total of 19 feedback forms were received either during the Public Information Days or after via post. The feedback forms asked attendees to submit their comments and questions regarding the proposals.

2.1.39 The main issues raised through the public consultation process are summarised below and have all been dealt with extensively in the planning application:

- Air quality
- Transport and access
- Potential health impacts
- Potential noise
- Creation of Jobs
- Continued viability of Paper Mill
- Sourcing of Sustainable Energy

2.2 Post Submission Consultation

2.2.1 The engagement programme will continue through submission and determination of the application.

3 The Site and its Setting

3.1 Introduction

3.1.1 This chapter of the Planning Supporting Statement describes the physical and environmental characteristics of the scheme, site and surrounding environs. Chapters of the Environmental Statement provide detailed descriptions of the application site in relation to particular environmental topics, providing "base line" surveys against which the effects of the proposals may be evaluated.

3.2 General Location

3.2.1 The site (OS Grid reference 592070, 16651) is located on land adjacent to and immediately north east of the existing Kemsley Paper Mill as indicated in Figure 1.1. The site lies within the ward of Kemsley (0.85km to the south west) and Milton Regis (2.6km to the south west). Sittingbourne is approximately 2.5km south of the proposal site and is located centrally within north Kent. The town of Maidstone is 19.5km to the south west, and Gillingham is 15km to the west.

3.3 Site Description

3.3.1 The site lies on the industrial northern edge of Sittingbourne, which forms the largest settlement within the district of Swale. Development dates mainly from the 19th and 20th centuries, clustered around the A2 and railway which pass through the centre of the town. The rapidly expanding industrial and commercial district which extends from the edge of Sittingbourne north to Ridham Docks forms the immediate context to the site.

3.3.2 The planning application site which inlcudes access to the public highway extends to some 7.6 hectares of which 4.6 hectares is proposed built development, the extent of which is shown in Figure 1.2.

3.3.3 The Kemsley Mill site currently comprises a paper mill and associated infrastructure, including access, car parks and administration buildings.

3.3.4 The site is accessed from the A249 via Swale Way (Western Entrance) or from Swale Way onto Barge Way (Northern Entrance). An internal access road which runs to the south and east of the paper mill buildings provides access to Swale Way.

3.3.5 The proposed development site has been previously used for temporary storage and as a lay down area with the wider area to the north comprising areas of reed bed. Other areas in close proximity to the site comprise mostly bare ground with sections of dense and scattered scrub together with semi-improved grassland, bounded by a sea wall protecting the land from the tidal effects of the Swale estuary.

3.3.6 The Swale River lies to the east, separating the area of land on which the site sits from the Isle of Sheppey to the north. The route of a dismantled railway bisects the western and south western wedge of the site as it runs southwards away from Ridham Dock.

3.4 Access and Right of Way

3.4.1 The site is accessed *via* the Swale Way section of the Sittingbourne Northern Relief Road which, when complete will provide a route around the north of Kemsley and Sittingbourne to join the A2 at Bapchild. Swale Way (opened in 2005) serves a number of industrial uses in the area including Kemsley Mill and Ridham Dock. Swale Way has a junction with the B2005 (A249 (T) to Sittingbourne) approximately 1.7km west of the site. The A249 (T) (Queensborough to M2) has junctions with both the A2 (Gillingham to Faversham) and M2 (Gillingham to A2) approximately 4.8km and 7.8km south west of the site respectively.

3.4.2 There are no public rights of way which cross the site. The closest footpath is the Saxon Shore Way long distance path which follows the top of the sea defences which line The Swale and Milton Creek. The path to the east of the proposal site extends along the Kent coastline throughout the Swale District.

3.5 The Surrounding Area

3.5.1 Details of the Surrounding are are provided within Chapter 2 of the Environmental Statement which accompanies the application. In summary, it provides details of the following:

- Residential Areas
- Ecological Designations
- Historical/Archaeological Designations
- Landscape Character
- Land Use
- Topography
- Vegetation
- Views
- Landscape and Townscape Character

3.6 Planning History

3.6.1 The manufacture of paper in Sittingbourne has taken place for over 300 years. In 1924, Kemsley Mill was built as a way of expanding operations carried out at the Sittingbourne Mill. Kemsley Garden Village was built at the same time to house the mill workers.

3.6.2 The wider Mill site has a long and complex planning history with numerous planning consents having been approved and implemented since the 1970's. There have been other major planning applications locally, but those planning consents considered to be most relevant to this proposed development are summarised in Tables 3.1 to 3.4 opposite:

Table 3.1: Combined Heat and Power (CHP) Plant

LPA Ref	Year	Description	Decision
SW/92/999	1992	An application made under S.36 of the Electricity Act 1989 for the Construction and operation of a combined heat and power gas turbine generating station.	Approved by the Secretary of State for Trade and Industry 27.08.93
SW/98/0218	1998	Extension to existing CHP plant to deal with paper related wastes from Kemsley and Sittingbourne paper mills (County Matter).	Approved by Kent County Council 23.09.98
SW/00/0031	2000	Application pursuant to SW/98/218 to reduce the design capacity of a combustion plant	Approved by Kent County Council 07.04.00

Table 3.2: Kemsley Landfill Site

LPA Ref	Year	Description	Decision
SW/76/453	1976	Disposal of rubbish	Approved by Kent County Council 20.09.1977
SW/91/0793	1991	Re-application of planning permission for continued use of land for waste disposal	Approved by Kent County Council 28.01.93
SW/93/626	1993	Recontouring and extension of existing landfill site and restoration.	Approved by Kent County Council 11.04.94
SW/98/1026	1998	Extension of time to the waste disposal operations permitted at the existing Kemsley Landfill from 2003 to 2013.	Approved by Kent County Council 16.03.99

Table 3.3: Land to the North of Kemsley Mill

LPA Ref	Year	Description	Decision
SW/98/367	1998	Construction of hard standing for the storage of paper bales and overnight lorry parking, associated engineering works and erection of fencing and fire hydrants.	Approved by Swale Borough Council 03.11.98

Table 3.4: Land at Kemsley Mill

LPA Ref	Year	Description	Decision
SW/94/0064	1994	The construction of a paper recycling facility and associated facilities	Approved by Swale Borough Council 29.04.94
SW/04/1547	2004	Building to house raw material processing equipment and alterations to site perimeter road.	Approved by Swale Borough Council 16.12.04
SW/06/0013	2006	New distribution and transfer enclosure.	Approved by Swale Borough Council 06.01.06
SW/06/0824	2006	Building to house raw material processing equipment and alterations to site perimeter road.	Approved by Swale Borough Council 17.07.06

3.6.3 In September 1977, Kent County Council granted planning consent (reference SW/76/453) for the continued use of land adjoining the mill for the disposal of inert solid waste and other non-toxic wastes arising from the paper mill including mill effluent slurry, fly ash, wood bark, sawdust, hardboard strippings and waste paper. Application SW91/0793, SW/93/626 and SW98/1026 have subsequently been granted by Kent County Council for retention of use, recontouring and extension of the landfill site and an extension of time to permit operations at the site from 2003 to 2013 respectively.

3.6.4 The areas of land which are the subject of this consent comprised five individual disposal sites, three of which were located on Kemsley Marshes to the east of the mill and adjacent to the mud flats of the Swale estuary, with one located just south of the mill and the fifth located to the north of Kemsley Marshes and the disused dock.

3.6.5 On 27 August 1993, the Secretary of State for the Department of Trade and Industry granted permission for the construction and operation of a Combined Heat and Power gas turbine generating station with a capacity of 80MW at the mill. The CHP plant replaced an existing coal-fired power station and associated boilers and was developed on an area of adjoining land to the east of the main mill complex.

3.6.6 The CHP plant comprises one gas turbine, one steam turbine, ancillary equipment and buildings. The plant was commissioned in 1995, it is operated by E.ON and supplies heat and electricity to Kemsley Mill for St Regis Paper Company Limited.

3.6.7 In April 1994, Swale Borough Council granted planning consent (reference SW/94/0064) for the construction and operation of a paper recycling facility and associated facilities. This enabled the paper mill to receive waste paper from Kent and Greater London and incorporate the recycled paper pulp into the paper manufacture process.

3.6.8 The paper recycling facility occupies a large area of land located in the western segment of the main paper mill complex.

3.6.9 Kent County Council granted planning consent on 23 September 1998 (reference SW/98/218) which permitted an extension to the existing combined heat and power (CHP) plant to deal with paper related wastes from the Kemsley and Sittingbourne Paper Mills (the latter now being closed). The extension took place on an area of land located within the main CHP plant complex and comprises:

- PRW (fibrous sludge-cake) storage plant;
- Fluidised bed combustion plant / boiler house;
- Fabric filter building;

- Two ash hoppers adjoining the waste storage plant; and
- One 72m high chimney stack.

3.6.10 A further planning consent (reference SW/98/367) was granted on 3 November 1998, by Swale Borough Council, permitting the construction of an area of hard standing for the storage of paper bales and overnight lorry parking. This consent related to the area of land on which the new Sustainable Energy Plant is proposed.

3.6.11 In December 2004, Swale Borough Council granted planning consent (reference SW04/1547) for a building to house raw material processing equipment and alterations to the perimeter road. Application SW/06/0824 was for a similar proposal; however the alterations to the existing road went beyond minor alterations to the highway and incorporated a new road layout which skirted existing reservoirs close to the south eastern corner of the site. Application SW/09/0627 (Renewal of planning permission SW/06/0896) was approved in August 2009, enabling the existing car park (currently located to the south of the mill reception) to be extended and improved for disabled and visiting users.

4 Description of Development

4.1 Introduction

4.1.1 This Chapter of the Planning Supporting Statement describes the proposed development. The proposal has been formulated through an iterative process of evaluation including assessment of likely significant effects from the scheme and incorporates mitigation measures.

4.1.2 The layout of the proposed SEP together with a description of the power generation and waste management process to be undertaken within the plant is described. The scheme has been designed in accordance with the Construction (Design and Management) Regulations 2007.

4.1.3 In preparing the development proposals, consideration has been given to the following considerations:

- Design
- Ecological and Nature Conservation;
- Hydrology and Flood Risk
- Ground Conditions
- Air Quality and Noise Receptors
- Transport of Fuel feedstock, Raw Materials and Residues.
- Employees
- Visual and Landscape

4.1.4 In summary the development will comprise:

- The capability to generate in excess of 50MWth per hour of steam to the paper mill. Dependent upon its calorific value, the SEP will import as its feed stock approximately 500,000 to 550,000 tonnes per annum of pre treated waste comprising Solid Recovered Fuel waste, Commercial & Industrial waste and Municipal Solid Waste.
- The plant may accept up 25,000 tonnes per annum of waste plastics from the paper mill (included in the above).
- The plant is a recovery plant under the R1 calculation of the Waste Directive.
- The average net calorific value of 10.5 MJ/kg will fall within the range of 8 MJ/kg to 16 MJ/kg.
- Power generation capability of 48.5 MW of electricity per hour net.

- Grid connection cables to supply generated electricity to the public supply network (transforming 10.5kV from the generator to 132kV for grid connection)
- Two line moving grate with thermal combustion capacity of 100MW per line.
- Two stacks with a height of 90 meters from ground level.
- Waste reception hall and waste storage bunker.
- Waste handling systems and feed hoppers.
- Bottom ash handling.
- Bottom ash storage and maturation facility.
- Flue gas treatment.
- Boiler, steam turbine and air cooled condensers
- Heat extraction system and infrastructure providing connectivity to adjacent paper mill.
- Weighbridge and access arrangements.
- Control room.
- Transformer
- Site landscaping
- Importation of approximately 20,300m^3 of clean inert fill.

4.1.5 The construction period will be approximately 32 months in duration with an assumed start date in January 2011.

4.1.6 A full description of the development proposed can be found within Chapter 4 of the Environmental Statement which accompanies this application. In summary, Chapter 4 provides comprehensive details of the following:

- Site Layout
- The Sustainable Energy Plant including, the Bottom Ash building, Gatehouse and Weighbridges. the Transformer, the Turbine House, Vehicle Parking, External Lighting, the Vehicle Wash Down Area, Drainage, Fencing and Security, Landscaping
- A Process Overview including the Reception Hall and Waste Fuel Bunker Operations, The Combustion Grate Operation, Flue Gas Treatment, the Stacks, and Ash Management
- Waste Types, Input Sources and Facility Options
- Other materials used and stored on site
- Water usage, Drainage Treatment and Disposal
- Hours of Operation
- Site Staff
- Monitoring
- Hazard Prevention and Environmental Controls

- Plant Maintenance and Shutdown
- Operating Conditions
- Construction including Timescales, Hours, Access, Plant, Operational Practices, Storage, Parking, Loading and Unloading of Plant and Materials, Wheel Wash Facilities, Measures to Control the Emission of Dust and Dirt During Construction, recycling of Waste, Site Specific Procedures, Foul Water
- Decommissioning

5 Planning Policy Framework

5.1 Introduction

5.1.1 The application and interaction between planning policy at the National, Regional and Local level is material in the consideration of the proposals. This section therefore provides an overview of the planning policy framework as it relates to the proposed development. The material considerations which are identified are then addressed in the light of policy objectives.

5.2 Policy Framework

5.2.1 The Government is committed to a plan led system, with the development plan forming the basis of all planning decisions. Accordingly, policy and plans play an important role in determining any planning application. It is normal practice therefore to include an assessment of policy considerations within the supporting documentation for the planning application. This section provides an overview of the hierarchy of policies and the development plan that have been considered in preparing this planning application.

5.2.2 Planning policies are developed at national, regional and local levels. The structure of this Chapter is based upon the hierarchical policy framework of:

- European legislation and policy;
- National Planning Policy and Waste Strategy;
- Regional Spatial Strategies;
- County and Local Planning Guidance.

5.2.3 Most legislation in the United Kingdom which concerns renewable energy and waste management development derives from European Directives. National policies set out in a series of Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs), provide a framework within which planning authorities are required to draw up their development plans and take decisions on individual applications. The Statutory Development Plan comprises: the South East Plan, the Kent Waste Local Plan, and the Swale Borough Local Plan. The Development plans are examined by the Secretary of State to ensure consistency with national and regional guidance. Planning Policy Statement 1: Creating Sustainable Communities and Section 38 of the Planning Compulsory Purchase Act 2004 reaffirms the Government's commitment to the plan led system.

5.2.4 Under this approach applications for planning permission are determined in accordance with the approved development plan, unless material considerations indicate otherwise. Further,

account is to be taken of whether the proposed development would cause demonstrable harm to other interests of acknowledged importance.

5.2.5 It is not intended to address every aspect of the guidance that could have some bearing on the proposal within this chapter, but rather to identify those matters that are particularly relevant in assessing the compatibility of the proposals with key elements of the policy or guidance.

5.2.6 The Planning Policy Framework is set out in full within Chapter 3 of the Environmental Statement which accompanies this application.

5.3 Energy & Waste Policy

Waste

5.3.1 National Policy relating to waste management, like many other matters including Environmental Impact Assessment, is derived from a number of European Directives. These include the Waste Framework Directive (75/442/EEC as amended by 91/156/EEC, 2006/12/EC); the Hazardous Waste Directive (94/31/EEC); the Packing and Packaging Waste Directive (94/62/EEC) and most recently the Landfill Directive (99/31/EC).

5.3.2 Historically, waste strategy has focused on controlling waste disposal to prevent unacceptable harm to human health and the environment. The introduction of the Environmental Protection Act 1990 changed the focus to the management of waste to “cradle to grave”, introducing concepts such as Best Available Techniques Not Entailing Excessive Cost (BATNEEC) and “Duty of Care”. Most recently, the strategic approach to waste management has been updated through the Landfill Directive (implemented in the Landfill Regulations). This introduced the concept of sustainability into waste management planning. A key aim of the Landfill Directive is to reduce the volumes of biodegradable municipal waste sent to landfill. This European legislation has been translated into National Policy through Waste Strategy 2007.

Waste Framework Directive

(75/442/EEC, amended by Directives 91/156, 91/692 and 96/350)

5.3.3 This EU Directive establishes the principle that the essential objective of all provisions relating to waste disposal must be the protection of human health and the environment against harmful effects. It states that the recovery of waste and the re-use of recovered materials should be encouraged in order to conserve natural resources. It also introduces measures designed to implement these principles.

Waste Framework Directive (2006/12/EC)

5.3.4 Waste Framework Directive (2006/12/EC) of the European Parliament and of the Council of 5 April 2006 on waste establishes the legislative framework for the handling of waste in the Community. It defines key concepts such as waste recovery and disposal and puts in place the essential requirements for the management of waste such as moving waste up the waste hierarchy. It also establishes major principles such as an obligation to handle waste in a way that does not have a negative impact on the environment and human health, an encouragement to apply the waste hierarchy and, in accordance with the polluter-pays principle, a requirement that the costs of disposing of waste must be borne by the holder of waste, by previous holders or by the producers of the product from which the waste came.

5.3.5 The Common Position adopted by the Council of the European Union (20 December 2007) with a view to the adoption of a Directive of the European Parliament and of the Council on waste and repealing certain Directives relates to the preference of recovery operation over the disposal of waste.

5.3.6 Paragraph 14 of Article 3 defines recovery as:
'any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.'

5.3.7 Paragraph 18 (Article 3) defines disposal as:
'any operation which is not recovery even where the operation has as a secondary consequence the reclamation of substances or energy.'

5.3.8 Article 11 defines the waste hierarchy as follows and states that it should be applied as a guiding principle in waste prevention and management legislation and policy:
a) prevention;
b) preparing for re-use;
c) recycling;
d) other recovery, e.g. energy recovery; and
e) disposal.

5.3.9 When applying the waste hierarchy, measures should be taken to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.

5.3.10 The European Parliament's Environment Committee has amended the Waste Framework Directive to allow efficient waste-to-energy plants to be classified as 'recovery' operations rather than disposal. A crucial aim for MEP's (Members of European Parliament) is to reduce the amount of landfill and incineration. MEP's backed the position to classify waste to energy (WTE) as recovery – provided plants meet an energy efficiency standard. The Confederation of European Waste-to- Energy Plants has welcomed this recognition of WTE's place in the waste hierarchy as a better option than landfilling. (WTE is essentially the same as Energy from Waste (EfW)).

Directive on Integrated Pollution Prevention and Control (IPPC) (96/61/EC)

5.3.11 This Directive establishes the IPPC process as a means of achieving a high level of protection of the environment, taken as a whole by, in particular, preventing or (where that is not practicable) minimising and controlling emissions into air, water and land. It requires regulators to set permit conditions to achieve a high level of protection for the environment as a whole.

Directive on Waste Incineration (2000/76/EC)

5.3.12 This EU Directive introduced stringent operating conditions and sets minimum technical requirements for waste incineration and co-incineration. The requirements of the Directive have been developed to reflect the ability of these facilities to more cost effectively achieve high standards of emission control in comparison to the 1980s. It covers virtually all waste incineration and co-incineration plants.

5.3.13 The main aim of the Directive is to prevent and limit adverse environmental effects by emissions to air, soil, surface and ground-water, and the resulting risks to human health, from the incineration and co-incineration of waste. It is not of itself concerned with the place of incineration in waste management strategies, but with ensuring that these facilities continue to be appropriately regulated.

Energy

EU Renewable Energy Directive (2009/28/EC)

5.3.14 This EU Directive reaffirms the EU's commitment to the development of renewable energy beyond 2010. The directive obliges Member States to:

- Meet the 2020 national renewable energy targets (15% for the UK)
- Introduce measures to meet these targets
- Introduce mandatory requirements for biofuels
- Adopt national action plans setting out adequate measures to achieve the 2020 targets

- Submit bi-annual progress reports to the EU Commission

5.3.15 It defines "energy from renewable sources" as energy from renewable non-fossil fuels namely wind, solar, aero-thermal, geothermal, hydrothermal and ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogas.

5.3.16 It defines biomass as the biodegradable fraction of products, waste and residues from biological origin from agriculture, as well as the biodegradable fraction of industrial and municipal waste.

Meeting the Energy Challenge: A White Paper May 2007

5.3.17 The Energy White Paper (at paragraphs 5.3.3 and 5.3.4) highlights the importance renewable energy plays in the future security of future energy supplies but also reducing carbon emissions. It (at paragraph 5.3.44) highlights the use of the biodegradable fraction of waste as a renewable resource and states that the Renewable Obligation will apply to certain types of energy from waste facility including good quality CHP facilities. Table 5.3.1 identifies energy from waste with CHP as a renewable technology.

5.3.18 Paragraph 5.3.6 acknowledges the EU's binding target for 20% of all energy consumption being renewable by 2020, and the EU's binding target of reducing greenhouse gas emissions by 20% by 2020.

5.3.19 Paragraph 5.3.44 identifies that generating energy from that portion of waste that cannot be prevented, reused, or recycled has both energy and waste policy benefits. It further acknowledges that energy generated either directly from waste or through refused derived fuel has benefits for the security of supply and confirms that the biodegradable fraction of waste is a renewable resource.

5.3.20 The White Paper at paragraphs 5.3.64 to 5.3.70 highlights concerns over the planning process stifling the deployment of renewables, stating: *"applicants will no longer have to demonstrate either the overall need for renewable energy or for their particular proposals to be sited in a particular location."*

5.3.21 The White Paper (at paragraph 5.3.69) states that the PPS on Climate Change will provide key policies on renewables including steering local authority decision makers not to question the national need for renewables and other low carbon technologies, or to question the need for a specific project to be sited in a particular location. This is carried through to the PPS1 Supplement.

5.3.22 Paragraph 8.2 sets out that there is a significant challenge in delivering new energy infrastructure. In terms of electricity the UK will need between 30-35GW of new generating capacity over the next two decades with two-thirds of this by 2020. In terms of gas given our increasing reliance on imports, if developers cannot secure permission for electricity generation projects and gas supply infrastructure the UK could be exposed to rising security of supply risk with the potential for energy price increases.

The UK Biomass Strategy, May 2007.

5.3.23 This Strategy was published to complement the Energy White Paper 2007. It sets out that Biomass is a renewable energy source that has the potential to make a valuable contribution to heat and electricity generation as a low carbon, sustainable replacement for fossil fuels. As such the government intends a major expansion in the supply and use of Biomass in the UK, and to maximise the potential of Biomass to contribute to the delivery of the UK's climate change and energy policy goals, and achieve a secure, competitive and affordable supply of fuel.

5.3.24 Paragraph 2.1 confirms that Biomass means any biological material derived from plant or animal matter which can be used for producing heat and/or power. Paragraph 2.3 confirms that Biomass is renewable. Paragraph 2.5 sets out that the use of biomass and other renewables, in place of fossil fuels, offers the prospect of a more diversified energy mix, and that energy security continues to be of increasing importance. It continues that at present 90% of the UK's energy needs are met by fossil fuels and that as the UK's production of Oil, Gas and coal declines it will become increasingly reliant on imports.

5.3.25 Paragraph 3.4 sets out that as part of the strategy to help secure a sustainable increase in UK biomass production there is a need to promote measures to divert waste from landfill including increased energy generation from biodegradable wastes that cannot be sustainably reused or recycled, and from SRF.

5.3.26 Paragraph 3.9 confirms that Biomass has an important role to play in achieving the Governments target of 10% renewable energy by 2010 and 20% by 2020.

The UK Renewable Energy Strategy, July 2009

5.3.27 This strategy sets out how the UK intends to meet its legally binding target to ensure that 15% of our energy comes form renewable sources "almost a seven-fold increase in the share of renewables in scarcely more than an decade". It also sets out that the strategy will tackle climate change by reducing the UK's emissions of carbon dioxide by over 750 million tonnes by 2030. It also promotes the security of energy supply by reducing the overall fossil fuel demand by around 10% and gas imports by 20-30% against what they would have been in

2020. It also sets out to achieve 30% of electricity being generated by renewable including biomass and 12% of heat from renewable including biomass.

5.3.28 Paragraph 1.1 of the Executive Summary sets out that the UK needs to radically increase its use of renewable energy. The reasons for this are:

- To address the impending threat of dangerous climate change and the need to reduce carbon dioxide and other green house gasses.
- The growth in global demand for energy over the next few decades and the depletion of the North Sea oil and gas resources, mean that there needs to be a rethink on sourcing and using energy. This dictates a need to move towards energy self sufficiency.
- To ensure the UK has thriving and robust renewable energy sector in a global low carbon economy.

5.3.29 Paragraph 3.6 of the Executive Summary states that: *"We will ramp up the supply and use of biomass for heat, power and transport…we will do this by making better use of biomass waste…"*

5.3.30 Paragraph 1.1 sets out that the UK needs a radical increase in the use of renewable energy and that this an integral part of the strategy to decarbonise energy production in the UK, to ensure secure and safe energy supplies, spread the costs fairly and to exploit the significant opportunities of the move to a low carbon economy. It sets out in Box1.1 that The Climate Change Act brings with at a binding target to reduce greenhouse gas emissions to 80% below 1990 levels by 2050, and that this requires the Government to set five year carbon budgets which place binding limits on green house gas emissions. The first three carbon budgets require a 34% reduction in Greenhouse gas relative to 1990 levels by 2022.

5.3.31 Secure and safe energy supplies will be realised by achieving the 15% renewable energy target by 2020. It estimates that this will lead a 10% reduction in overall fossil fuels demand and a 20-30% decrease in demand for gas. It also identifies that the EU Climate and Energy package requires a 20% reduction in greenhouse gas emissions by 2020.

5.3.32 Paragraph 4.121 identifies that that around 30% of the UK renewable energy target could come from bio energy for heat and power and that there is sufficient biomass resource potential in the UK to meet the EU renewable energy target in 2020.

5.3.33 Paragraph 4.130 identifies Waste Biomass as an underused resource which could provide a significant contribution to renewable target and reduce the amount of waste that is landfilled.

The UK Low Carbon Transition Plan: National Strategy for Climate and Energy, July 2009.

5.3.34 This White Paper sets out the UK's transition plan for building a low carbon UK: cutting emissions, maintaining secure energy supplies, maximising economic opportunities and protecting the most vulnerable. It sets out the Government's plan for achieving its 15% renewable target by 2020.

5.3.35 It sets out that in terms of energy security global energy demand is forecast to increase by 45% between 2006 and 2030 with almost 80% of the increase coming from fossil fuels. In 2008 the UK imported 25% of the gas it used and by 2020 this is predicted to rise to 60%, but that the measures in this plan not only will help to decarbonise electricity supplies and increase heat efficiency but will reduce the predicted energy importation to 45%.

5.3.36 The Transition Plan seeks to ensure that around 40% of our electricity comes from low carbon sources by 2020. As part of this plan England's annual waste emissions will be cut by the equivalent of one million tonnes of carbon dioxide by 2020 reducing them by 13% of the 2009 level. The Government will do this by amongst other measures, putting less waste into landfill and by encouraging greater production of bio energy, particularly from combustion, and may even ban certain types of waste from landfill.

5.4 Planning Policy

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development, January 2005

5.4.1 Whereas much of the guidance offered by PPS1 is of general or background relevance to the current proposals, the following specific points are noteworthy:

- Paragraph 3 of PPS1 identifies sustainable development as 'the core principle underpinning planning'.
- Paragraph 12 highlights pre-application discussions between developers and local planning authorities as being 'critically important'. Paragraph 8 reinforces the importance of the development plan in making decisions about development proposals.
- Paragraph 13(ii) requires LPA's to ensure that " development plans contribute to global sustainability by addressing the causes and potential impacts of climate change – through policies which reduce energy use, reduce emissions…., promote the development of renewable energy and take climate change impacts into account in the location and design of development".

- Paragraph 20 sets out that development plan policies should take account of environmental issues such as "the mitigation of the effects of, and adaptation to, climate change through the reduction of greenhouse gas emissions and the use of renewable energy; …"
- Paragraph 22 sets out that development plan policies should: "seek to minimise the need to consume new resources over the lifetime of the development by making more efficient use or reuse of existing resources, rather than making new demands on the environment; and should seek to promote and encourage, rather than restrict, the use of renewable resources (for example, by the development of renewable energy)." It also sets out that LPA's should encourage the use of Combined Heat and Power.
- Paragraphs 40-44 outline the importance of effective community involvement.
- Supplementary to PPS1, is guidance relating to climate change. This addresses, amongst other things, design for environmental performance, including energy consumption, renewable or low carbon energy supply.

Planning Policy Statement: Planning and Climate Change Supplement to Planning Policy Statement 1, December 2007

5.4.2 PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. This PPS on climate change supplements PPS1 by setting out how planning should contribute to reducing emissions and stabilising climate change, whilst taking into account the unavoidable consequences. The policies in this PPS take precedence over any policies relating to climate change in other PPS's. Tackling climate change is a key Government priority for the planning system. It sets out how applicants for planning permission should consider how well their proposals for development contribute to the Government's ambition of a low-carbon economy and how well adapted they are for the expected effects of climate change.

5.4.3 Paragraph 9 sets out the Key planning objectives to deliver sustainable development and an appropriate response to climate change. Amongst others, the Key objectives are:

- Make a full contribution to delivering the Government's Climate Change Programme and energy policies and in so doing global sustainability
- Reflect the development needs and interests of communities and enable them to contribute effectively to tackling climate change.
- Respond to eth concerns of business and encourage competitiveness and technological innovation in mitigating and adapting to climate change.

5.4.4 Paragraph 10 sets out that new development should be planned to make good use of opportunities for decentralised and renewable or low carbon energy.

5.4.5 Paragraph 19 sets out that in developing development plan documents LPA's should encourage and not restrict renewable and low carbon energy generation. Paragraph 20 sets out that planning authorities should not require applicants for energy development to demonstrate either the overall need for renewable energy and its distribution, nor question the energy justification for why proposals for such development must be sited in a particular location.

Planning Policy Statement 22 (PPS22): Renewable Energy, August 2004

5.4.6 PPS22 sets out that for its purposes renewable energy covers biomass including the biodegradable fraction of industrial and municipal waste, and energy from waste (but not energy derived from the mass incineration of domestic waste).

5.4.7 It sets out a number of Key Principles, including:

- Renewable energy developments should be capable of being accommodated throughout England in locations where technology is viable and environmental, economic, and social impacts can be addressed satisfactorily.
- Regional Spatial Strategies and Local development documents should contain policies designed to promote and encourage, rather than restrict, the development of renewable energy resource.
- The wider environmental and economic benefits of all proposals for renewable energy projects, whatever their scale, are material considerations that should be give significant weight in determining whether proposals should be granted planning permission.

5.4.8 Paragraph 3 sets out that targets should be expressed for regional renewable energy targets for 2010 and 2020. These targets should be reviewed regularly and revised upwards if met. Reaching the renewable energy target is not in itself a reason for refusing planning permission.

5.4.9 Paragraph 24 identifies that in determining planning applications for biomass authorities should recognise that in addition to minimising the impact of traffic by ensuring that developments are located in as close a proximity to the sources of fuel, there are other

considerations (such as connections to the Grid and the potential use of heat generated from the project) which may influence the most suitable locations for such projects. The paper mill site benefits from an existing grid connection.

Draft National Policy Statement for Renewable Energy Infrastructure, November 2009

5.4.10 Although primarily intended to be the basis of decisions by the Infrastructure Planning Commission from March 2010 paragraph 1.2.4 makes it clear that:

"*In England and Wales, this NPS may also be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990. Where relevant, those making decisions on such applications in England should apply the policy and guidance in this NPS as far as practicable"*

5.4.11 Paragraph 2.5.1 sets out that the combustion of biomass for electricity generation is likely to play an increasingly important role in meeting the UK's renewable energy targets. Paragraph 2.5.2 clarifies that the recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs, and that where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from waste through combustion forms an important element of waste management strategies.

5.4.12 In terms of fuels, paragraph 2.5.7 confirm that Biomass is material of recent biological origin derived from plant or animal matter, and that biomass used for heat and power usually falls within one of three categories. One such category is:

"biomass from, biodegradable waste and other similar materials; including sewage sludge, animal manure, waste wood from construction, and food waste that would otherwise be disposed of in landfill."

5.4.13 Paragraph 2.5.8 confirms that Energy from Waste plants take fuel that would otherwise be sent to landfill, and that waste can come from municipal or commercial and industrial sources, and that some of this waste may comprise biodegradable waste including Solid Recovered Fuel (SRF).

5.4.14 Paragraph 2.5.18 confirms that waste combustion plants are unlike other electricity power stations in that they have two roles: treatment of waste and recovery of energy.

5.4.15 Paragraph 2.2.53 confirms that waste combustion plants need not disadvantage reuse or recycling initiatives where the proposed development accords with the waste hierarchy. An assessment of the waste combustion plant's conformity with the waste hierarchy and the effect on the relevant regional waste plan should be made. It should set out that extent which the plant and capacity proposed contributes to recovery targets set out in strategies and plans taking into account existing capacity.

5.4.16 Paragraph 2.5.26 identifies that the government's strategy for CHP is set in Section 4.6 of EN1. This states that:

"*To be viable as a CHP plant, a generating station needs to be located close to industrial or domestic customers with heat demands*."

5.4.17 It also acknowledges that for industrial purposes customers are likely to be intensive heat uses including paper mills.

Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation, August 2005

5.4.18 Planning Policy Statement 9 (PPS9) sets out planning policies on protection of biodiversity and geological conservation through the planning system. Published August 2005. It is accompanied by Government Circular 06/05: Biodiversity and Geological Conservation which covers relevant legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues and Good Practice Guidance.

5.4.19 The PPS sets out the Government's broad policy objectives in relation to the protection of biodiversity and geological conservation in England through the planning system and its planning policies that will help deliver these objectives. These policies reflect statutory obligations for nature conservation and are firmly based on the principles set out in 'Working with the grain of nature – a biodiversity strategy for England' (DEFRA 2002).

Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management, July 2005

5.4.20 Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) was published in July 2005. PPS 10 sets out guidance for all those involved in making decisions about the management of waste and sets out the principles of sustainable waste management driven by the waste hierarchy.

5.4.21 Para. 1 of PPS10 states in this respect:-

"Through more sustainable waste management, moving the management of waste up the 'waste hierarchy' of reduction, reuse, recycling and composting, using waste as a source of energy, and only disposing as a last resort the Government aims to break the link between economic growth and the environmental impact of waste."

5.4.22 It goes on to explain that the planning system is pivotal to the adequate and timely provision of the new facilities that will be needed.

5.4.23 Para 3 of the document sets out the key planning objectives that regional planning authorities should prepare and deliver through their strategies. These are:

- Help deliver sustainable waste management through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
- Provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
- Help implement the national waste strategy, and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls such as those set out in the Waste Management Licensing Regulations 1994;
- Help secure the recovery or disposal of waste without endangering human health and without harming the environment, and ensure waste is disposed of in one of the nearest appropriate installations;
- Reflect the concerns and interests of local communities, the needs of waste collection authorities, waste disposal authorities and businesses, and encourage competitiveness.

5.4.24 Paragraph 20 sets out that in searching for suitable sites for waste management facilities planning authorities should consider for opportunities for on site management where waste arises and a broad range of locations including industrial sites, looking for opportunities to co-locate facilities together and with complimentary activities. Paragraph 21 highlights the need to assess suitability in terms of factors including the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.

5.4.25 Annex E of PPS10 sets out locational criteria to test the suitability of sites for waste management activities. These are listed below:-

- Protection of water resources;
- Land instability;
- Visual intrusion;
- Nature conservation;
- Historic environment and built heritage;
- Traffic and access;
- Air emissions, including dust;
- Odours;
- Vermin and birds;
- Noise and vibration;
- Litter; and
- Potential land use conflict.

5.4.26 The evolution of the current scheme in accordance with social, economic and employment considerations has taken place at a time where the planning system is in a period of transition. Section 19 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to carry out Sustainability Appraisals of proposals within each of their local development documents. PPS 12 states that:

"sustainability appraisal is a systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive", where "The purpose of sustainability appraisal is to appraise the social, environmental, and economic effects of the strategies and policies in a local development document from the outset of the preparation process".

PPS10 advises that Regional planning bodies and all planning authorities should, to the extent appropriate to their responsibilities, adhere to the principles in preparing planning strategies including sustainability appraisal (incorporating strategic environmental assessment)".

5.4.27 Sustainability appraisal should be applied so as to shape planning strategies that support the Government's planning objectives. PPS10 further states that *"in considering planning applications for waste management facilities before development plans can be reviewed to reflect this PPS, [waste planning authorities should] have regard to the policies in this PPS as material considerations which may supersede the policies in their development plan. Any*

refusal of planning permission on grounds of being premature will not be justified unless it accords with the policy in "The Planning System: General Principles".

5.4.28 The Planning and Compulsory Purchase Act 2004 requires that the Minerals and Waste Development documents be prepared with a view to contributing to sustainable development. Local Development Frameworks as set out above are to be subject to a process of Sustainability Appraisals and Strategic Environmental Assessment.

5.4.29 Paragraph 26 of PPS10 sets out that planning authorities should not concern themselves with the control of processes which are a matter for the pollution control authorities. Paragraph 27 sets out that pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable. Additionally, it seeks to ensure that air and water quality meets standards that prevent human and environmental impact. Further, planning authorities should work on the assumption that the pollution control regime will be properly applied and enforced.

Planning For Sustainable Waste Management: Companion Guide To Planning Policy Statement 10, June 2006

5.4.30 This guide, published in June 2006, supports the implementation of Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management. The Guide provides advice, ideas, examples of current practice and signposts to further information in support of the implementation of Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10).

Planning Policy Guidance 13 (PPG13): Transport, April 2001

5.4.31 PPG13 has the objectives of integrating planning and transport at the national, regional, strategic and local level to promote more sustainable transport choices for both people and for moving freight, promoting accessibility and reducing the need to travel, especially by car.

Planning Policy Guidance 15 (PPG15): Planning and the Historic Environment, September 1994

5.4.32 PPG15 provides guidance on the role of the planning system in the protection of the historic environment. Early consultation with the local planning authority and English Heritage is identified as important where development proposals may affect historic sites and structures such as listed buildings and conservation

Planning Policy Guidance 16 (PPG16): Archaeology and Planning, November 1990

5.4.33 This guidance advises on how to preserve and record archaeological remains in the urban and rural environment. The statutory frameworks for protecting remains are outlined and the development control procedure is clearly identified.

Planning Policy Statement 23 (PPS23): Planning and Pollution Control, November 2004

5.4.34 PPS23 offers guidance to local authorities on the relationship between controls over development under planning law, and under pollution control legislation. PPS 23 advises that:

- any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use;
- the planning system plays a key role in determining the location of development which may give rise to pollution, either directly or indirectly, and in ensuring that other uses and developments are not, as far as possible, affected by major existing or potential sources of pollution;
- the controls under the planning and pollution control regimes should complement rather than duplicate each other.

5.4.35 It also takes into account the Air Quality Strategy, the system of local air quality management under Part IV of the Environment Act 1995 and climate change.

Planning Policy Guidance Note 24 (PPG24): Planning and Noise, October 1994

5.4.36 PPG24 provides guidance to planning authorities on the use of their planning powers to minimise the adverse impacts on noise. PPG24 recognises however that the impact of noise must be balanced against other impacts of development, and states in para. 10:

"Much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development."

5.4.37 Paragraph 3 sets out that mitigation measures can be introduced to control the source of, or limit exposure to noise. These include:

*"(i) **engineering:** reduction of noise at point of generation (e.g. by using quiet machines and/or quiet methods of working); containment of noise generated (eg by insulating buildings which house machinery and/or providing purpose-built barriers around the site); and protection of surrounding noise-sensitive buildings (eg by improving sound insulation in these buildings and/or screening them by purpose built barriers);*

*(ii) **lay-out:** adequate distance between source and noise-sensitive building or area; screening by natural barriers, other buildings, or non-critical rooms in a building;*

*(iii) **administrative:** limiting operating time of source; restricting activities allowed on the site; specifying an acceptable noise limit."*

Planning Policy Statement Note 25 (PPS25): Development and Flood Risk, December 2006

5.4.38 PPS25 which was published in December 2006 explains how positive planning has an important role in helping to deliver sustainable development and applying the Government's policy on flood risk management. Positive planning avoids and reduces and manages flood risk by taking full account in decisions on plans and applications of present and future flood risk and the wider implications for flood risk of development located outside flood risk areas. The statement sets out the aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from the areas at highest risk.

5.4.39 With respect to Risk Based approach and the Sequential Test, paragraph 16 of PPS25 states:

"Local Planning Authorities allocating land in Local development Documents for development should apply the Sequential Test to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. A sequential approach should be used in areas known to be at a risk from other forms of flooding."

5.4.40 Paragraph 17 states 'In areas at risk of river or sea flooding, preference should be given to locating new development in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, the flood vulnerability of the proposed development can be taken into account in locating development in Flood Zone 2 and then Flood Zone 3. Within each Flood Zone new

development should be directed to sites at the lowest probability of flooding from all sources as indicated by the Strategic Flood Risk Assessment.

5.5 The Statutory Development Plan

5.5.1 Of particular importance in the policy framework is the development plan, which is produced in
accordance with statutory procedures to guide the development and use of land and provide a framework for the determination of individual planning applications.

5.5.2 According to PPS12: Local Development Frameworks (2008):

"3.1 The development plan is made up of the Regional Spatial Strategy (RSS), and Development Plan Documents (DPD) produced by local planning authorities within the local development framework.

i) The Local Development Framework is the collection of local development documents produced by the local planning authority which collectively delivers the spatial planning strategy for its area . The Core Strategy is the key plan within the Local Development Framework."

5.5.3 Kent County Council is the Waste Planning Authority responsible for the production of all planning policy including waste planning policy and determination of planning applications for wholly or mainly for waste management proposals including energy recovery. In this context, the statutory development plan thus comprises:

- The South East Plan: Regional Spatial Strategy for the South East of England (May 2009)
- The 'saved' policies of the Kent Waste Local Plan (March 1998)
- The Swale Borough Local Plan (February 2008).

The South East Plan

5.5.4 The South East Plan was adopted as the Regional Spatial Strategy for the South of England in May 2009. In accordance with the Planning and Compulsory Purchase Act 2004, paragraph 1.11 of the South East Plan is clear that the 'saved' policies of the Kent and Medway Structure Plan ceased to comprise part of the statutory development plan on 6 July 2009. The South East Plan comprises four sections, as follows:

- Section A provides an Introduction and Overview, sets out the Challenges and Context, and the Vision and Objectives;

- Section B sets out the Core Regional Policies which includes the Spatial Strategy, Cross Cutting Policies and a number of topic related policies.
- Section C sets out the Sub- Regional Policies including those for the Kent Thames Gateway within which the proposed development is located.

5.5.5 There are number of policies which relate to waste management and energy generation that provide the basis for the proposed Sustainable Energy Plant. These include:

5.5.6 Development design for Energy Efficiency and Renewable Energy is addressed through Policy NRM11 which seeks promotion so as to secure greater use of decentralised and renewable or low-carbon energy in new development, including through setting ambitious but viable proportions of the energy supply for new development to be required to come from such sources.

5.5.7 Combined Heat and Power Policy is addressed through policy NRM12 which provides that Local development documents and other policies should encourage the integration of combined heat and power (CHP), including mini and micro–CHP, in all developments and district heating infrastructure in large scale developments in mixed use. The use of biomass fuel should be investigated and promoted where possible. Local authorities using their wider powers should promote awareness of the benefits of mini and micro-CHP in the existing build stock.

5.5.8 Regional Waste Self Sufficiency Policy W3 provides that Waste authorities and waste management companies should provide management capacity equivalent to the amount of waste arising and requiring management within the region's boundaries, plus a declining amount of waste from London. Provision of capacity for rapidly increasing recycling, composting and recovery should be made reflecting the targets and requirements set out in the plan.

5.5.9 The Location of Waste Management Facilities is addressed through Policy W17.

Kent Waste Local Plan

5.5.10 The Kent Waste Local Plan (KWLP) was adopted in March 1998. It is due for replacement in the form of a new-style Waste Development Framework (WDF). In the interim period before the adoption of the WDF a number of KWLP policies have been 'saved' through the issue of Direction issued by the Secretary of State in September 2007. The following 'saved' policies remain part of the statutory development plan and are relevant to the proposed development.

5.5.11 Policy W1 sets out that the proposal site has the potential for a Waste to Energy plant.

5.5.12 Before planning permission for a waste management proposal, Policy W21 sets out the planning authority will need to be satisfied that the earth science and ecological interests if the site and its surroundings have been established.

Swale Borough Local Plan

5.5.13 The proposed development is located within the Swale Borough Local Plan (SBLP) area. The SBLP was adopted in 2008, and is split in to four parts: Core Strategy – Strategic Policies, Development Control Policies, Site Allocations and Area Action Plans, and Monitoring the Local Plan. The following polices are relevant to the proposed development.

5.5.14 Policy SP1: Sustainable Development, of the Core Strategy provides that 'In meeting the development needs of the Borough, proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide a robust, adaptable and enhanced environment'.

5.6 Emerging Policy Framework

Kent Minerals and Waste Development Framework

5.6.1 The Kent Mineral and Waste Development Scheme (KMWDS) was published in May 2009 and sets out the current timescales for the production of each stage of the Kent Minerals and Waste Development Framework Development Plan Documents (DPD's). The DPD's relevant to the proposal are the Kent Minerals and Waste Core Strategy and Policies, and the Waste Management Sites.

Swale Local Development Framework

5.6.2 Swale Local Development Scheme was published in August 2007 and sets out the timescale for the production of the relevant Local Development Framework Development Plan Documents (DPD's). The Key DPD relevant to the proposed development is the Core Strategy which not only set out the Councils overarching spatial vision and strategic objectives but will identify strategic sites on a Proposals Map. Additionally, development control policies will also be included.

5.6.3 The current timescale for consultation on "Issues and Options" is March 2010, with Preferred Options in Summer 2010 and Adoption in Spring 2012. At the present time the Swale LDF is at an early stage and unlikely to be of significant weight in the planning policy framework.

6 Policy Analysis

6.1 Introduction

6.1.1 This section assesses the proposed development against the provisions of the Planning Policy Framework, and sets out the case for the development having regard to the provision of the development plan, and any material considerations. Section 38 (6) of The Planning and Compulsory Purchase Act 2004 provides that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

6.1.2 Kent County Council is the Waste Planning Authority responsible for the production of all planning policy including waste planning policy and determination of planning applications for wholly or mainly for waste management proposals including energy recovery. In this context, the statutory development plan thus comprises:

- The South East Plan: Regional Spatial Strategy for the South East of England (May 2009)
- The 'saved' policies of the Kent Waste Local Plan (March 1998)
- The Swale Borough Local Plan (February 2008)

6.1.3 In addition, emerging development plan documents are also material to the determination of the application as they represent the current thinking of the planning authority with the weight to attributed to the Development Plan documents dependant upon the stage they have reached towards adoption. In this respect, the following emerging development plan documents are relevant:

- Kent Waste Development Framework:
  - Minerals and Waste Core Strategy Development Plan Document (DPD)
  - Waste Management Sites DPD
- Swale Local Development Framework
  - Core Strategy Development Plan Document (DPD)

6.1.4 However, the weight to be apportioned to the emerging DPDs and SPD is limited given the early stage of the preparation of the Waste Development Framework (commenced March 2009), and the relevance of Local Development Framework to waste management.

6.1.5 In addition, where the statutory development plan is out of date with more recent government policy, this section will assess the proposed development the relevant national planning and waste policy considerations.

6.1.6 This is particularly relevant with respect to the Waste Local Plan which was adopted in March 1998 prior to the publication of PPS10 in July 2005.

6.1.7 The following section, therefore, considers the case in support of the proposed development in terms of the key considerations which are identified as follows:

- Need for Development.
- Waste Hierarchy
- Self Sufficiency and proximity of waste arisings
- Suitability of the Site
- Sustainable Development, Design and Access
- Traffic and Transport
- Air Quality
- Landscape and Visual Impact
- Biodiversity and Nature Conservation
- Water resources and Ground Conditions
- Noise
- Cultural Heritage
- Employment and Socio economic

6.2 Need for Development

Policy Framework

6.2.1 The objective of the proposed SEP is both to supply energy to the Paper Mill and in so doing managing waste. The need for the development is therefore derived from both the need to provide energy to the plant and need to manage waste. Chapter 5 of the Environmental Statement sets out in detail how need for the development is derived.

Energy

6.2.2 In terms of energy, PPS: Planning and Climate Change (paragraph 20) provides that applicants are not required to demonstrate overall need for renewable energy development such as that proposed. That said, there is a clear demonstrable need for the proposed SEP in terms of renewable energy targets, reduction in carbon footprint, climate change, and securing sufficient and reliable energy supplies. The proposal meets all the criteria for Good

Quality CHP provision. Whilst there is no planning policy requirement to demonstrate a need for the development in respect of energy, the demonstration of such need adds significant weight in favour of the proposed development.

6.2.3 In terms of renewable energy EU Directive 2009/28/EC (the Renewable Energy Directive) puts in place a mandatory target on the UK to meet 15% of its energy from renewable energy sources by 2020. In response to this the Renewable Energy Strategy sets out to achieve 30% of all electricity and 12% of all heat from renewable energy by 2020.

6.2.4 RSS (South East Plan) policy NRM13 sets out that there should be a minimum installed capacity of renewable energy in the South East of 620MW by 2010, and 1,130MW by 2020. RSS (South East Plan) policy NRM14 sets out that Kent should have 111MW of renewable energy installed by 2010 and 154MW by 2016.

6.2.5 In terms of climate change, the Climate Change Act 2008 sets out a binding target to reduce greenhouse gas emissions to 80% below those of the 1990 level, by 2050. It also requires greenhouse gas emissions to be 34% below the 1990 level by 2022. The Renewable Energy Directive requires greenhouse gas emissions to be 20% below the 1990 level by 2020.

6.2.6 In terms of security of supply, The UK Low Carbon Transition Plan forecasts that global energy demand is to increase by 45% between 2006 and 2030 with almost 80% of the increase coming from fossil fuels. At present 90% of the UK's energy needs are met by fossil fuels with 25% coming from gas but predicted to rise 60%by 2020.The UK Low Carbon Transition Plan sets out that the use of renewable energy could reduce reliance on imported gas to 45% thus increasing energy security and security of price.

Waste

6.2.7 In terms of waste, need is derived from the waste arising; the need to move waste up the Waste Hierarchy, to meet LATS[1] and the Regional Recycling targets as set out in the South East Regional Plan; and, the need for each community to take more responsibility for its own waste.

6.2.8 PPS 10 sets out that positive planning has an important role to play in delivering sustainable waste management through the development of appropriate strategies for growth, regeneration and the prudent us of resources; and by providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time.[2]

[1] Landfill Allowance Trading Scheme

[2] PPS10, paragraph 2

6.2.9 Further, PPS10 sets out that one of its key planning objectives is to provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities.[3]

6.2.10 RSS (South East Plan) policy W6 sets Regional targets for recycling and composting of MSW at 40% by 2010, 50% by 2015, 55% by 2020, and 60% by 2025. For C&I the Regional targets for recycling and composting are 50% by 2010, 55% by 2015, 60% by 2020, and 65% by 2025.

6.2.11 RSS (South East Plan) policy W5 sets targets for diversion of waste from landfill in accordance with a waste hierarchy. The targets for diversion of all waste is 71% by 2010, 79% by 2015, 84% by 2020, and 86% by 2025.

Assessment of the Proposal

Energy

6.2.12 In terms of renewable energy, Table 6.1 (*Source: South East Plan*) below shows that taking into account the predicted installed renewable capacity in 2010, there is a shortfall in that required for Kent by 2016 of 34.43MW. In this respect, whilst this shortfall is less than that proposed by the Sustainable Energy Plant (i.e. 49.5MW) PPS22 at paragraph 3 is clear that targets are not ceilings, should be revised upwards when met, and that the fact that targets are reached is not in itself a reason for refusal.

	SEP 2010 Target (MW)	Predicted 2010 Installed Capacity (MW)	SEP 2016 Target (MW)	SEP 2020 Target (MW)	Overall shortfall in Installed Capacity (MW)
Kent	111	119.57	154	N/A	34.43
South East	620	767.40	895	1,130	362.6

Table 6.1 Renewable Energy Targets and Capacity

6.2.13 In any event, on a regional basis the predicted capacity is still less than the 2016 and 2020 targets by a margin greater than that proposed by the SEP i.e. 362.6 MW compared with eth proposed 49.5MW.

[3] PPS10, paragraph 3

6.2.14 In terms of climate change, the Paper Mill is currently fuelled by a gas powered CHP plant. The introduction of a renewable energy source will therefore help to reduce greenhouse gases not just directly, but also by negating the greenhouse gases that would otherwise be released should the fuel source (the waste) be landfilled.

6.2.15 Furthermore, the SEP would also lead to increase security given that the waste would be derived locally as opposed to natural gas which is sourced from outside the UK, and accordingly this would lead to greater security in fuel price.

Waste

6.2.16 the SEP will import as its feel stock approximately 500,000 to 550,000 tonnes per annum of pre treated waste comprising Solid Recovered Fuel waste, Commercial & Industrial waste and Municipal Solid Waste. The sources of treated waste fuel have yet to be determined, It is anticipated that pre treated waste will be sourced from Kent with the balance from London, the South East and elsewhere in the UK subject to commercial viability.

6.2.17 Table 6.2: (*source :South East Plan*) below shows the Forecast waste arisings for both C&I and MSW in Kent, and specifically shows the amount of waste remaining following the Regional recycling and composting targets being met and would therefore otherwise be landfilled.

Year	MSW Arising (kTPA)	RSS Recycling and Composting Target (%)	Remaining Post-RSS Target MSW (kTPA)	C&I Arising (kTPA)	RSS Recycling and Composting Target (%)	Remaining Post-RSS Target C&I (kTPA)	Total Combined Remaining Post-RSS Target MSW + C&I (kTPA)
2010	839	40	503.4	2,067	50	1,033.5	1,536.9
2015	927	50	463.5	2,282	55	1,026.9	1,490.4
2020	998	55	449.1	2,458	60	983.2	1,432.3
2025	1,076	60	430.4	2,583	65	904	1,334.4

Table 6.2 Potential Landfill Waste Kent

6.2.18 Therefore, there is a demonstrable need for the proposed development in terms of waste arisings in the sub-region as set out within Table 6.3 [*source; South East Plan*]. This is because it would divert up to 550,000 tonnes per annum of waste. With a focus on C&I waste, there is forecast to be at least 904,000 tpa of C&I and 1,334,400 tpa of C&I and MSW combined, that would otherwise be landfilled.

Year	MSW Arising (kTPA)	RSS Recycling and Composting Target (%)	Remaining Post-RSS Target MSW (kTPA)	C&I Arising (kTPA)	RSS Recycling and Composting Target (%)	Remaining Post-RSS Target C&I (kTPA)	Total Combined Remaining Post-RSS Target MSW + C&I (kTPA)
2010	4,737	40	2,842.2	8,983	50	4,491.5	7,333.7
2015	5,230	50	2,615	9,918	55	4,463.1	7,078.1
2020	5,634	55	2,535.3	10,685	60	4,274	6,809.3
2025	6,070	60	2,428	11,230	65	3,930.5	6,358.5

Table 6.3 Potential Landfill South-East

6.2.19 Furthermore, given the uncertain nature of the C&I market the proposed SEP may need to derive waste from elsewhere in London and the South East or neighbouring areas. Table 6.3 shows that the amount of C&I waste that would otherwise be landfilled in the South East in the period to 2025 is at least 3,930,500 tonnes per annum. The combined C&I and MSW forecast is 6,358,500 tonnes per annum.

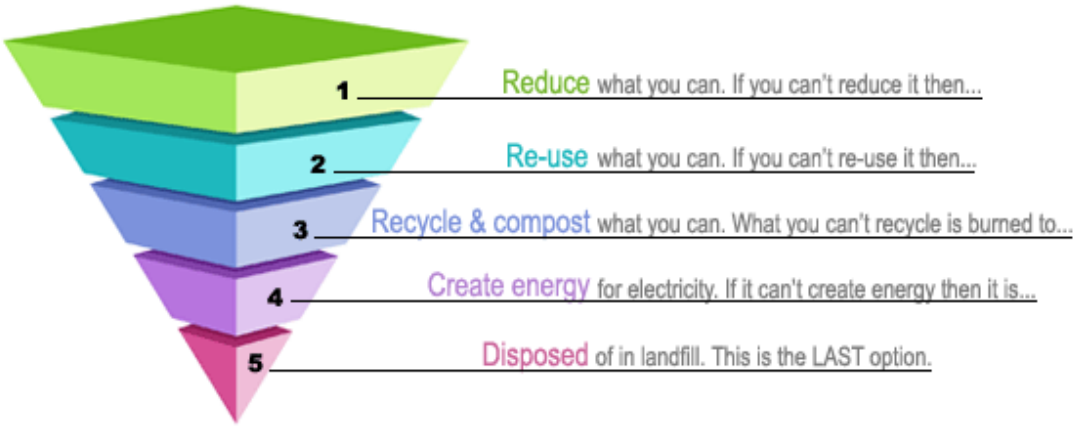
6.2.20 There is clearly, therefore, a demonstrable need for the proposed development. The proposed development is therefore fully in accordance with the energy and waste policy framework of the development plan.

6.3 Waste Hierarchy

Policy Framework

6.3.1 The Government's overarching approach to waste management is set out in the Waste Strategy for England 2007, and through its planning policy for waste management in PPS10. The key objective of both these policy documents is to ensure that waste is managed as

sustainably as possible, given the unacceptable environmental and economic costs of landfill disposal, by ensuring waste is managed in accordance with the Waste Hierarchy (first established in the Waste Framework Directive (1975)). This approach promotes the use of waste as resource wherever possible; ensuring that waste is managed as far up the Waste Hierarchy as possible, and ultimately diverting waste from landfill disposal wherever possible. The Waste Hierarchy is as follows:



6.3.2 PPS10 sets out that one of the Government's Key Planning objectives for waste management is to:

> *"help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for."*

6.3.3 The RSS (South East Plan) sets its own variation of the waste hierarchy in policy W5 which states:

"Waste planning authorities should ensure that policies and proposals are in place to contribute to the delivery of these [landfill diversion] *targets, and waste management companies should take them into account in their decisions. The optimal solution will vary according to the individual material resource streams and local circumstances and will usually involve one or more of the following processes:*

- *re-use*
- *recycling*
- *mechanical and/or biological processing (to recover materials and product compost, soil conditioner or inert residue*
- *thermal treatment (to recover energy)*
- *priority will be given to processes higher up this waste hierarchy"*

6.3.4 RSS policy W11 encourages the separation of biomass waste and its use as a fuel in biomass energy plants where this does not discourage recycling and composting.

6.3.5 There are no specific saved policies within the Kent Waste Local Plan with respect to the Waste Hierarchy.

Assessment of the Proposal

6.3.6 The proposed development is in accordance with the policy framework which promotes sustainable development through the Waste Hierarchy in three key ways.

6.3.7 Firstly, the proposed development comprises a process of screening and separation of the wastes that not only extracts those fractions of the waste that are unsuitable for the production of the Mixed Waste Fuel, but also those fractions that can be recycled. The proposed process will not 'crowd out' (detract from) recycling.

6.3.8 Secondly, the proposed development will recover energy from waste that would otherwise be landfilled. In total, the process will generate a minimum of 50MWth tonnes per hour of steam, and have the capability to generate up to 48.5MW of electricity. The development would be a net exporter of electricity to the national grid, and has the potential to provide heat and power to surrounding land uses, in addition to the Paper Mill.

6.3.9 Finally, as well as recovering energy from the waste, the proposed development will produce two solid by-products; Bottom Ash and Air Pollution Control (APC) residues. Bottom Ash will capable as use as an aggregate, whereas APC residue will be disposed of a suitably permitted landfill site. Very little of the waste used as a fuel at the site will be landfilled, and its management through recovery will be undertaken higher in the Waste Hierarchy. The proposed development, in this respect, is therefore, highly sustainable, and complies with the policy framework.

6.4 Self Sufficiency and Proximity to Waste Arisings

Policy Framework

6.4.1 Although self-sufficiency and proximity to waste arisings as a concepts are not expressly referred to in PPS10, one of the seven Key Planning Objectives of PPS10 is for Regional Planning Boards and Planning Authorities to deliver strategies that:

"Provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities."

6.4.2 Additionally Waste Strategy 2007 provides that local planning authorities make timely and appropriate provision for the facilities required for the sustainable management of household and other wastes arising in their areas [4].

6.4.3 In preparing an approach to waste management, PPS10 sets out that Regional Spatial Strategies (RSS's) should take account of waste arising across the region and from constituent waste planning authorities, and any particular waste management needs arising from the regional economy. In preparing Local Development Documents PPS10 requires sites to be identified to meet the waste management needs of the area and to be able to demonstrate how capacity equivalent to at least ten years could be met.

6.4.4 PPS10: Companion Guide, (Box 12) further clarifies that principles consistent with this Key Planning Objective might include:

- That Waste Planning Authorities should manage waste arising in their own area whilst at the same time not restricting the movements of waste across borders where this meets other objectives such as movement of waste up the Waste Hierarchy or is otherwise considered appropriate in planning terms.

6.4.5 Policy W3 of the RSS (South East Plan) sets out that Waste planning authorities should provide management capacity equivalent to the amount of waste arising and requiring management within the regions boundaries, (plus a declining amount of waste from London).

6.4.6 RSS (South East Plan) policy W4 sets out that that Waste Planning Authorities will plan for net self sufficiency through the provision for management capacity equivalent to the amount of waste arising and requiring management within their boundaries, but that a degree of flexibility should used in applying the sub regional self sufficiency concept, and that where appropriate and consistently with Policy 3, capacity should also be provided for waste from London and adjoining sub-regions.

Assessment of the Proposal

6.4.7 The sources of treated waste fuel have yet to be determined, subject to appropriate fuel supply agreements, it is anticipated that pre treated waste will be sourced from Kent with the

[4] Waste Strategy 2007 Introduction

balance from London, the South East and elsewhere in the UK subject to commercial viability. However, the focus of the waste source will be pre treated Commercial & Industrial waste, Solid Recovered Fuel and Municipal Solid Wastes. In this respect the nature of the C&I market is such that there is far less certainty of supply as the contracts are far more numerous and short term than compared with the MSW market. For this reason, although there will be sufficient C&I arisings within Kent those arisings may not be accessible to the plant.

6.4.8 In this respect, policy W4 allows for a degree of flexibility to the sub-regional self sufficiency concept in that it permits that capacity can also be drawn from adjoining sub regions.

6.4.9 Furthermore, the sub-text to policy W4 states that the level of self sufficiency will depend upon the type of facility proposed. Additionally, PPS10 Companion Guide clarifies that sub-regions should manage their own waste unless otherwise considered appropriate in planning terms. In the case of the proposed development the fuel capacity required is such that it would not be sensible to restrict the catchment area in which to source fuel to the sub-region, given that the proposals principle purpose is to supply energy to the Paper Mill. To do so would potentially limit the supply of waste too excessively such that there would be an insufficient or unviable supply of C&I. This would clearly be contrary to one of the Key Planning Objectives of PPS10, paragraph 3, which states:

> *"Regional planning bodies and all planning authorities should, to the extent appropriate to their responsibilities, prepare strategies that [amongst other matters]:*
>
> - *Reflect the concerns and interests of communities, the needs for waste collection authorities, waste disposal authorities and business, and encourage competiveness."*

6.4.10 In this respect we note that in the case of the application relating to a similar facility for Ineous Chlor at Runcorn, Cheshire, submitted under Section 36 of the Electricity Act 1989, the Secretary of State for Business Enterprise & Regulatory Reform considered the sourcing of fuel for the generating station to be a commercial matter for the Company.

6.4.11 It is therefore considered that the scale of the SEP is such that it is appropriate to draw it waste from Kent , South East Region, London and elsewhere in the UK , particularly with the potential for rail and river transport to increase the sustainability of supply.

6.4.12 The proposed development complies with the provisions of RSS policy 4 in that it would help the region provide a significant contribution towards the Region's waste management

capacity, and by reason of it's significant capacity requirements would meet the flexibility afforded by RSS policy W5 with respect to sub-self sufficiency.

6.4.13 The proposed development is therefore in accordance with the policy framework concerning self-sufficiency, and communities taking responsibility for their own waste arisings.

6.5 Suitability of the Site

Policy Framework

6.5.1 PPS10 sets out that proposals for waste management facilities on unallocated sites should be considered favourably when consistent with PPS10 and particularly its policy on identifying suitable sites and areas. This policy sets out that that a broad range of locations should be considered including industrial sites, give priority to the re-use of previously developed land, and that the suitability of sites should be assessed against the following criteria:

- The extent to which they support policies in PPS 10;
- The physical and environmental constraints on development, including existing and proposed neighbouring land uses (as set out in Annex E);
- The cumulative effect of previous waste disposal facilities on the well being of the local community, including the significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential;
- The capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practical and beneficial to use means other than road transport.

6.5.2 The Waste Local Plan through saved policy W11 indentifies the location within which the site is located as one of four locations that have the potential for a Waste to Energy plant, subject to the following considerations:

a) whether the site is within a major established or committed industrial type area
b) whether the proposed development would cause significant harm to residential amenities due to noise, dust, smell or visual impact
c) whether the site would have, or is planned to have , ready accessibility to the primary or secondary route network and could be either rail or water linked
d) whether the proposed development would be unduly obtrusive in the landscape
e) whether the impact on the natural environment would be minimised
f) whether the proposed development would use undeveloped land
g) whether the proposed development would deal with ash residues as an integral part of the operation by disposing of them according the following order of priority:
    - re-use or

- deposit in site; or if no such facility is available
- removal by making use of rail or river transport; or
- deposit on land at an acceptable location as close as possible to the site

6.5.3 RSS policy SP3 provides that the prime focus for development should be in urban areas concentrating development within or adjacent to them and to seek to achieve development on brownfield land.

6.5.4 RSS policy NRM12 seeks to encourage the integration of Combined Heat and Power in all developments and promotes the use of biomass where possible.

6.5.5 RSS policy W17 sets out the following range of criteria as follows:

> *"Waste development documents will, in identifying locations for waste management facilities, give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections. The suitability of existing sites and potential new sites should be assessed on the basis of the following characteristics:*
> *i. good accessibility from existing urban areas or major new or planned development*
> *ii. good transport connections including, where possible, rail or water*
> *iii. compatible land uses, namely: active mineral working sites; previous or existing industrial land use contaminated or derelict land; land adjoining sewage treatment works redundant farm buildings and their curtilages*
> *iv. be capable of meeting a range of locally based environmental and amenity criteria.*
>
> *Waste management facilities should not be precluded from the Green Belt. Small-scale waste management facilities for local needs should not be precluded from Areas of Outstanding Natural Beauty and National Parks"*

6.5.6 Swale Local Plan (SLP) policy SH1 establishes a settlement hierarchy which establishes Sittingbourne as the primary settlement. SLP policy B11 identifies that the application site is located within a mixed-use employment area of 135 Hectares.

Assessment of the Proposal

6.5.7 The proposed site for the SEP is a suitable site in the context of the policy framework for a number of reasons.

6.5.8 The proposal site has been assessed against other sites that have the potential to provide a location to supply energy to the Paper Mill. The Alternative Site Report considered 10 sites in

total using robust criteria reflective of guidance within PPS10. None of the sites compare more favourably against this criteria than the application site. The advantages of the site are that:

- The development incorporating mitigation measures will not result in likely significant effect upon environmental considerations.
- The proposal site is located so as to be integral with the paper mill. This ensures the viability of the proposed development is maximised both in terms of infrastructure costs and minimisation of costs associated with the pipeline.
- The site is within the applicant's ownership and no third party land or rights are required.
- The site is appropriate for the proposed development in respect to Flood Zoning and the provisions of PPS25.
- The site is a suitable site for the proposed development in that it has been previously used for storage. It is accessible by existing transportation infrastructure. It is located within an industrial area which is allocated for employment purposes within the Development Plan. The site is appropriate in terms of flood risk, and relates well to waste arisings. The site will enable the delivery of a more secure and renewable energy source to the Paper Mill.
- The site has existing grid connectivity
- The site has potential for rail and barge access.

6.5.9 Furthermore, although the site is identified for industrial development in the Swale Local Plan, the evidence base underpinning the emerging Local Development Framework Development Plan Documents, has identified through an Employment Land Review [5] that there is a substantial oversupply of employment land in the in the Borough in excess of 100 Hectares.

6.5.10 However, despite the Borough wide oversupply there is actually a need for 10-15Ha in Sittingbourne. In this respect, The Employment Land Review identifies that there is approximately 35 Ha of potential employment of "good" quality available. In this context, it is therefore considered that releasing the site for the proposed SEP would not therefore be detrimental to the employment land supply in quantitative or qualitative terms.

6.5.11 Moreover, the site is also identified by the Employment Land Review as potentially providing a site for the extension of the Paper Mill whereas the proposed SEP is essentially an industrial process plainly compatible with industrial development as acknowledged by PPS10, and is essentially ancillary to the Paper Mills operation which will create significant economic activity in its own right within a locality in need of regeneration.

[5] Swale Employment Land Review, Nathaniel Lichfield and Partners, March 2009

6.5.12 The development of the proposal site is, in accordance with the policy framework, and a suitable site for the proposed SEP.

6.6 Sustainable Development, Design, and Access

Policy Framework

6.6.1 The policy framework sets out two key considerations with respect to design. Firstly, to ensure that the proposal makes a positive contribution to the visual appearance of the locality, and secondly, to ensure that the proposed building makes a contribution to reducing the impact of climate change through incorporating sustainable features into its design.

6.6.2 A key principle of PPS1 is that planning policies should promote high quality inclusive design in the layout and to reject design which fails to take opportunities available to improve the character and quality of an area[6]. Furthermore, is sets out that good design is indivisible from good planning,[7] should contribute positively to making places better for people,[8] and that visual appearance and architecture are clearly factors of good design.

6.6.3 A further key principle of PPS1 is that planning authorities should take climate change factors into account in the location and design of development.[9] It sets out that planning authorities should take account of the effects of, and adaptation to, climate change through reduction of greenhouse gases and the use of renewable energy,[10] and should promote resource and energy efficient buildings, and the sustainable use of water resources.[11]

6.6.4 PPS: Planning and Climate Change sets out a number of decision making principles,[12] including the provision of new development, its location and design should be planned to limit carbon dioxide emissions and climate change considerations should be integrated into all spatial planning concerns. Furthermore, its sets out that planning authorities should expect new development to take account of landform, layout, building orientation, massing, and landscaping to minimise energy consumption, including maximising cooling and avoiding

[6] PPS1, para 13

[7] PPS1, para 33

[8] PPS1, para 34

[9] PPS1, para13

[10] PPS1 para 20

[11] PPS1, para 22

[12] PPS: Planning & Climate Change, para 10

solar gain in the summer, and overall be planned so as to minimise carbon dioxide emissions and support opportunities for decentralised and renewable energy supply.[13]

6.6.5 RSS Policy CC1: Sustainable Development states:

"The principal objective of the Plan is to achieve and maintain sustainable development in the region. Sustainable development priorities for the South East are identified as:

i. achieving sustainable levels of resource use

ii. ensuring the physical and natural environment of the South East is conserved and enhanced

iii. reducing greenhouse gas emissions associated with the region

iv. ensuring that the South East is prepared for the inevitable impacts of climate change

v. achieving safe, secure and socially inclusive communities across the region, and ensuring that the most deprived people also have equal opportunities to benefit from and contribute to a better quality of life

All authorities, agencies and individuals responsible for delivering policies in this Plan shall ensure that their actions contribute to meeting the objectives set out in this policy and in the Regional Sustainability Framework."

6.6.6 RSS Policy CC4: Sustainable Design and Construction

"the design and construction of all new development, and the redevelopment and refurbishment of existing building stock will be expected to adopt and incorporate sustainable construction standards and techniques. This will include:

j. consideration of how all aspects of development form can contribute to securing high standards of sustainable development including aspects such as energy, water efficiency and biodiversity gain

k. designing to increase use of natural lighting, heating, and ventilation and for proportion of energy supply of new development to be secured from decentralised and renewable or low carbon sources

l. securing reduction and increased recycling of construction and demolition and procurement of low-impact materials

m. designing for flexible use and adoption to reflect changing lifestyles and needs and the principles of 'whole life costing'

[13] PPS: Planning and Climate Change, para 10

Local planning authorities will promote best practice in sustainable construction and help to achieve the national timetable's for reducing carbon emissions from residential and non-residential buildings. There will be situations where it could be appropriate for local planning authorities to anticipate levels of building sustainability in advance of those set out nationally, for identified development area or site specific opportunities. When proposing any local requirements for sustainable buildings, local planning authorities must be able to demonstrate clearly the local circumstances that warrant and allow this and set them out in development plan documents.".

6.6.7 Swale Local Plan policy E19 sets out the Development Control Policy for High Quality Design and Distinctiveness, as follows:

The Borough Council expects development to be of high quality design. Development proposals should respond positively to the following:

1. *creating safe, accessible, comfortable, varied and attractive places;*
2. *enriching the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening the sense of place;*
3. *making safe connections physically and visually both to and within developments, particularly through use of landscape design, open space to retain and create green corridors for pedestrians, cyclists, and plants and animals;*
4. *making efficient and prudent use of natural resources, including sensitively utilising landscape, landform, biodiversity and climate to maximise energy conservation and amenity;*
5. *providing native (regional or local) plant species for soft landscaping and hard landscaping, surface and boundary treatments that respond positively to the character of the locality.*
6. *providing features and management intended to encourage biodiversity;*
7. *providing a mix of uses through building form, use, tenure and densities;*
8. *providing development that is appropriate to its context in respect of scale, height and massing, both in relation to its surroundings, and its individual details;*
9. *making best use of texture, colour, pattern and durability of materials;*
10. *ensuring the long-term maintenance and management of buildings, spaces, features and social infrastructure;*

11. *achieving flexibility to respond to future changes in use, lifestyle and demography; and*

12. *maximising opportunities for including sustainable design and construction techniques including the use of recyclable materials and sustainable drainage systems, and minimising waste.*

6.6.8 Policy E21 sets out the Development Control Policy for Sustainable Design & Build, as follows:

"The use of innovative and high quality low-impact design and build techniques will be supported on sites considered acceptable by this Local Plan. To encourage resource conservation, the Borough Council will expect development proposals to incorporate sustainable design and build measures into the detailed design of new development in its use of siting, design, materials, and landscaping. For development proposals, the Council will advocate the meeting of the Building Research Establishment Environmental Assessment Method standard of 'good' as a minimum."

Assessment of the Proposal

6.6.9 Detailed justification of the design process, community engagement and the design principles that have informed the development of the proposals is contained in the Design and Access Statement. In summary, the development has adopted the following approach.

- Consideration of Initial Options. The site layout is fundamental to the practical and safe working of the SEP and following approval of a base layout, a number of variations of an initial architectural option were put forward for comment.
- Site analysis from within the site and from the main visual receptors.
- Evolution of the design concept to consider building form scale height, massing and colour scheme. Incorporation of landscaping and fencing.
- Access and accessibility has been considered throughout including disabled accessibility

6.6.10 The scheme has been designed in accordance with the principles of good design.

6.7 Traffic and Transport

Policy Framework

6.7.1 PPG13 sets out the overall strategy for a sustainable transport system with the objectives of integrating planning and transport at the national, regional, strategic and local level to promote more sustainable transport choices for both people and for moving freight, promoting accessibility and reducing the need to travel, especially by car.

6.7.2 With specific reference to freight, PPG13 acknowledges that road transport is likely to remain the main mode for many freight movements and recognises that land use planning can help to promote sustainable distribution, including where feasible, the movement of freight by rail. In this context it advises that, in preparing their development plans and in determining planning applications, local authorities should:

- identify and, where appropriate, protect sites and routes, both existing and potential, which could be critical in developing infrastructure for the movement of freight (such as major freight interchanges including facilities allowing road to rail transfer or for water transport) and ensure that any such disused transport sites and routes are not unnecessarily severed by new developments or transport infrastructure;
- where possible, locate developments generating substantial freight movements such as distribution and warehousing, particularly of bulk goods, away from congested central areas and residential areas, and ensure adequate access to trunk roads;
- promote opportunities for freight generating development to be served by rail or waterways by influencing the location of development and by identifying and where appropriate protecting realistic opportunities for rail or waterway connections to existing manufacturing, distribution and warehousing sites adjacent or close to the rail network, waterways or coastal/estuarial ports.

6.7.3 Where developments are likely to have significant transport implications, PPG13 requires Transport Assessments to be prepared and submitted alongside the relevant applications for development.

6.7.4 PPS 10 notes that one of the criteria to be considered by waste planning authorities in deciding which sites and areas to identify for waste management facilities is the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.

6.7.5 Annex E sets out the locational criteria to be used in testing the suitability of sites and areas which include consideration of the suitability of the road network and the extent to which access would require reliance on local roads.

6.7.6 RSS policy T1 seta out that Local Development documents *"should ensure that their management policies and proposals:*

a) are consistent with, and supported by, appropriate mobility management measures

b) *achieve a rebalancing of the transport system in favour sustainable modes as means of access to services and facilities*
c) *foster and promote and improved and integrated network of public transport services in and between both urban and rural areas*
d) *encourage development that is located and designed to reduce average journey lengths*
e) *improve the maintenance of the existing transport system*
f) *include measures that reduce the overall number of road casualties*
g) *include measures to minimise negative environmental impacts of transport and where possible, to enhance the environment and communities through such interventions*
h) *investment in upgrading the transport system should be prioritised to support delivery of the spatial strategy by:*
   - *supporting the function of the regions international gateways and inter-regional movement*
   - *developing the network of regional hubs and spokes*
   - *facilitating urban renewal and urban renaissance as a means of achieving a more sustainable pattern of development*
   - *improving overall levels of accessibility."*

6.7.7 RSS policy W17 sets out the following transport related location criteria for waste managements facilities as :

"*Waste development documents will, in identifying locations for waste management facilities, give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections. The suitability of existing sites and potential new sites should be assessed on the basis of the following characteristics:*
i. good accessibility from existing urban areas or major new or planned development
ii. good transport connections including, where possible, rail or water"

6.7.8 RSS policy T4 sets out the Regional Car Parking Standards. It states:

"Local development documents and local transport plans should, in combination:
i. adopt restraint-based maximum levels of parking provision for non-residential developments, linked to an integrated programme of public transport and accessibility improvements
ii. set maximum parking standards for Class B1 land uses within the range 1:30 m2 and1:100m2
iii. set maximum parking standards for other non-residential land uses in line with

PPG13: Transport, reducing provision below this in locations with good public transport

iv. include policies and proposals for the management of the total parking stock within regional hubs that are consistent with these limits

v. apply guidance set out in PPS3: Housing on residential parking, reflecting local circumstances

vi. support an increase in the provision in parking at rail stations where appropriate

i. ensure the provision of sufficient cycle parking at new developments including secure cycle storage for new flats and houses which lack garages."

6.7.9 Kent Waste Local Plan saved policy sets out the site has potential for an EfW subject to whether it has ready accessibility to the primary or secondary route network, and could be either rail or road linked.

6.7.10 Kent Waste Local Plan saved policy W22 sets that:

"When considering applications for waste managements facilities the planning authority will:

a) normally refuse permission if it is considered that the proposed access, or necessary off-site highway improvements to the effects of vehicles travelling to and from the site, would affect in a materially adverse way:

- *the safety (or would exceed the capacity) of the highway network*
- *the character of historical lanes*
- *the local environment including dwellings, conservation areas and listed buildings*

b) ensure that any off-site highway improvements considered to be necessary to secure acceptable access are completed, if necessary in stages related to the development of the site, before specified operations on site commence and provided at the developments expense."

6.7.11 Sittingbourne Local Plan policy T1 relates to providing safe access to new development. It states:

"The Borough Council will not permit development proposals that:

1. generate volumes of traffic in excess of the capacity of the highway network, and/or result in a decrease in safety on the highway network, unless these issues can be addressed by environmentally acceptable improvements to the highway network that have been agreed by the Borough Council and the appropriate Highway Authority in accordance with Policy T2; and

2. lead to the formation of a new access, or the intensification of any existing access, onto a primary or secondary road or route, unless it can be created in a location that is

acceptable to the Borough Council, or where an access can be improved to an acceptable standard and achieve a high standard of safety through design.

Where appropriate, the Borough Council will require the submission of a comprehensive Transport Assessment and Travel Plan with a planning application. "

6.7.12 Swale Local Plan policy T3 the Development Control Policy for Vehicle Parking for New Development, as follows:

"*The Borough Council will only permit development, or the change of use of existing premises, if appropriate vehicle parking is provided, in accordance with the adopted Kent County Council parking standards*."

Assessment of the Proposal

6.7.13 The application is supported by an Environmental Statement (ES) (see Chapter 6) which assesses the likely significance of effect of traffic and transport on the environment. ES Chapter 6 is informed by a Transport Assessment in accordance with PPG13.

6.7.14 The Transport Assessment establishes that on a typical day the proposed Sustainable Energy Plant could generate approximately 22 two-way HGV trips during the AM peak period and 22 two-way HGV trips in the PM peak. It assumed that those HGV movements are distributed evenly over a 12 hour weekday day (06:00-18:00).

6.7.15 In addition, in respect of employee movements, it is assumed that all staff arrive and depart in the hours before and after their shifts. The operator has provided data of a typical pattern of operational hours. Over a 24 hour period there will be a maximum of 58 person movements at the proposed development. This number is based on three shifts of seven staff plus up to eight staff working office hours

6.7.16 Since the shifts do not start or end during the peak hours it is expected that the peak number of staff movements during the peak hours will be 8 arrivals during the AM peak hour and 8 departures during the PM peak hour.

6.7.17 At this level of trip generation the ES concludes that the proposed development, when operational, would increase daily traffic flows along Barge Way by 7.1%, by 1.7% on Swale Way and by less than 1% on all other links. The highest impact in terms of HGV's is on Barge Way which will take all HGV traffic from the development which equates to 22 HGV's per hour and represents one additional movement every three minutes. This is not considered to be perceptible and the impact upon the local highway network is concluded to be negligible by the TA. The ES therefore concludes that the SEP would be of only negligible significance in

terms of driver delay. Feedback from the public exhibitions highlighted the concerns of local residents. The operator will manage vehicle heavy movements to allay those concerns.

6.7.18 In respect of road capacity the proposal is therefore in accordance with RSS policies T1 and W17, KWLP policies W22, and SLP policies T1.

6.7.19 In relation to road safety, the TA identifies that in total there were 45 Personal Injury Accidents (PIA) during the three year period of which five were serious injury accidents and 40 were slight injury accidents within its study area. There were no fatal injury accidents. Of the 45 PIA's nine involved HGV's.

6.7.20 However, it identifies that there were no PIA's within the immediate vicinity of the site including Ridham Avenue, the Northern Relief Road and Barge Way. It is therefore considered that there is not an existing accident or safety problem within the vicinity of the proposed access and the proposals will not be likely to have an adverse effect on highway safety.

6.7.21 In terms of car parking requirements, it is recognised that there is no current guidance, at either local or national level, for car parking provision at the proposed SEP. The amount of car parking proposed is therefore proposed based upon the operator's knowledge and working experience of similar sites.

6.7.22 A total of 100 spaces will be provided in the existing southern car park and will cater for staff, contractors, management and allow for shift patterns and overlaps.

6.7.23 The proposed level of car parking is considered to be at the level that would cater for the operational needs of the SEP on site, therefore, avoiding the problems associated with on-street parking, without undermining the strategy to encourage non-car trips to the site.

6.7.24 The proposed car parking provision is therefore considered to be in accordance with the policy framework, including RSS policy T4 and SLP policy T5.

6.7.25 In terms of sustainability the site is considered to be well located to take advantage of the transport of waste to the site either by rail or river. However, it is not possible to, nor would it be appropriate to identify the exact source location of the waste. For the purposes of the ES and TA it is assumed that waste will be transported to the site by road in order to establish a worse case scenario. However, this does not rule out the potential for waste to be transported by rail or river should that be appropriate.

6.7.26 In terms of staff, the site is located within 1km of residential areas and is therefore well placed to replace car trips with walking; the site is also within the maximum walking suggested walking distance of a bus stop, and is located within 1.8 km of Kemsley Rail Station; and, the site is considered to be accessible by a range of alternative modes of transport to the car.

6.7.27 Overall, the proposed development is considered to conform to the policy framework relating to traffic and transport in that it there is sufficient highway capacity, the proposal would not be likely to be detrimental to highway safety, and the proposal encourages sustainable transport modes for both waste movements and for employees and visitors.

6.8 Air Quality

Policy Framework

6.8.1 PPS23: Planning and Pollution Control sets out the Government's policy and principles in relation to Air Quality. It sets out that planning should promote a sustainable pattern of land use whilst recognising the precautionary principle[14]. The precautionary principle of withholding permission should be limited to the following circumstances[15]:

- there is good reason to believe that harmful effects may occur to human, animal or plant health, or to the environment; and
- the level of scientific uncertainty about the consequences or likelihood of the risk is such that best available scientific advice cannot assess the risk with sufficient confidence to inform decision-making.

6.8.2 It sets out that the planning and pollution control systems are separate but complimentary to the planning system controlling development in the public interest focussing on whether the development itself is an acceptable use of the land, and whether the impacts of the use such as air pollution are acceptable.[16] LPA's must be satisfied that planning permission can be granted on land use grounds taking full account of environmental impacts.[17]

6.8.3 Further, any consideration of the quality of air and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use.[18] Appendix A, also, sets out that in considering planning applications the existing and likely future air quality, and the need for compliance with any statutory environmental quality standards or

[14] PPS23, paragraph 9
[15] PPS23, paragraph 6
[16] PPS23, paragraph 10
[17] PPS23, paragraph 15
[18] PPS23, paragraph 2

objectives (including the air quality objectives prescribed by the Air Quality Regulations) should be considered in determining planning applications.

6.8.4 RSS Policy NRM9 of the RSS sets outs that:

"Strategies, plans, programmes and planning proposals should contribute to sustaining the current downward trend in air pollution in the region. This will include seeking improvements in air quality so that there is a significant reduction in the number of days of medium and high air pollution by 2026. Local development documents and development control can help to achieve improvements in local air quality through:
i. ensuring consistency with Air Quality Management Plans
ii. reducing the environmental impacts of transport, congestion management, and support the use of cleaner transport fuels
iii. mitigating the impact of development and reduce exposure to poor air quality through design, particularly for residential development in areas which already, or are likely to, exceed national air quality objectives
iv. encouraging the use of best practice during construction activities to reduce the levels of dust and other pollutants
v. assessing the potential impacts of new development and increased traffic levels on internationally designated nature conservation sites, and adopt avoidance and mitigation measures to address these impacts."

6.8.5 Kent Waste Local Plan policy W11 identifies the site as being potentially suitable for a EfW subject to consideration of amongst other things causing significant harm to residential amenity due to dust or smell.

6.8.6 Policy W17 of the Kent Waste Local Plan states:

"Before Granting permission for an incinerator the planning authority will need to be satisfied that having regard to information on air quality and its cumulative effects, including that derived from eth Kent Air Quality Model, Airborne Emissions will not adversely affect neighbouring land uses and amenity"

6.8.7 Policy E2 of the Swale Local Plan states:

"*All development proposals will minimise and mitigate pollution impacts. Development proposals will not be permitted that would, individually or cumulatively, give rise to pollution significantly adversely affecting the following:*

- *human health;*

- *residential amenity;*
- *flora and fauna;*
- *areas or buildings of architectural or historic interest;*
- *rural areas; and*
- *water supply sources, groundwater aquifers, or local hydrology.*"

Assessment of the Proposal

6.8.8 The planning application is supported by an Environmental Statement which includes an Air Quality and Health Risk Assessment (Chapter 7 of the ES). The impact on air quality has been integral element of the schemes design evolution so as to minimise any potential adverse impacts. In deed, a number of mitigation measures have been incorporated in to the project.

6.8.9 ES Chapter 7 identifies the following potential Air Quality effects associated with the proposed development:

- **Construction dust effects:** potential dust effects from construction traffic, plant and activities associated with the construction of the SEP;
- **Construction traffic effects:** potential effects of emissions from additional traffic movements generated on the local road network during construction;
- **Operational traffic effects:** potential air quality effects from changes in traffic flow characteristics on the local road network associated with the operation of the proposed SEP; and
- **Operational effects (SEP):**.potential air quality effects from any pollutant emissions associated with the SEP;
- **Cumulative effects (SEP):** potential air quality effects from the SEP and existing stack emissions associated with the Kemsley Paper Mill.

6.8.10 Construction-phase dust effects have been assessed to be 'low' risk if un-mitigated, but are expected to be minimised if the recommended mitigation measures are adopted.

6.8.11 Construction traffic effects are expected to be negligible as traffic generated during the operational phase are less than those associated with the operational phase.

6.8.12 Emissions from the SEP have been assessed through detailed dispersion modelling using best practice approaches. The assessment has been undertaken based on a number of

worst-case assumptions. This is likely to result in an over-estimate of the contributions that will arise in practice from the SEP.

6.8.13 Nonetheless, the results of dispersion modelling reported in this assessment indicate that predicted contributions and resultant environmental concentrations of all pollutants considered is of 'negligible' to' slight adverse' significance.

6.8.14 With the stack emissions based on the worst-case, being at 100% of the EU Directive emission limit values, the assessment has shown that the combined with the traffic-related contributions the resulting ground-level annual mean NO_2 concentrations are below the objective of 40 $\mu g.m^{-3}$. The combined annual-mean PM_{10} concentrations at all the existing receptors are below the AQS objective of 40 $\mu g.m^{-3}$. Receptors R10 and R7 are predicted to be marginally below the AQS objective, with the maximum contribution from the combined stack and road traffic contribution below 1 $\mu g.m^{-3}$. The proposed development is unlikely to lead to significant concerns.

6.8.15 Overall, although the overall likely effects on the environment are assessed as being negligible to slight adverse, this is not considered to be significant to the determination of the application given that the mitigation measures incorporated into the proposed development ensure that all the relevant objectives and limit values are met.

6.8.16 Accordingly, the proposal is acceptable in terms of its impact on amenity and/or air quality, and is, therefore, in accordance with the planning policy framework.

6.9 Biodiversity and Nature Conservation

Policy Framework

6.9.1 PPS9 sets out the Government's policy for Biodiversity and Geological Conservation and adopts a sequential approach to development harming nature conservation interests. The key principle of this approach, is that in determining applications that would result in significant harm to protected sites or species regard is had to:

- Firstly, to locate the development to alternative site of less harm;
- Where there no alternative sites available to ensure that the harm is adequately mitigated;
- Where this not possible to ensure that the harm is adequately compensated; and
- Where adequate compensation is not possible, planning permission should be refused.

6.9.2 Policy NRM5: Conservation and Improvement of Biodiversity states:

Local planning authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.

i. They must give the highest level of protection to sites of international nature conservation importance (European sites (6)). Plans or projects implementing policies in this RSS are subject to the Habitats Directive. Where a likely significant effect of a plan or project on European sites cannot be excluded, an appropriate assessment in line with the Habitats Directive and associated regulations will be required.

ii. If after completing an appropriate assessment of a plan or project local planning authorities and other bodies are unable to conclude that there will be no adverse effect on the integrity of any European sites, the plan or project will not be approved, irrespective of conformity with other policies in the RSS, unless otherwise in compliance with 6(4) of the Habitats Directive.

iii. For example when deciding on the distribution of housing allocations, local planning authorities should consider a range of alternative distributions within their area and should distribute an allocation in such a way that it avoids adversely affecting the integrity of European sites. In the event that a local planning authority concludes that it cannot distribute an allocation accordingly, or otherwise avoid or adequately mitigate any adverse effect, it should make provision up to the level closest to its original allocation for which it can be concluded that it can be distributed without adversely affecting the integrity of any European sites.

iv. They shall avoid damage to nationally important sites of special scientific interest and seek to ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided, including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.

v. They shall ensure appropriate access to areas of wildlife importance, identifying areas of opportunity for biodiversity improvement and setting targets reflecting those in the table headed 'Regional Biodiversity Targets - Summary for 2010 and 2026' below. Opportunities for biodiversity improvement, including connection of sites, large-scale habitat restoration, enhancement and re-creation in the areas of strategic opportunity for biodiversity improvement (Diagram NRM3) should be pursued

vi. They shall influence and applying agri-environment schemes, forestry, flood defence, restoration of mineral extraction sites and other land management practices to:

- *deliver biodiversity targets*
- *increase the wildlife value of land*
- *reduce diffuse pollution*
- *protect soil resources.*

vii They shall promote policies that integrate the need to accommodate the changes taking place in agriculture with the potential implications of resultant development in the countryside.

They shall require green infrastructure to be identified, developed and implemented in conjunction with new development

6.9.3 Kent Waste Local Plan Policy W21 sets out that:

"Before planning permission for a waste management proposal the planning authority will need to be satisfied that the earth science and ecological interests if the site and its surroundings have been established and provisions made for the safeguarding of irreplaceable and other important geological and geomorphological features, habitats or species of wildlife importance, where an overriding need requires some direct loss or indirect harm to such features, habitats or species, where practical suitable compensatory mitigation measures should be provided."

6.9.4 Swale Local Plan Policy E11 sets out the Development Control Policy for Protecting and Enhancing the Borough's Biodiversity and Geological Interests, as follows:

The Borough's biodiversity and geological conservation interests will be maintained, or enhanced, particularly where they have been identified as national and county priorities in the UK and Kent Biodiversity Action Plans or through protected species legislation. Developments will be permitted that conserve or enhance the biodiversity of the area and/or locality. Where proposals would potentially adversely impact upon biodiversity or geological interests, the Council will:

1. *ensure that site evaluation is undertaken to establish the nature conservation and/or geological interest;*
2. *require the acceptable accommodation, and where appropriate, management and creation, of the interest within development proposals;*
3. *encourage the incorporation of beneficial features within the design of development, including the retention and provision of habitat to form a connected series of green corridors or stepping stones; and*
4. *expect development proposals to include measures to avoid adverse impacts wherever possible.*

Subject to the relative importance of the biodiversity or geological interest, where there may be significant harmful effects, directly, indirectly or cumulatively, development will only be permitted when the Council is satisfied that:

a. *there is an overriding need for the development that outweighs the harmful effect(s);*
b. *there is no reasonable alternative site that would result in less or no harm;*

c. *adequate mitigation measures are in place to minimise the harmful effect(s); and*

d. *where harmful effects cannot be prevented or mitigated, appropriate compensation measures will be undertaken by the developer in accordance with current best practice.*

6.9.5 Policy E12 sets out Development Control Policy for Sites Designated for their Importance to Biodiversity or Geological Conservation, as follows:

Within the areas designated, as shown on the Proposals Map, or any subsequently designated, the Borough Council will give priority to their protection in accordance with their relative importance for biodiversity as follows:

1. *Within a European Site, a proposed European Site, or a Ramsar site, development that may affect the site that is: a) not directly connected with, or necessary to, the management of the site for nature conservation; b) likely to have significant effects on the site (individually or in combination with other plans or projects); and c) where it cannot be ascertained that the proposal would not adversely affect the integrity of the site, will not be permitted unless there is no alternative solution, and there are imperative reasons of overriding public interest for the development. Where the site hosts a priority natural habitat type and/or a priority species, development will not be permitted unless the Borough Council is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.*

2. *Where development may have an adverse effect, directly or indirectly on the special interest of a Site of Special Scientific Interest, it will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site, and the national policy to safeguard such sites. In such cases, conditions and/or planning obligations will be required to mitigate the harmful aspects of the development and ensure the protection and enhancement of the sites nature conservation or geological interest.*

3. *Development likely to have an adverse effect on a Local Nature Reserve, Ancient Woodland a Site of Nature Conservation Interest or a Regionally Important Geological/Geomorphological Site, will not be permitted unless it can be clearly demonstrated that there is a need for the development which outweighs the interest of the site and that adverse impacts have been adequately mitigated, or where not possible, compensated for.*

Assessment of the Proposal

6.9.6 ES Chapter 9 considers Terrestrial Ecology and Nature Conservation, and assesses the likely significant effects on the environment. The baseline prepared for this Assessment reveals that the site is not designated in any way for its nature conservation, ecology or biodiversity value. However, the River Swale located 300 from the site is designated as Ramsar, SSSI and SPA. In addition, The Medway Estuary and Marshes are located within 2km of the site and also have Ramsar, SSSI, and SPA designation. Elmley Island is designated as a National Nature Reserve and Milton Creek as a Local Wildlife Site.

6.9.7 Surveys for invertebrates, reptiles, Water Vole and breeding birds, as well as intertidal birds on the nearby Swale and Milton Creek have shown that the proposal site to be of relatively low ecological value, consisting mainly of despoiled ground and areas of tall ruderal and scrub. The relatively low ecological value was confirmed by a desk study which revealed that the site has no recognised wildlife value.

6.9.8 No impacts are predicted on any features for which the SPAs or SSSIs are designated as a result of the development, during either construction or operation. In order to ensure that no disturbance impacts on SPA birds occur, soft piling will be undertaken over the winter period. In view of the presence of three species of Schedule 1 birds found breeding within a large area of reed bed to the north west of the proposal site, piling will achieved by vibropiling methods, that do not produce sudden, startling noises.

6.9.9 Around 2.1 hectares of reptile, invertebrate and breeding bird habitat will be lost from the site during construction. To mitigate this, 2.36 hectares of species rich rough grassland and scrub will be planted/ enhanced to provide suitable habitat to be used as a receptor site for reptiles and increase the available habitat for breeding birds and invertebrates. The provision of a drainage swale with will have significant areas of Common Reed will provide an increase in habitat for species currently found breeding within the reed bed.

6.9.10 Accordingly, the proposal is acceptable in terms of its impact on ecological interests, and is therefore, in accordance with the planning policy framework.

6.10 Hydrology and Flood Risk

Policy Framework

6.10.1 PPS25 sets out the Government's policy in relation to development and flood risk with the aim of avoiding inappropriate development being located in areas at risk of flood, other than in exceptional circumstances, and to direct development away from areas at highest risk of flooding.[19]

6.10.2 It sets out that in determining planning applications account should be had to a site specific flood risk assessment, the sequential approach, that priority should be given to SUDS, and requires development in area at risk of flood to be resilient and resistant.[20]

6.10.3 In considering surface water drainage its sets out that Flood Risk Assessments should as far as is practicable, ensure that it is managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development, while reducing the flood risk to the site itself and elsewhere, taking climate change into account.[21]

6.10.4 PPS23 relates to pollution control and sets out that the planning system should take into account water quality and pollution and the impact on health in determining planning applications.[22]

6.10.5 RSS Policy NRM4: Sustainable Flood Risk Management states:

The sequential approach to development in flood risk areas set out in PPS25 will be followed. Inappropriate development should not be allocated or permitted in flood zones 2 and 3 (Diagram NRM1), areas at risk of surface water flooding (critical drainage areas) or areas with a history of groundwater flooding, or where it would increase flood risk elsewhere, unless there is over-riding need and absence of suitable alternatives. Local authorities, with advice from the Environment Agency, should undertake a Strategic Flood Risk Assessment (SFRA) to provide a comprehensive understanding of the flood risk and put in place a framework for applying the PPS25 sequential approach. This will facilitate allocating sites in a decreasing probability of flood risk. The SFRA would assess future climate change and identify appropriate types of development in accordance with the PPS25 sequential test and flood vulnerability of different land uses.

[19] PPS25, paragraph 5

[20] PPS25, paragraph 8

[21] PPS25, Annex F, paragraph 6

[22] PPS23, paragraph 2

Existing flood defences will be protected from development. Where development is permitted in appropriately defended floodplains it must be designed to be resilient to flooding (to minimise potential damage) and to allow for the future maintenance, realignment or management of the defences to be undertaken.

In the preparation of local development documents and considering planning applications, local authorities in conjunction with the Environment Agency, should also:
i. take account of River Basin Management Plans, Catchment Flood Management Plans, Shoreline Management Plans and Surface Water Management Plans in developing local development documents and other strategies. Where locationally specific flood risk and land management options such as flood storage, managed realignment and set back from coastal defences are identified, land should be safeguarded for these purposes and appropriate land use and land management practices should be encouraged;
ii. consider the associated social and environmental costs and benefits to fisheries, biodiversity and the built and historic environment in assessment of new flood management schemes.
iii. require incorporation and management of Sustainable Drainage Systems (SuDS), other water retention and flood storage measures to minimise direct surface run–off, unless there are practical or environmental reasons for not doing so.
iv. take account of increased surface water drainage on sewage effluent flows on fluvial flood risk.

6.10.6 RSS Policy NMR2: Water Quality states:

Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment. In preparing local development documents, and determining planning applications, local authorities will:
i. take account of water cycle studies, groundwater vulnerability maps, groundwater source protection zone maps and asset management plans as prepared by the Environment Agency, water and sewerage companies, and local authorities.
ii. ensure that the environmental water quality standards and objectives as required by European Directives are met.
iii. ensure that the rate and location of development does not breach either relevant 'no deterioration' objectives or environmental quality standards.
iv. not permit development that presents a risk of pollution or where satisfactory pollution prevention measures are not provided in areas of high groundwater vulnerability (in consultation with the Environment Agency and Natural England).

Local authorities will work with water and sewerage companies and the Environment Agency to:

i. identify infrastructure needs, allocate areas and safeguard these for infrastructure development.

ii. ensure that adequate wastewater and sewerage capacity is provided to meet planned demand.

iii. ensure that impacts of treated sewage discharges on groundwater, inland and marine receiving waters do not breach environmental quality standards or 'no deterioration' objectives

iv. ensure that plans and policies are consistent with River Basin Management Plans

v. ensure that water cycle studies are carried out, prior to development sites being given planning permission, where investigations by the Environment Agency indicate that water quality constraints exist.

vi. ensure that Sustainable Drainage Systems are incorporated in a manner to reduce diffuse pollution.

Local authorities should promote land management initiatives to reduce diffuse agricultural pollution.

6.10.7 RSS Policy KTG6: Flood Risk states:

In order to accommodate the growth levels proposed in this strategy it will be necessary to implement co-ordinated measures for flood protection and surface water drainage associated with the Rivers Thames, Medway and Swale. Strategic flood risk assessments will be kept up to date having regard to the latest intelligence on flood levels, and local assessments will be undertaken for major sites at risk, in the light of the Environment Agency's long term plans for flood risk management. Development will be planned to avoid the risk of flooding and will not be permitted if it would:

i. be subject to an unacceptable risk of flooding or significantly increase the risk elsewhere

ii. prejudice the capacity or integrity of flood plains or flood protection measures

Development plan documents will include policies to:

i. adopt a risk based approach to guiding categories of development away from flood risk areas

ii. ensure that development proposals are accompanied by flood risk assessments

iii. identify opportunities

6.10.8 Kent Waste Local Plan Policy W20 sets out that:

"Before granting planning permission for a waste management facility, the planning authority will require to be satisfied that proposals have taken account of:

i. Land settlement

ii. Land Stability

iii. The safeguarding of land drainage and flood control

iv. Minimisation of rainwater infiltration.

6.10.9 Swale Local Plan Policy E4 sets out the Development Control Policy for Flooding and Drainage, as follows:

The Borough Council will not grant planning permission where acceptable sites, consistent with wider sustainability objectives and at lesser risk of flooding, are available to accommodate the development. Where there is considered to be a risk of flooding, the Borough Council will not grant planning permission where the degree of risk of flooding, either to, or arising from, the development, would give rise to adverse impacts upon, or increased risk to, human life, ecosystems, habitats and development, including those resulting from:

1. *the impedance of, or increase in, flood flows;*
2. *the loss of storage volume in the floodplain;*
3. *the loss of integrity of the flood defences; and*
4. *increased surface water run-off from the creation of large impermeable areas.*

Where there is considered to be a risk of flooding, development proposals will be accompanied by a flood risk assessment and should a) incorporate, where necessary, sustainable drainage systems within development proposals and b) include, when necessary, new flood defence and alleviation measures installed and maintained by the developer(s).

Assessment of the Proposal

6.10.10 ES Chapter 10 assesses Hydrology and Flood Risk, and is underpinned by a Flood Risk Assessment. The FRA establishes that the majority of the site is located within Flood Zone 1 the Flood Zone that is least likely to flood. In sequential terms this means that the EfW element of the proposed development is not only an appropriate type of development within its flood zone, but that is located within the sequentially preferable flood zone. The Ash Management element of the proposal is located largely within Flood Zone 2 but also Flood Zone 3a. Whilst these are not the sequentially preferred Flood Zone for development, the development is an appropriate form of development in these flood Zones.

6.10.11 ES Chapter 10 considers the effects of the development on surface water quality, surface water and flood risk, and tidal/fluvial flooding.

6.10.12 In terms of surface water quality it sets out that incorporating mitigation measures such as a management plan, the significance of the development during the operational phase would be likely to be negligible – to minor accounting for the potential for an accidental spillage.

6.10.13 It terms of surface water and flood risk, the ES sets out that the outlined mitigation measures would provide protection up to the flood event agreed with the Environment Agency, and that as such the significance of the effects of the development on the environment would be negligible to minor.

6.10.14 In terms of tidal/fluvial flooding as the sites ground level is proposed to raised, it would be entirely within Flood Zone 1, and as such the risk of flooding would be a minor to negligible risk.

6.10.15 The proposed development is, therefore, in accordance with the policy framework in that the proposed development is an appropriate development located in the Flood Zone it is located, provides adequate surface water attenuation taking account of climate over the lifespan of the development, and is not likely to have an unacceptable impact on water quality or public health.

6.11 Ground Conditions and Contamination

Policy Framework

6.11.1 PPS23 sets out that contaminated land can present risks to human health and the environment which adversely affect or restrict the beneficial use of land but that development presents an opportunity to deal with these risks successfully.[23] Furthermore, it sets out that where land is affected by contamination, development can provide an opportunity to address the problem for the benefit of the wider community and bring the land back into beneficial use.[24] As such, it advises that in determining applications regard should be had to the risks of and from pollution and land contamination and how these can be managed or reduced.[25]

6.11.2 Moreover, it sets out that Government's objectives in relation to contaminated land as being[26]:

- to identify and remove unacceptable risks to human health and the environment;
- to seek to bring damaged land back into beneficial use; and
- to seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable.

[23] PPS23, paragraph 2 and 17

[24] PPS23, paragraph 17

[25] PPS23, paragraph 9

[26] PPS23, paragraph 18

6.11.3 However, it makes clear that whilst the responsibility for the safe development of contaminated land ultimately rests with the developer, [27] the LPA should satisfy itself that in determining planning applications the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks, including those covered by Part IIA of the EPA 1990.[28]

6.11.4 Kent Waste Local Plan Policy W19 sets out that:

"Before Granting permission for a waste management facility, the planning authority will require to be satisfied that surface and ground water resource interests will be protected and that where necessary a leachate control scheme can be derived, implemented and maintained to the satisfaction of the planning authority"

6.11.5 Kent Waste Local Plan Policy W20 sets out that:

"Before granting planning permission for a waste management facility, the planning authority will require to be satisfied that proposals have taken account of:

v. Land settlement
vi. Land Stability
vii. The safeguarding of land drainage and flood control

6.11.6 Swale Local Plan Policy E3 sets out the Development Control Policy for Land Contamination, as follows:

On sites known, or suspected, to be contaminated, the Borough Council will only grant planning permission for development proposals if the developer agrees to undertake effective investigation and remediation work to overcome any identified hazard.

Assessment of the Proposal

6.11.7 Chapter 11 of the ES sets out that the site is characterised by a veneer of Made ground and alluvial clays that overlie the London Clay, with silty sands of the Woolwich and Reading Beds beneath.

6.11.8 Only limited evidence of soil contamination has been identified across the application site but this level contamination is not above the respective Soil Guidelines Values or human health Generic Assessment Criteria for an industrial/commercial end use.

[27] PPS23, paragraph 20

[28] PPS23, paragraph 23

6.11.9 The principal issues relating to the proposed development include the risk to human health caused by groundwater ingress to deep excavations, the lateral migration of contaminated shallow groundwater towards the Swale, and asbestos containing materials identified is shallow soils. However, by undertaking some additional targeted works and associated assessment, in addition to the preparation of a robust Construction Environmental Management Plan all potential impacts are reduced to neutral or minor adverse significance.

6.11.10 Accordingly, the proposed development will not present an unacceptable impact to human health or the environment, and as such, is in accordance with the policy framework relating to ground conditions and contamination.

6.12 Noise

Policy Framework

6.12.1 PPG24 provides guidance in respect to both noise sensitive development and development that generate noise. It sets out that, as far as practicable, noise sensitive developments should be located way from existing significant noise sources and that potentially noisy development should be located where noise will be a less significant consideration or can be adequately mitigated.[29]

6.12.2 It sets out that noisy development is often necessary for the creation of jobs and essential infrastructure, that planning authorities should be ensure that development does not cause unacceptable disturbance, but should not put in place unjustifiable obstacles in place.[30]

6.12.3 It also sets out that mitigation measures can be introduced to control the source of, or limit exposure to noise. These include:

*"(i) **engineering:** reduction of noise at point of generation (e.g. by using quiet machines and/or quiet methods of working); containment of noise generated (e.g. by insulating buildings which house machinery and/or providing purpose-built barriers around the site); and protection of surrounding noise-sensitive buildings (e.g. by improving sound insulation in these buildings and/or screening them by purpose built barriers);*

*(ii) **lay-out:** adequate distance between source and noise-sensitive building or area; screening by natural barriers, other buildings, or non-critical rooms in a building;*

[29] PPG24, paragraph 5

[30] PPG24, paragraph 10

(iii) ***administrative:*** *limiting operating time of source; restricting activities allowed on the site; specifying an acceptable noise limit.*

6.12.4 RSS Policy NRM10: Noise states:

Measures to address and reduce noise pollution will be developed at regional and local level through means such as:

i. locating new residential and other sensitive development away from existing sources of significant noise or away from planned new sources of noise.

ii. traffic management and requiring sound attenuation measures in major transport schemes

iii. encouraging high levels of sound-proofing and screening as part of sustainable housing design and construction.

6.12.5 Waste Local Plan policy W11 identifies the site as being potentially suitable for an EfW subject to amongst other things causing significant harm to residential amenity due to noise.

6.12.6 Kent Waste Local Plan Policy W18 states that:

"Before Granting permission for a waste management operation the planning authority will require to be satisfied as to the means of control of :

- *Noise*
- *Dust, Odours and Other emissions*
- *Landfill gas*

Particularly in respect of its potential impact on neighbouring land uses and amenity".

6.12.7 Policy E2 sets out the Development Control Policy for Pollution, as follows:

"All development proposals will minimise and mitigate pollution impacts. Development proposals will not be permitted that would, individually or cumulatively, give rise to pollution significantly adversely affecting the following:

1. *human health;*
2. *residential amenity;*
3. *flora and fauna;*
4. *areas or buildings of architectural or historic interest;*
5. *rural areas; and*
6. *water supply sources, groundwater aquifers, or local hydrology.*"

Assessment of the Proposal

6.12.8 Chapter 12 of the Environmental Statement addresses the acoustic implications of the proposal. The policy framework clearly sets out a presumption in favour of noise generating essential infrastructure and employment generating development, such as that proposed SEP, provided it would not have an unacceptable impact on the amenity of noise sensitive receptors.

6.12.9 The ES indentifies the following noise sensitive receptors:

- residential receptors in Kemsley beyond the Paper Mill
- Saxon Shore Way public footpath.

6.12.10 The noise and vibration effects due to the construction and operation of the proposed SEP, have been predicted and assessed in accordance with international, national and local standards and guidance. Attended short-term and unattended long term surveys have been undertaken to determine the baseline noise levels at locations representative of the potentially most affected noise sensitive receptors.

6.12.11 The results of the noise and vibration assessment indicate that significant adverse noise and vibration effects are not predicted to occur during the construction or operation of the SEP, assessed individually or cumulatively with committed development in the locality.

6.12.12 Accordingly, the proposed development is in accordance with the policy framework.

6.13 Landscape and Visual Impact

Policy Framework

6.13.1 PPS1 sets out that the design of development needs consideration as follows[31]:

"High quality and inclusive design should be the aim of all those involved in the development process. It means ensuring a place will function well and add to the overall character and quality of the area, not just for the short term but over the lifetime of the development. This requires carefully planned, high quality buildings and spaces that support the efficient use of resources."

6.13.2 Furthermore, it sets out that[32]

[31] PPS1, paragraph 35

"Design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally."

6.13.3 PPS 10 sets out location criteria to test the suitability of sites for waste management activities, one of which is 'visual intrusion.' Criteria specifically include:

"*'The setting of the proposed location and the potential for design-led solutions to produce acceptable development*"

6.13.4 RSS Policy NRM15: Location of Renewable Energy Development states:

Local development documents should encourage the development of renewable energy in order to achieve the regional and sub-regional targets. Renewable energy development, particularly wind and biomass, should be located and designed to minimise adverse impacts on landscape, wildlife, heritage assets and amenity. Outside of urban areas, priority should be given to development in less sensitive parts of countryside and coast, including on previously developed land and in major transport areas. The location and design of all renewable energy proposals should be informed by landscape character assessment where available. Within areas of protected and sensitive landscapes including Areas of Outstanding Natural Beauty or the national parks, development should generally be of a small scale or community-based. Proposals within or close to the boundaries of designated areas should demonstrate that development will not undermine the objectives that underpin the purposes of designation.

6.13.5 Kent Waste Local Plan Policy W31 sets out that:

"When considering waste management proposals the planning authority will wish to be satisfied that an appropriate landscaping scheme will be an integral part of the development"

6.13.6 Waste Local Plan policy W11 identifies the site as being potentially suitable for an EfW subject to amongst other things not being unduly obtrusive in the landscape.

6.13.7 Swale Local Plan Policy E9 sets out the Development Control Policy for Protecting the Quality and Character of the Borough's Landscape, as follows:

[32] PPS1, paragraph 38

The quality, character and amenity value of the wider landscape of the Borough will be protected and, where possible, enhanced. Within the designated areas shown on the Proposals Map, priority will be given to their protection as follows:

1. *in the Kent Downs Area of Outstanding Natural Beauty (AONB), the priority is the long-term conservation and enhancement of natural beauty (including landscape, wildlife, and geological features) of this national asset over other planning considerations. Suitably located and designed development necessary to facilitate the economic and social well-being of the area and its communities, will be permitted, whilst major developments will not be permitted unless there is a proven national interest and no suitable alternative sites;*

2. *in the North Downs, Blean Woods and North Kent Marshes Special Landscape Areas (SLAs), the priority is the long-term protection and enhancement of the quality of the landscape of these county assets, whilst having regard to the economic and social well being of their communities; and*

3. *in the Areas of High Landscape Value (AHLV), the priority is the protection and enhancement of the integrity, character and local distinctiveness of these Borough assets, whilst considering the needs of local communities.*

Within the countryside and rural settlements, the Borough Council will expect development proposals to:

a. *be informed by and sympathetic to local landscape character and quality;*

b. *consider the guidelines contained in the Council's Landscape Character Assessment and Guidelines Supplementary Planning Document, so as to contribute to the restoration, creation, reinforcement and conservation, as appropriate, of the landscape likely to be affected;*

c. *safeguard or enhance landscape elements that contribute to the distinctiveness of the locality or the Borough;*

d. *remove features which detract from the character of the landscape; and*

e. *minimise the adverse impacts of development upon landscape character.*

Assessment of the proposal

6.13.8 The proposal is supported by the Landscape and Visual Impact Assessment set out in Chapter 8 of the ES which accompanies the application.

6.13.9 ES Chapter 8 establishes that there are no designated landscapes which lie within the site area. The Swale Borough Local Plan recognises that the coastal landscapes and coastal margins enhance the value of the Borough's landscape. This is supported, in part, by the designation of the North Kent Marshes Special Landscape Area which extends over the Swale and adjoining coastal landscape. This area includes the Chetney and Greenborough Marshes which adjoin the site and extend along Milton Creek. This area is valued for the open character of its landscape.

6.13.10 Other designated landscapes within the Borough include an Area of High Landscape Value approximately 1km to the south east of the site. This area of landscape lies inland of the marshes and coincides primarily with the Teynham Fruit Belt. The Kent Downs Area of Outstanding Natural Beauty lies on high land approximately 10km to the south east of the site. A second SLA on the North Downs coincides with a large area of the AONB designation.

6.13.11 In the longer term, by Year 15 it is anticipated that there will be a range of impacts from No Effect to Moderate Beneficial resulting from the site boundary improvements and the opportunities for enhancement of the site through the landscape proposals. In terms of impact on landscape character it is assessed that there will be 'No effect' on landscape character resulting from the proposals.

6.13.12 Landscape mitigation proposals have been included as an integral part of the proposed SEP scheme. The range of treatments including an open mosaic of scrub and rough grassland with clusters of trees, linear reed beds within the base of the flood attenuation ponds, grassland with flora and fruiting trees would be implemented as part of the proposals. The assessment of landscape/townscape and visual effects has been undertaken based on the scheme at year one after completion, when the planting proposals are newly established.

6.13.13 No further secondary mitigation measures are proposed to address the residual effects of the scheme on receptors. However, as the landscape proposals mature they will become a more significant aspect of the scheme, capable of enhancing views of the SEP and the quality of its townscape. There would be a slight reduction in adverse effects on views from the closest visual receptors at the Saxon Shore Way where boundary vegetation would, over time, screen and merge the development into the surrounding landscape and townscape setting. At mid to long distances the improvement in views from receptors would be less significant.

6.13.14 The overall context of the site is that of an industrial townscape on the northern edge of Sittingbourne, beside The Swale estuary. The townscape is influenced by a variety of land uses including industrial, commercial, open land, disused land, transport corridors and docks.

The proposed industrial redevelopment of the site would reflect the adjoining St Regis paper mill complex and reinforce local townscape character.

6.13.15 Due to the lack of significant site features in the form of built development or vegetation, the existing site is not prominent in views from the surrounding area. The site is easily missed and appears as a gap or opening on the edge of the urban fringe of Sittingbourne.

6.13.16 The new buildings, although of similar industrial character to existing neighbouring development, are of a large scale which draws attention to them. The redevelopment of the SEP site would extend the built development edge of industrial buildings at the paper mill much closer to the sensitive receptors within The Swale and on the Isle of Sheppey. In near views this could result in the development becoming the most prominent element or the new focus within the view, however in more distant views the SEP would merely create a minor intensification of the industrial fringes of Sittingbourne which are already a major feature within the view.

6.13.17 The changes that will occur in the Sittingbourne Industrial/Commercial character area as a result of the development of the SEP can be accommodated. The poor condition of the townscape of the site and the lack of significant features or designations, provide the opportunity for introducing the new elements of the proposals without unacceptably significant adverse effects. The proposals will not result in the loss of any key townscape elements.

6.13.18 The proposed landscape perimeter planting is an integral part of the proposal and would enhance the existing poor quality of the area's urban character and provide important buffers with neighbouring rural areas.

6.13.19 Location of the SEP on the north east side of the existing St Regis Paper Mill would result in a relatively small number of visual receptors in the settlement of Sittingbourne experiencing a change in view. New stacks and the tops of buildings would be seen in the immediate context of existing stacks, buildings and pylons.

6.13.20 Following the mitigation measures identified above the residual impacts of are reduced to minor adverse/negligible effects on Townscape/Landscape Character and neutral/negligible to moderate/minor adverse impact on views.

6.13.21 In the context of the site this impact is considered not to be significant and therefore, accords with the policy framework.

6.14 Cultural Heritage

Policy Framework

Archaeology

6.14.1 PPG 16 Planning Policy Guidance: Archaeology and Planning (1990), provides advice to planning authorities regarding the protection of archaeology within the planning process. The guidance makes clear that prospective developers should make provision for the archaeological appraisal of a site when assessing a sites development potential.[33]

6.14.2 PPG16 acknowledges that it will not always be feasible to save archaeological remains, and this depends on the relative importance of the archaeological remains against of considerations relating to the proposed development. As such, there remains a presumption in favour of the physical preservation of nationally important remains.[34]

6.14.3 It goes on to set out that if the preservation of remains *in situ* is not feasible that excavation for the preservation *by record* may be an acceptable alternative but is regarded as a second best option with the preservation *in situ* nearly always the preferred option.[35]

6.14.4 Swale Local Plan Policy E16 sets out the Development Control Policy for Scheduled Ancient Monuments and Archaeological Sites, as follows:

1. *Development will not be permitted which would adversely affect a Scheduled Ancient Monument, as shown on the Proposals Map or subsequently designated, or other nationally important monument or archaeological site, or its setting.*

2. *Whether they are currently known or discovered during the Plan period, there will be a preference to preserve important archaeological sites in-situ and to protect their settings. Development that does not achieve acceptable mitigation of adverse archaeological effects will not be permitted.*

Where development is permitted and preservation in-situ is not justified, the applicant will be required to ensure that provision will be made for archaeological excavation and recording, in advance of and/or during development.

Listed Buildings and Conservation Areas, etc

[33] PPG16, paragraph 18a

[34] PPG16, paragraph 8

[35] PPG16, paragraph 13

6.14.5 PPG15: Planning and the Historic Environment (1994) outlines the Governments policy guidance with respect to Listed Buildings, Conservation Areas, Historic Parks and Gardens, Historic Battlefields and the wider historic landscape.

6.14.6 Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act requires planning authorities to have special regard in considering applications for planning permission to the desirability of preserving the setting of Listed Buildings.

6.14.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas. PPS15 clarifies this requirement also extends to the planning applications for development outside of Conservation Areas but which would affect its setting or views into or out of the Conservation Area.

6.14.8 There are no statutory controls over development affecting Historic Parks and Gardens, or Historic Battlefields. However, PPG15 confirms that the affect of development upon them is a material consideration in determining planning applications.

6.14.9 South East Plan policy BE6: Management of the Historic Environment sets out the regional policy as follows:

"*When developing and implementing plans and strategies, local authorities and other bodies will adopt policies and support proposals which protect, conserve and, where appropriate, enhance the historic environment and the contribution it makes to local and regional distinctiveness and sense of place. The region's internationally and nationally designated historic assets should receive the highest level of protection. Proposals that make sensitive use of historic assets through regeneration, particularly where these bring redundant or under-used buildings and areas into appropriate use should be encouraged."*

6.14.10 Kent Waste Local Plan policy W22 sets out as follows:

"When considering applications for waste management facilities the planning authority will:

i. Normally refuse permission if it is considered that the proposed access, or necessary off-site highway improvements or effects of vehicles travelling to and from the site, would affect in a materially adverse way:
ii. The safety (or would exceed the capacity)of the highway network
iii. The character of historic rural lanes
iv. The local environment including dwellings, conservation areas and listed buildings

v. Ensure that any off-site highway improvements considered to be necessary to secure acceptable access are completed, if necessary in stages related to the development of the site, before specified operations on site commence and provided at the developments expense

6.14.11 Swale Local Plan policy E14 relates to Development involving Listed Buildings. It states:

1. Proposals, including any change of use, affecting a Listed Building, and/or its setting, will only be permitted if the building's special architectural or historic interest, and its setting, are preserved. Proposals will pay special attention to the:

a. design, including scale, materials, situation and detailing;

b. appropriateness of the proposed use of the building; and

c. desirability of removing unsightly or negative features or restoring or reinstating historic features.

2. The total or part demolition of a Listed Building will be wholly exceptional, and will only be permitted provided convincing evidence has been submitted showing that:

a. all reasonable efforts have been made to sustain existing uses or viable new uses and have failed;

b. preservation in charitable or community ownership is not possible or suitable; and

c. the cost of maintaining and repairing the building outweighs its importance and the value derived from its continued use.

If as a last resort, the Borough Council is prepared to consider the grant of a listed building consent for demolition, it may, in appropriate circumstances, consider whether the building could be re-erected elsewhere to an appropriate location. When re-location is not possible and demolition is permitted, arrangements will be required to allow access to the building prior to demolition to make a record of it and to allow for the salvaging of materials and features.

6.14.12 Swale Local Plan policy E15 relates to Development Affecting Conservation Areas. It states:

Development (including changes of use and the demolition of unlisted buildings or other structures) within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area's special character or appearance. The Borough Council expects development proposals to:

1. respond positively to its conservation area appraisals where these have been prepared;

2. retain the layout, form of streets, spaces, means of enclosure and buildings, and pay special attention to the use of detail and materials, surfaces, landform, vegetation and land use;

3. take into account the current or likely resulting ambience provided by the mix of land uses or traffic;

4. remove features that detract from the character of the area and reinstate those that would enhance it; and

5. retain unlisted buildings or other structures that make, or could make, a positive contribution to the character or appearance of the area.

Assessment of the Proposal

Archaeology

6.14.13 ES Chapter 14 provides an assessment of Archaeology and Cultural Heritage. It considers the potential direct and in direct effects of the development on important historic features within the site and close by. Both the nature of the 20th Century land use at the site and the associated ground disturbance suggests that the potential for the survival of previously unidentified sub-surface archaeological remains of national importance or of sufficient importance to warrant preservation in situ, is unlikely, and that the proposed development area is of low archaeological potential.

6.14.14 The nearest Scheduled Ancient Monument (SAM) is Castle Rough which is of high value and is located 500 metres south of the site. The proposed development would have an indirect slight adverse effect. Additionally, Murston Old Church in Sittingbourne is a SAM of high value. However, the development would have no physical impact and the effect of the development on the SAM is assessed as neutral.

6.14.15 Much of the proposed mitigation for the proposed SEP is built into the design as embedded mitigation.

6.14.16 In addition to embedded mitigation, it is intended to carry out an appropriate programme of fieldwork in consultation with the County Archaeologist.

6.14.17 In the first instance archaeological mitigation would comprise the monitoring of a further tranche of geotechnical test pits further to assess the survival or otherwise of below ground

archaeological remains. Depending on results, it may be appropriate to undertake further work, including a borehole survey of the alluvium and/ or archaeological trial trenching. These works may lead to further mitigation.

6.14.18 No significant effects have been identified requiring mitigation and no mitigation measures against direct impacts other than those indicated above, are necessary or proposed within the boundaries of the proposed Development. It is noted that in each case, effects are a function of the sensitivity of the receptor, rather than a great magnitude of impact.

Listed Buildings, Conservation Areas, etc

6.14.19 ES Chapter 14 establishes that the nearest Listed Building to the proposed development is the Grade II Little Murston Farmhouse some 1.4 kilometres from the application site. Its setting has been degraded by gravel extraction and there is no inter-visibility with the application site. The ES concludes that the proposed development would have between a neutral and slight adverse effect on the setting of Listed Buildings near to the application site. It explains that only moderate or greater effects are considered to be significant. Accordingly, it is assessed that the proposed development would preserve the setting of the Listed Buildings, and as such, the proposal accords with the Planning Policy Framework.

6.14.20 The nearest Conservation Area to the application site is Milton Regis High Street approximately 2.5 kilometres away. ES Chapter 14 assesses the effect of the development upon the setting of the Conservation Areas near to the application site to be slight adverse. Such are effects are not regarded as significant. Accordingly, it is assessed that the setting of the Conservation Areas would be preserved, and as such, the proposal accords with eth Planning Policy Framework.

6.14.21 The nearest Registered Park and Garden is located 9 kilometres from the site at Doddington Place. ES Chapter 14 assess the proposed development would have no effect upon its setting. Accordingly, the proposal is in accordance with the Planning Policy Framework,

6.14.22 There are no Registered Battlefields within 15 kilometres of the site.

6.14.23 Accordingly, the proposed development is considered to be in accordance with the requirements of the policy framework.

6.15 Employment and Socio-Economic

Policy Framework

6.15.1 PPS1 sets out that one of its key objectives is that the planning system should facilitate and promote sustainable and inclusive patterns of urban and rural development by "*ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community."*[36]

6.15.2 Furthermore, it sets out amongst its key principles that planning authorities should promote outcomes in which environmental, economic and social objectives are achieved over time,[37] and that the government is committed to promoting a strong, stable, and productive economy that aims to bring jobs and prosperity to all.[38]

6.15.3 PPS10 sets out that in identifying suitable sites for waste management facilities planning authorities should assess suitability against the cumulative effect of previous waste disposal facilities on the well being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.[39]

6.15.4 The South East Plan sets out the following Sub Regional Core Strategy for the Kent Thames Gateway:

> *"POLICY KTG1: CORE STRATEGY*
> *Local and central government, and all parties concerned with service provision and infrastructure, will co-ordinate their policies and programmes to:*
>
> *i. as a first priority, make full use of previously developed land before greenfield sites, except where there are clear planning advantages from the development of an urban extension that improves the form, functioning and environment of existing settlements or a new community*
> *ii. locate major development in order to exploit the potential of the regional hubs at Ebbsfleet and the Medway Towns and locations served by the Channel Tunnel Rail Link, and locate housing, employment and community services where they are accessible by a choice of transport*

[36] PPS1, paragraph 5

[37] PPS1, para 13

[38] PPS1, para 23

[39] PPS10, para 21

iii. *ensure that the benefits of new services and employment are available to existing communities, and that new development is carefully integrated with them*

iv. *raise the standards of education and skills in the workforce, including support for higher and further education, and achieve economic development and inward investment at an accelerated pace*

v. *greatly increase the supply of new housing, and affordable housing in particular*

vi. *set high standards for the design and sustainability of new communities, and for improvement of the existing urban areas, reflecting the riverside and historic character of the area*

vii. *create higher density development in the main urban areas, linked by public transport to one another and to London*

viii. *review local planning and transport policies to manage the forecast growth in car traffic related in particular to employment in the area and encourage greater use of sustainable modes*

ix. *make progress in the transfer of freight from road to rail and by water, by improving the links between international gateways and the regions, including freight routes around London*

x. *protect from development the Metropolitan Green Belt, the Area of Outstanding Natural Beauty and avoid coalescence with adjoining settlements to the south, east and west of the Medway urban area and to the west of Sittingbourne."*

6.15.5 Swale Local Plan Policy SP1: Sustainable Development, of the Core Strategy states:

"In meeting the development needs of the Borough, proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide a robust, adaptable and enhanced environment. Development proposals should:

1. *avoid detrimental impact on the long term welfare of areas of environmental importance, minimise their impact generally upon the environment, including those factors contributing to global climate change, and seek out opportunities to enhance environmental quality;*

2. *promote the more efficient use of previously-developed land, the existing building stock, and other land within urban areas for urban and rural regeneration, including housing, mixed-uses and community needs;*

3. *ensure that proper and timely provision is made for physical, social and community infrastructure;*

4. *provide a range and mix of housing types, including affordable housing;*

5. *provide for sustainable economic growth to support efficient, competitive, diverse and innovative business, commercial and industrial sectors;*

6. *support existing and provide new or diversified local services;*

7. *promote ways to reduce energy and water use and increase use of renewable resources, including locally sourced and sustainable building materials;*

8. *be located so as to provide the opportunity to live, work and use local services and facilities in such a way that can reduce the need to travel, particularly by car;*

9. *be located to promote the provision of transport choices other than the car;*

10. *be of a high quality design that respects local distinctiveness and promotes healthy and safe environments; and*

11. *promote human health and well-being."*

Policy B2 sets out the Development Control Policy for Providing New Employment, as follows:

6.15.6 Swale Local Plan policy B2 states:

"*Permission for new employment development has been, or will be, granted for sites shown on the Proposals Map. Additionally, the Borough Council will grant planning permission for new employment development within the built-up areas, as defined by the Proposals Map, and within the rural areas in accordance with Policy RC1."*

6.15.7 Policy B11 sets out the Sites Allocation, as follows:

Outline planning permission has been granted for the development of 135 ha of land at Ridham and Kemsley for a mix of employment uses. Full development of the site is conditional upon the completion of the A249 Iwade to Queenborough Corner Improvement Scheme, the northern section of the Sittingbourne Northern Relief Road, and improvements to the northern access road into the site from Ridham Dock Road and within the site; and the need to accord with a Development Brief to be submitted to and agreed by the Borough Council.

Assessment of the Proposal

6.15.8 The proposed site is allocated as an employment site, there no more preferable sites for the proposed development, and the proposed use is an appropriate alternative use in an industrial area as set out by PPS10, and the proposed use is not detrimental to the employment land requirements of locality.

6.15.9 In addition to this, the proposed development would have significant socio-economic benefits including the creation of 50 operational jobs plus over 100 contractors for planned maintenance, etc, and over 500 construction jobs, which would where possible be sourced from the local community.

6.15.10 A further socio-economic consideration is that the proposed development will assist the community managing waste more sustainably and avoiding the unacceptable environmental and economic costs of landfill, whilst also helping the tax payer to avoid many millions of pounds of penalties for failing to minimise waste to landfill in accordance with LATS.

6.15.11 The proposal will result in a positive effect in safeguarding the future viability of the Paper Mill through the availability of energy from a non fossil fuel resource.

6.15.12 ES Chapter 14 considers the significance of effects associated with these socio-economic changes, and concludes that they will be of between slight to moderate beneficial effect on the community.

6.15.13 Accordingly, the development is considered to be in accordance with the employment and socio-economic policy framework, and will contribute to both the economic regeneration of the locality and the creation of a sustainable community.

7 Conclusions

7.1.1 The need for renewable energy and sustainable waste management is placed high on the nation's agenda to meet our future requirements with environmental benefits.

7.1.2 With respect to renewable energy the government agenda is to meet its binding renewable energy targets, meet its own legally binding reductions in greenhouse gases, and secure a sustainable domestic energy supply.

7.1.3 With respect to sustainable waste management the emphasis is to firstly reduce waste production and to place far less reliance on landfill and greatly increase the recovery of value from waste with more recycling, thereby treating waste as a resource and maximising the opportunities this presents. The proposal is an essential component of the overall strategy to move the management of waste up the waste hierarchy and should not be viewed in isolation.

7.1.4 The proposal demonstrates a sustainable waste management solution, which complements the achievement of recycling targets the pre treated waste stream to be used as a fuel supply.

7.1.5 At the same time as making a significant contribution to the Regions Renewable Energy Targets, and providing a more sustainable and secure energy source to the Paper Mill, the SEP will also make a significant contribution to diverting Biodegradable waste away from landfill.

7.1.6 The SEP will provide the Kemsley Paper Mill with the ability to be competitive in the light of increased instability in fuel pricing. This is to the benefit of the local economy.

7.1.7 The SEP will contribute to the reduction of the waste management carbon footprint within the County and Region, and that of the Paper Mill energy supply.

7.1.8 The scheme has been based upon the assessment a wide range of technical considerations including traffic, ecology, flood, ground conditions, air quality and noise. It has been demonstrated that with the incorporated mitigation, the proposed development can take place without likely significant effects on the environment and amenity.

7.1.9 The traffic implications for the scheme have been assessed in detail and this has shown that the proposal will not result in a likely significant effect upon the highway and its users.

7.1.10 Ecological receptors of varying importance are located within 10km of the proposal site have been identified following detailed site studies and consultation with local interest groups and Natural England. The proposals with mitigation as proposed are considered to be acceptable.

7.1.11 The proposal satisfies development plan objectives and can demonstrate that a robust approach has been adopted in site selection and technology. The process has concluded that there is no better site than the proposal site for the proposed development.

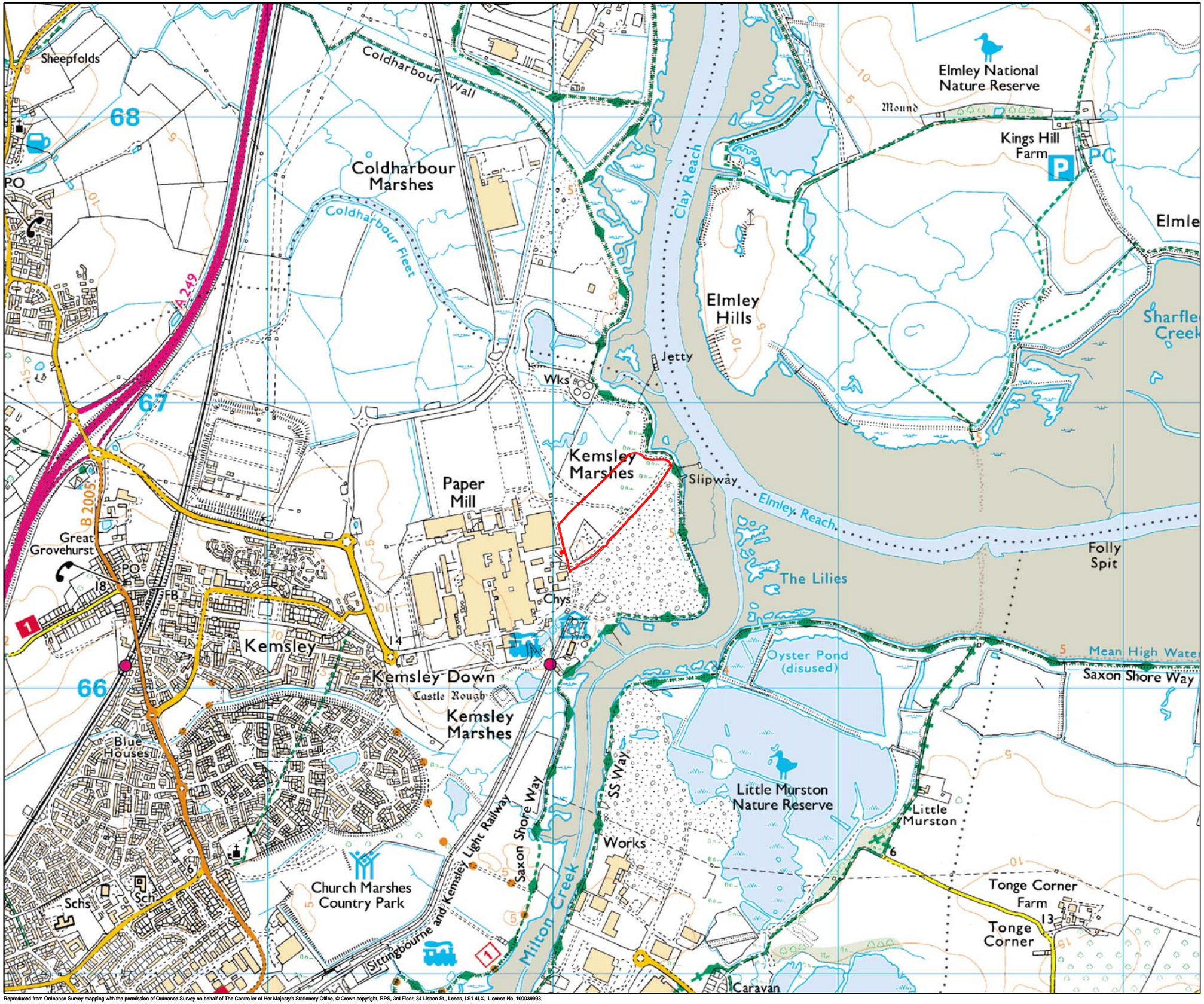
7.1.12 The proposal will result in the creation of 50 permanent new jobs once operational. Over 500 people will be employed during the construction phase. This will benefit the local economy.

7.1.13 It is demonstrated through comprehensive studies and assessments that the proposed development is in accordance with the statutory development plan, having regard where appropriate to the wider planning policy framework. In summary, need for the proposed SEP is demonstrated in terms of:

- Securing a sufficient and reliable energy source for a highly intensive energy user
- Significant contribution to the Regional Renewable Energy Targets
- Diversification from fossil fuel to low carbon energy source
- The proposal meets all the criteria for Good Quality CHP provision.
- Utilising waste that would otherwise be land filled managing waste through recovery in the waste hierarchy

7.1.14 The proposal is well located, will meet an identified need, be beneficial, sustainable, and is in accordance with the development plan and as such, in the absence of material considerations that would indicate otherwise, the proposal is acceptable.

Figures



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Key:

Proposal Site

N

RPS
3RD FLOOR
34 LISBON ST.
LEEDS
LS1 4LX
TEL: 0113 220 6190
FAX: 0113 243 9161

CLIENT

stREGIS e·on

PROJECT

Kemsley Sustainable Energy Plant

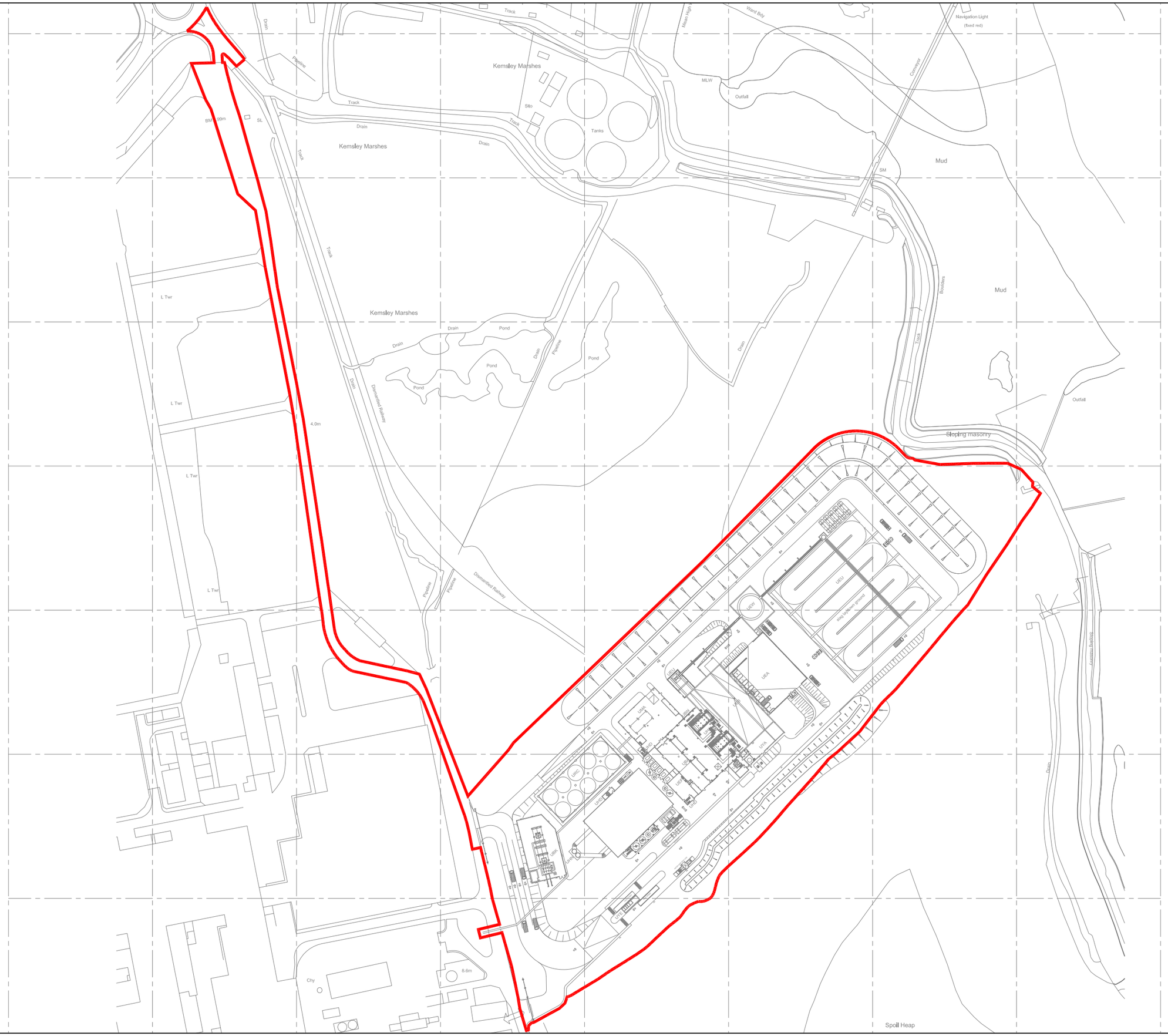
TITLE

Site Location

SCALE	DRAWN BY
1:10000 @A3	LB
DATE	CHECKED
October 2009	JS
CAD FILE	

PROJECT NUMBER	DRAWING NUMBER	REV
DLE1726	Figure 1.1	

CRPS



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3RD FLOOR
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LEEDS
LS1 4LX
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FAX: 0113 243 9161

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PROJECT

Kemsley Sustainable Energy Plant

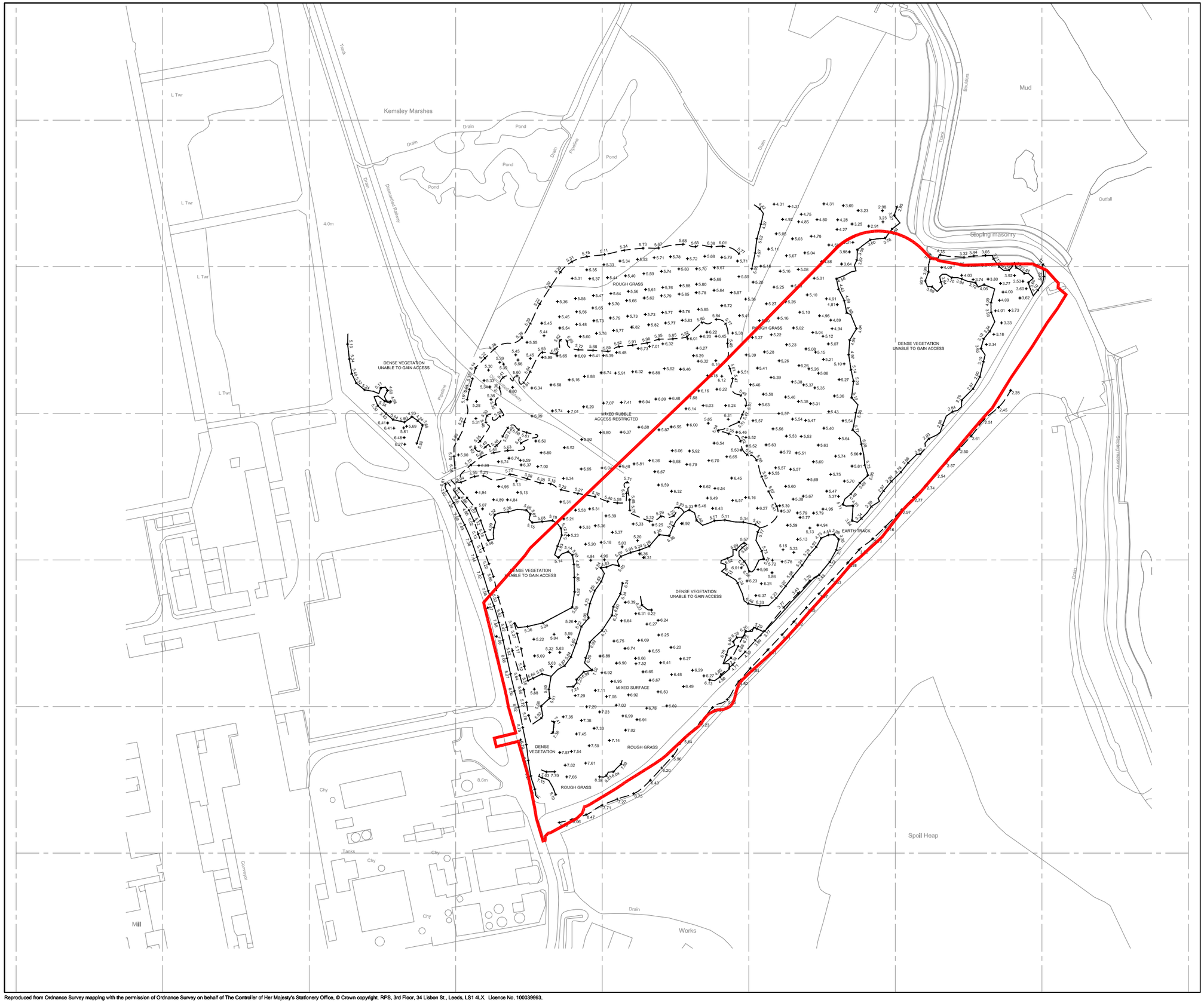
TITLE

Planning Application

SCALE	DRAWN BY
1:2500 @A3	LB
DATE	CHECKED
October 2009	JS
CAD FILE	

PROJECT NUMBER	DRAWING NUMBER	REV
DLE1726	Figure 1.2	

RPS



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Key:

Proposal Site

6.16 Spot Levels (mAOD)

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34 LISBON ST.
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TEL: 0113 220 6190
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PROJECT

Kemsley Sustainable Energy Plant

TITLE

Site Topography

SCALE	DRAWN BY
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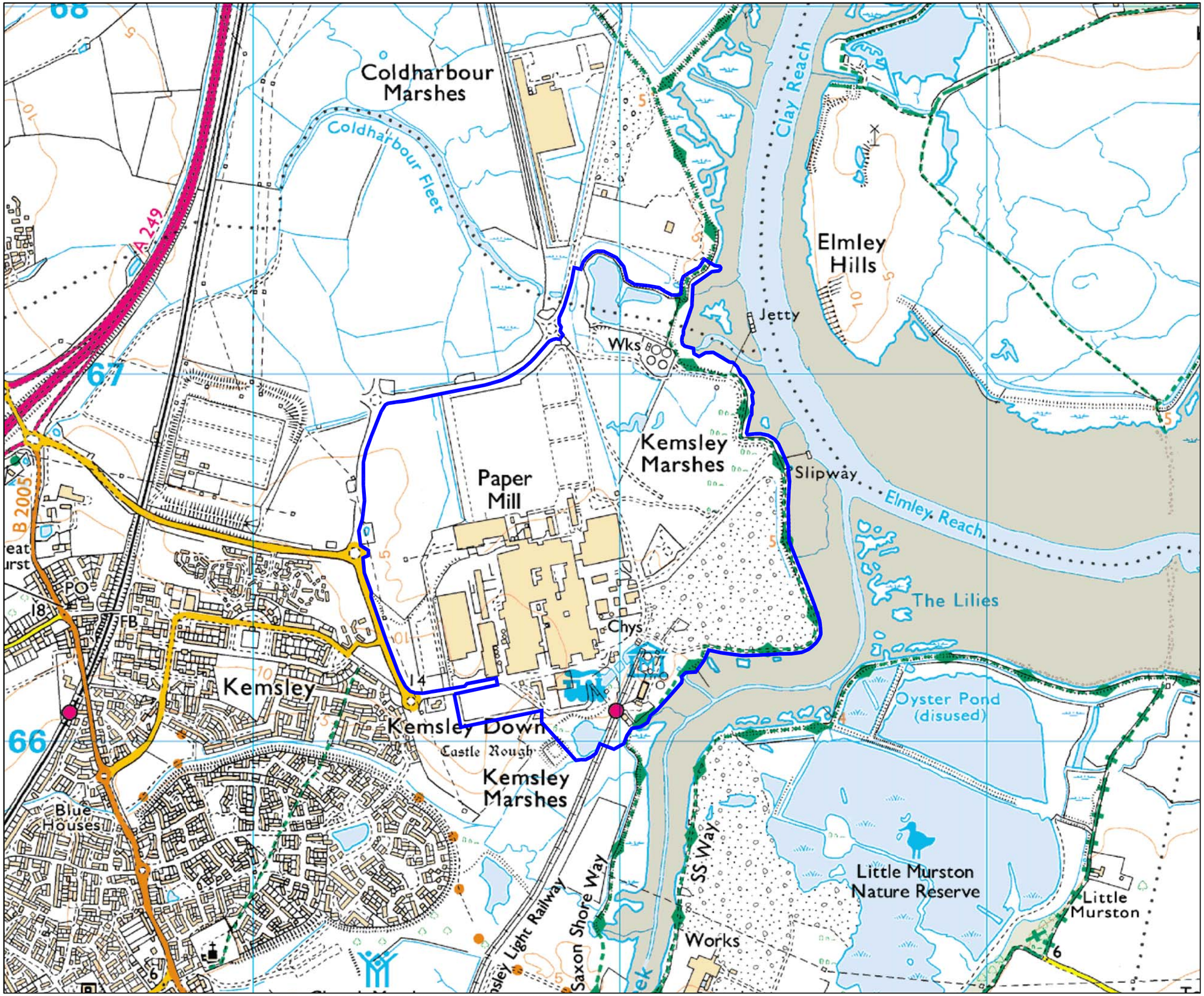
October 2009	JS

CAD FILE

PROJECT NUMBER	DRAWING NUMBER	REV
DLE1726	Figure 1.3	

RPS



Key:

Ownership Boundary

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34 LISBON ST.
LEEDS
LS1 4LX
TEL: 0113 220 6190
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PROJECT

Kemsley Sustainable Energy Plant

TITLE

Site Ownership

SCALE	DRAWN BY
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October 2009	JS
CAD FILE	

PROJECT NUMBER	DRAWING NUMBER	REV
DLE1726	Figure 1.4	

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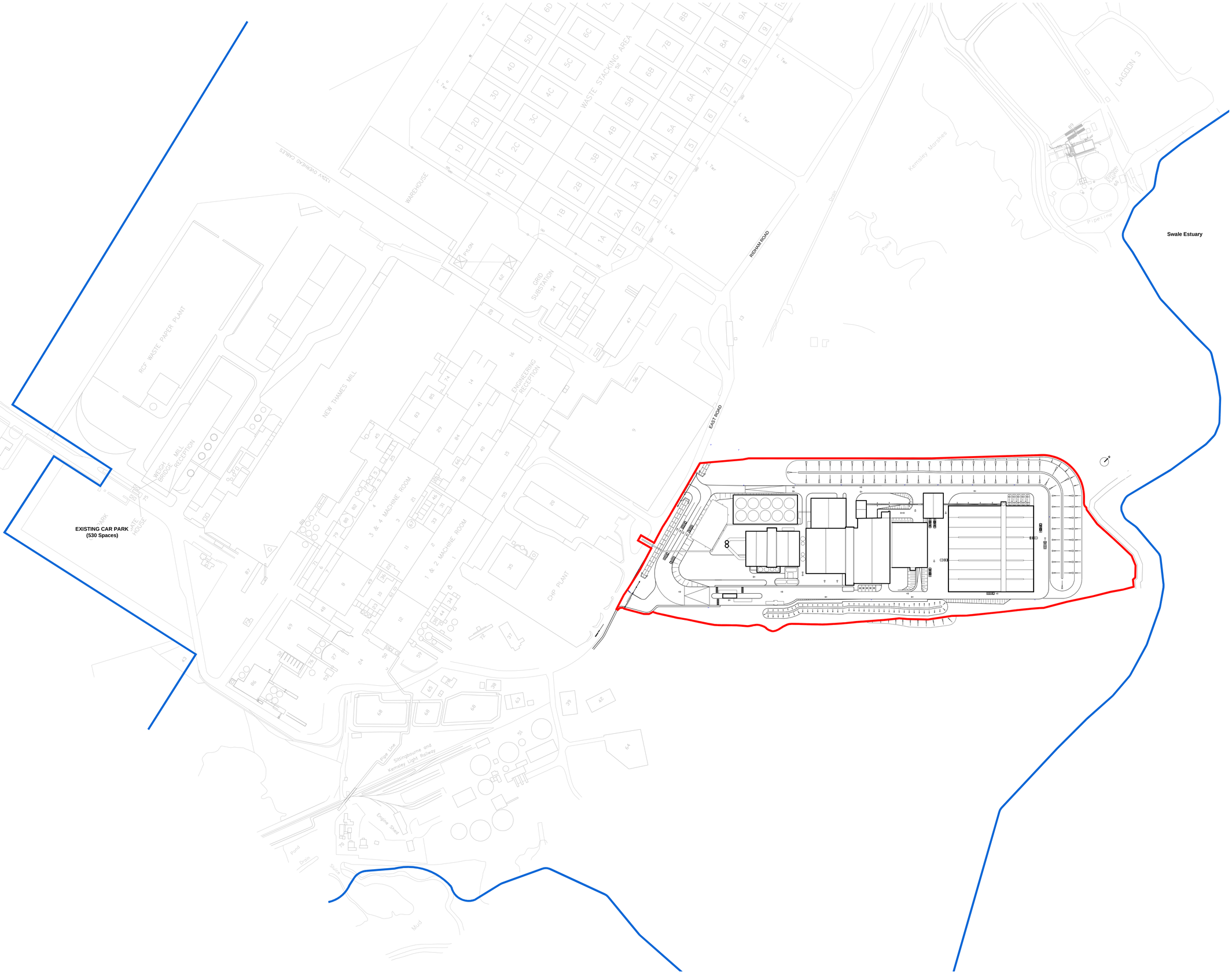
25m SCALE 1:1250

N

	Land Ownership Boundary
	Proposed Development Boundary

Note: Reference to OS of existing paper mill provided by St Regis Paper Mill in DWG format and topographical survey provided by Eon.



Drawing for PLANNING purposes only

rev	amendments	by	chd	date
B	Footpath and car park information moved to drawing 16315_P_0065. E.ON logo added.	AJL	PRP	20.01.10
A	Footpath locations added, Saxon Shore Way location amended, general notes added.	SMG	PRP	16.12.09

RPS
Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ
T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: stREGIS e·on

Project: Kemsley Sustainable Energy Plant

Title: Proposed Site Location Plan

Drawing Status	Date Created	Drawing Scale
Preliminary	November 2009	1:1250
Project Leader	Drawn By	Initial Review
RS	AJL	PRP

Drawing Number: 16315 / A0 / P / 0060 B

Rev: B

FIGURE 4.1

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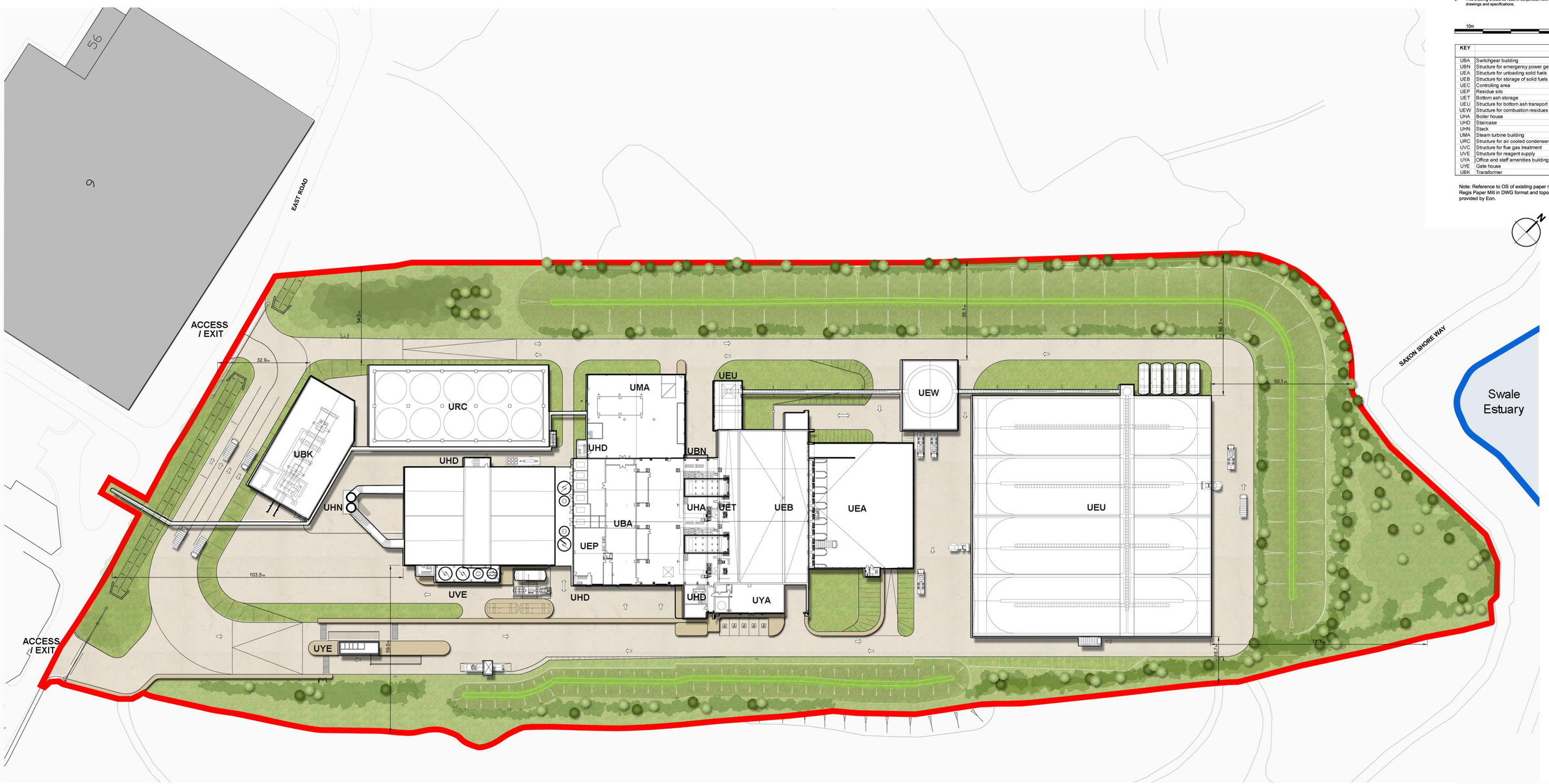
10m SCALE 1:500

KEY	
UBA	Switchgear building
UBN	Structure for emergency power generating sets
UEA	Structure for unloading solid fuels
UEB	Structure for storage of solid fuels
UEC	Controlling area
UEP	Residue silo
UET	Bottom ash storage
UEU	Structure for bottom ash transport
UEW	Structure for combustion residues handling
UHA	Boiler house
UHD	Staircase
UHN	Stack
UMA	Steam turbine building
URC	Structure for air cooled condenser
UVC	Structure for flue gas treatment
UVE	Structure for reagent supply
UYA	Office and staff amenities building
UYE	Gate house
UBK	Transformer

Note: Reference to OS of existing paper mill provided by St Regis Paper Mill in DWG format and topographical survey provided by Eon.



Land Ownership Boundary

Proposed Development Boundary

Drawing for PLANNING purposes only

D	Eon logo added.	AJL	PRP	17.02.10
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

rev	amendments	by	chd	date

RPS
Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ
T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: stREGIS e·on

Project: Kemsley Sustainable Energy Plant

Title: Proposed Building Layout

Drawing Status	Date Created	Drawing Scale
Preliminary	November 2009	1:500
Project Leader	Drawn By	Initial Review
RS	AJL	PRP

Drawing Number: 16315 / A0 / P / 0105 Rev D

FIGURE 4.2

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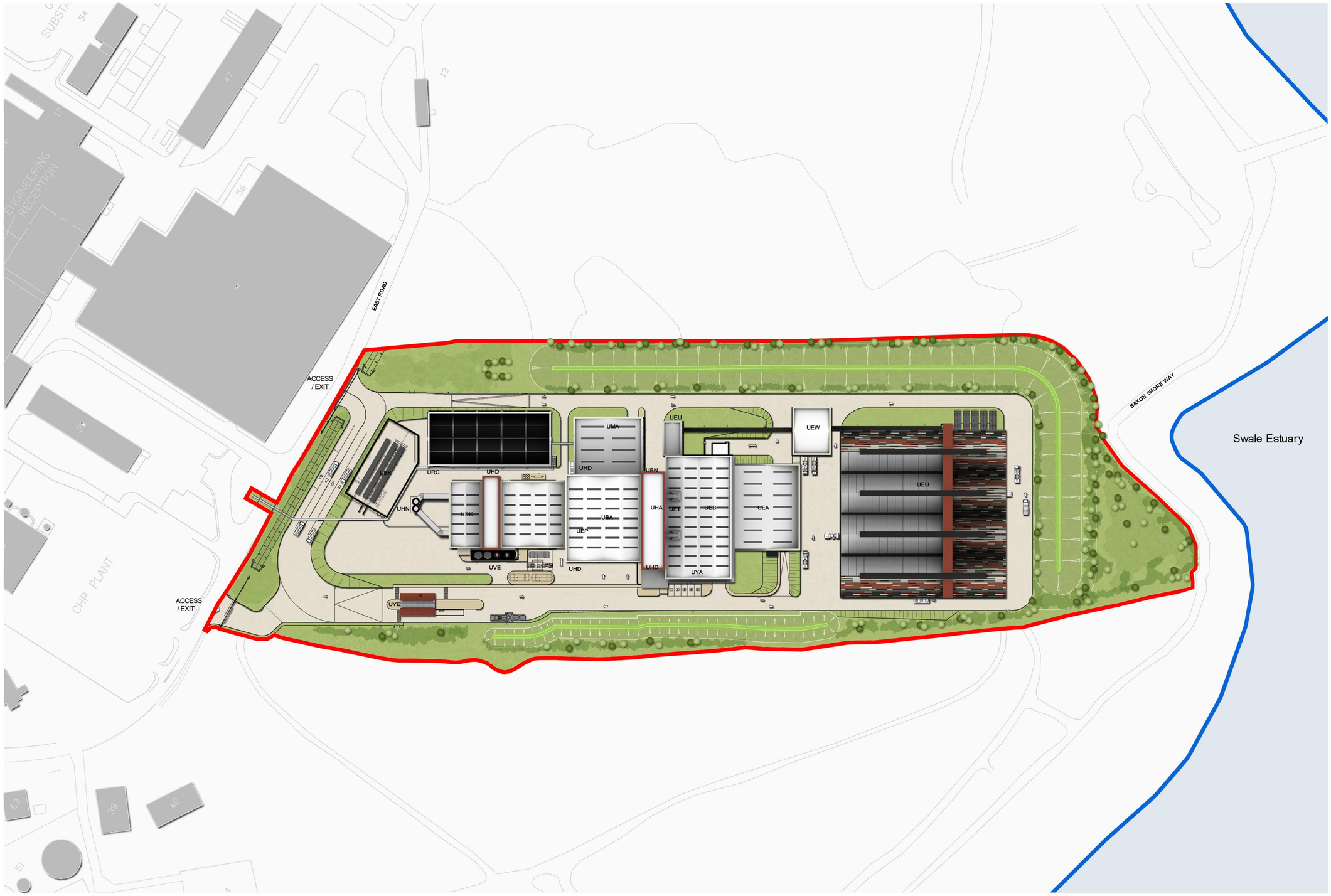
10m SCALE 1:1000



KEY	
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UBN	Structure for emergency power generating sets
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UEP	Residue silo
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UEU	Structure for bottom ash transport
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UHA	Boiler house
UHD	Staircase
UHN	Stack
UMA	Steam turbine building
URC	Structure for air cooled condenser
UVC	Structure for flue gas treatment
UVE	Structure for reagent supply
UYA	Office and staff amenities building
UYE	Gate house
UBK	Transformer

Note: Reference to OS of existing paper mill provided by St Regis Paper Mill in DWG format and topographical survey provided by Eon.

N

	Land Ownership Boundary
	Proposed Development Boundary

Drawing for PLANNING purposes only

rev	amendments	by	ckd	date
E	E.ON logo added.	KRy	PRP	15.02.10
D	Roof plan updated. Transformer confirmed as external.	AJL	PRP	21.01.10
C	Surrounding site context and site gates added. Existing OS and colours altered.	SMG	PRP	08.12.09
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

RPS
Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ
T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: St Regis / E.ON

Project: Kemsley Sustainable Energy Plant

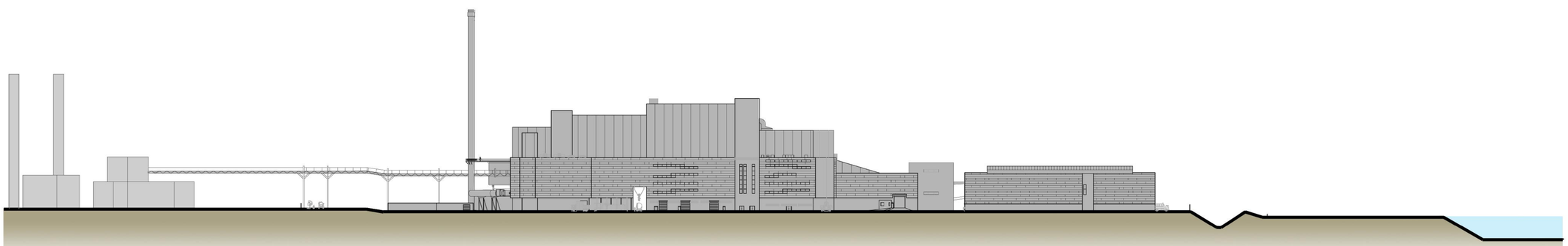
Title: Proposed Site Layout

Drawing Status	Date Created	Drawing Scale
Preliminary	November 2009	1:1000
Project Leader	Drawn By	Initial Review
RS	AJL	PRP

Drawing Number: 16315 / A1 / P / 0100 Rev E

FIGURE 4.3

SOUTH EAST ELEVATION



Existing Paper Mill
(With Indicative Building Heights)

Proposed Sustainable Energy Plant

Attenuation Pond

Swale Estuary

SOUTH EAST SITE SECTION
1:1000

notes :

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10m SCALE 1:500

10m SCALE 1:1000

Key:

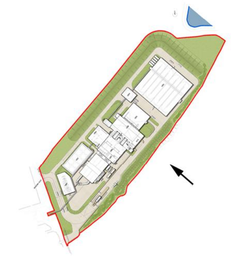
1. Horizontally laid Sinusoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
2. Vertically laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
3. Horizontally 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
4. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
5. Stack - Colour `Light Grey` / RAL 7035
6. Concrete plinth detail - Colour 'Anthracite'
7. 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** to match adjacent cladding colour

Polyester powder coated aluminium **window frames** and **Brise Soleil** - Colour 'Anthracite' (matt finish) / RAL 7016

Metal **external handrails** and **plant support** - Colour 'Anthracite' (matt finish) / RAL 7016 (with contrasting elements to comply with building regulations)

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



Drawing for PLANNING purposes only

rev	amendments	by	ckd	date
F	Logo confirmed.	AJL	PRP	03.03.10
E	E.ON logo added.	KRy	PRP	15.02.10
D	Stack colour reference amended. Crane area material changed to concrete.	AJL	PRP	18.01.10
C	Key and notes updated and minor amendments to drawing.	SMG	PRP	16.12.09
B	Building levels information clarified. Keyplan Updated. Stack height confirmed.	AJL	PRP	25.11.09
A	Key added. Keyplan updated. Building elements labled.	AJL	PRP	19.11.09

RPS

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: stREGIS e·on

Project: Kemsley Sustainable Energy Plant

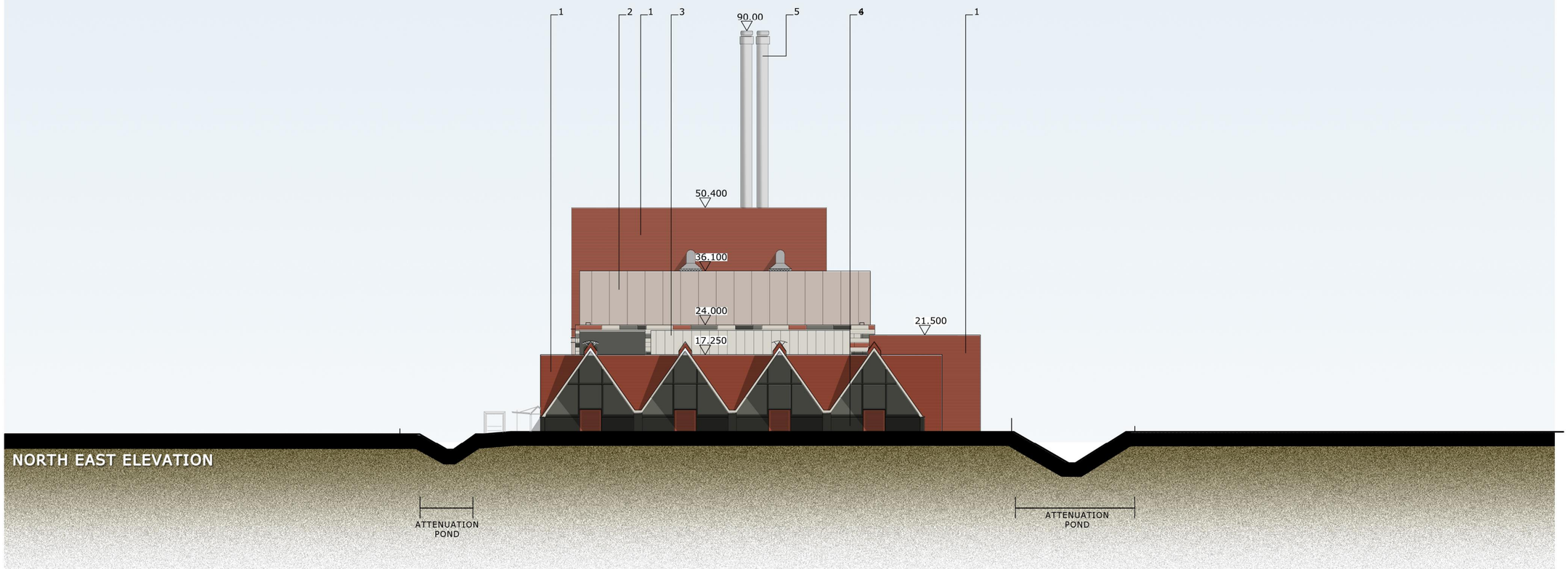
Title: South East Elevation

Drawing Status	Date Created	Drawing Scale
Preliminary	11.11.09	1:500
Project Leader	Drawn By	Initial Review
AWY	SMG	RS

Drawing Number: 16315 /A1 / P / 0110 F

Rev: F

FIGURE 4.4



NORTH EAST ELEVATION

notes :

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10m SCALE 1:500

Key:

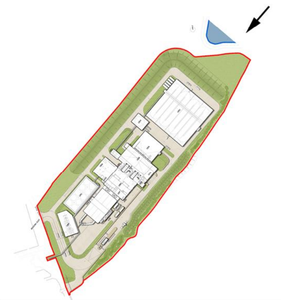
1. Horizontally laid Sinusoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
2. Vertically laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
3. Horizontally 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
4. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
5. Stack - Colour ' Light Grey ' / RAL 7035
6. Concrete plinth detail - Colour 'Anthracite'
7. 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** to match adjacent cladding colour

Polyester powder coated aluminium **window frames** and **Brise Soleil** - Colour 'Anthracite' (matt finish) / RAL 7016

Metal **external handrails** and **plant support** - Colour 'Anthracite' (matt finish) / RAL 7016 (with contrasting elements to comply with building regulations)

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



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rev	amendments	by	ckd	date
E	E.ON logo added. Building extents confirmed.	KRy	PRP	15.02.10
D	Stack colour reference amended. Crane area material changed to concrete. UMA extents confirmed.	AJL	PRP	18.01.10
C	Key updated, Brise Soleil added. Other minor amendments to drawing.	SMG	PRP	17.12.09
B	Elevation altered to show UEB.	AJL	PRP	23.11.09
A	Key added. Keyplan Upadated. Building Elements Labelled.	AJL	PRP	19.11.09

RPS

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: stREGIS e·on

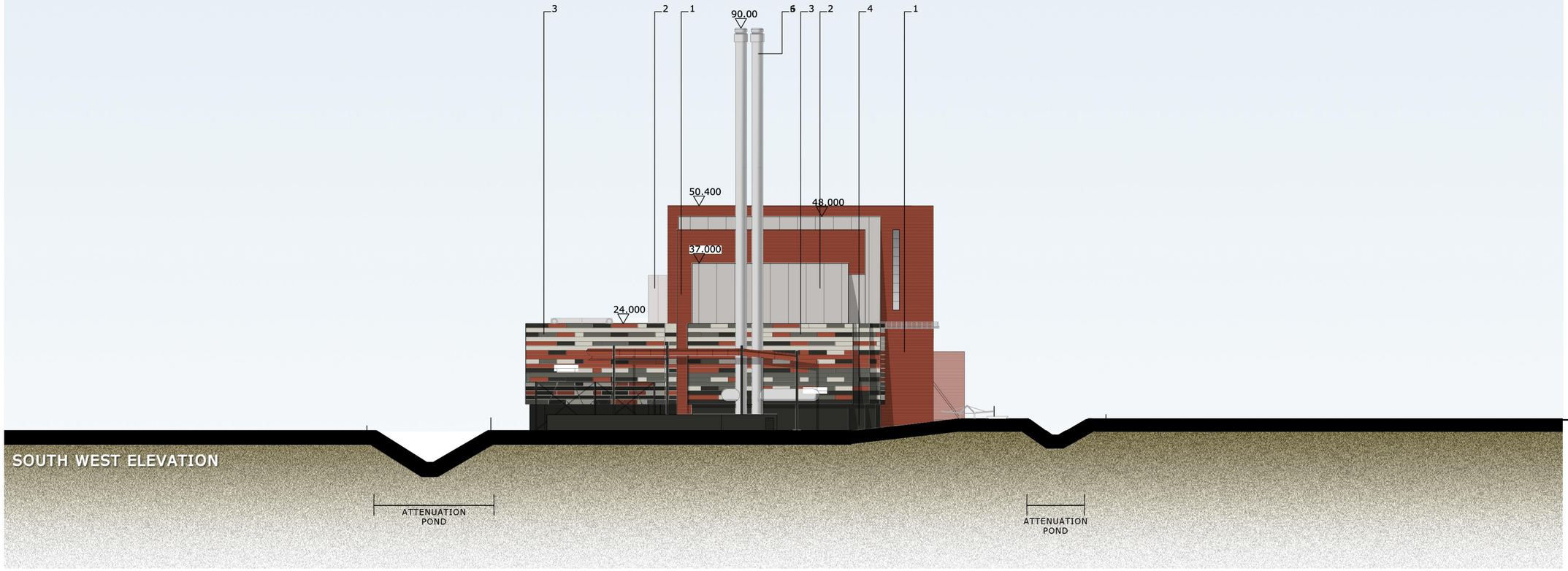
Project: Kemsley Sustainable Energy Plant

Title: North East Elevation

Drawing Status	Date Created	Drawing Scale
Preliminary	11.11.09	1:500
Project Leader	Drawn By	Initial Review
AWY	SMG	RS

Drawing Number: 16315 / A1 / P / 0111 Rev E

FIGURE 4.5



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.

10m SCALE 1:500

Key:

1. Horizontally laid Sinusoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
2. Vertically laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
3. 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
4. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
5. Stack - Colour `Light Grey` / RAL 7035
6. Concrete plinth detail - Colour 'Anthracite'
7. 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** to match adjacent cladding colour

Polyester powder coated aluminium **window frames** and **Brise Soleil** - Colour 'Anthracite' (matt finish) / RAL 7016

Metal **external handrails** and **plant support** - Colour 'Anthracite' (matt finish) / RAL 7016 (with contrasting elements to comply with building regulations)

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

Drawing for PLANNING purposes only

rev	amendments	by	ckd	date
F	E.ON logo added. Building extents clarified.	KRy	PRP	15.02.10
E	Stack colour reference amended. UMA extents confirmed.	AJL	PRP	18.01.10
D	Key updated and minor amendments to drawing.	SMG	PRP	17.12.09
C	Building levels information clarified. Key updated. Stack material indicated.	AJL	PRP	25.11.09
B	Key & materials information added.	AJL	PRP	23.11.09
A	Key added. Keyplan Upadated. Building Elements Labelled.	AJL	PRP	19.11.09

RPS

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: stREGIS e·on

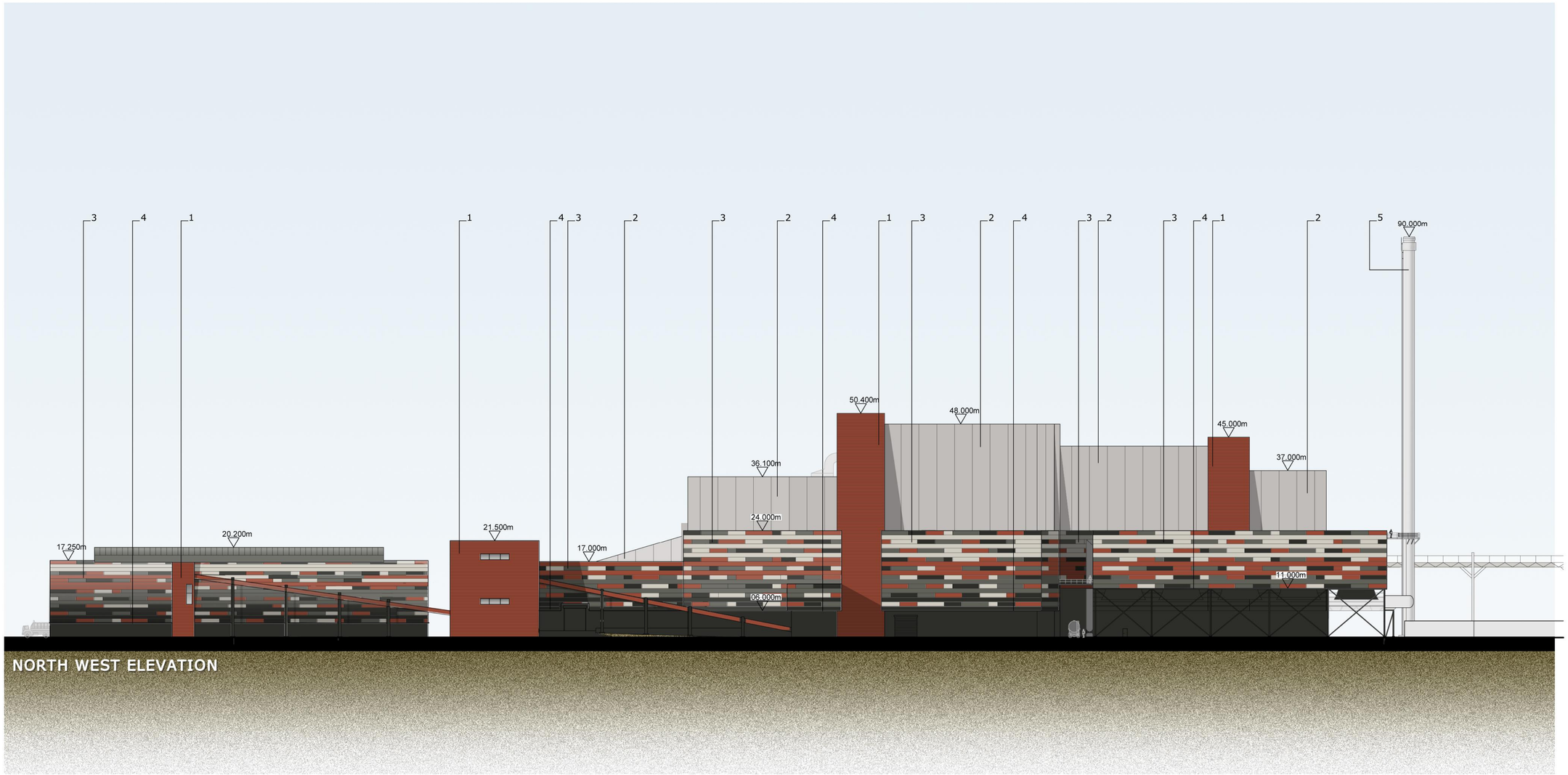
Project: Kemsley Sustainable Energy Plant

Title: South West Elevation

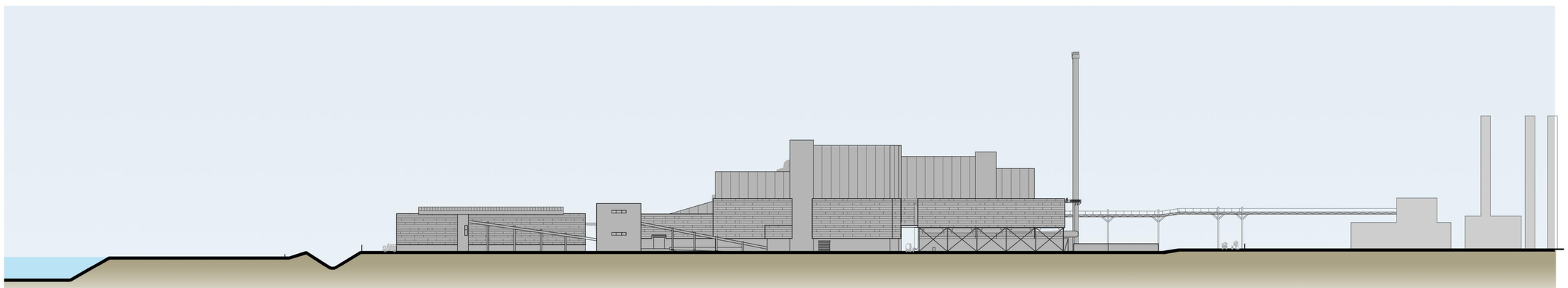
Drawing Status	Date Created	Drawing Scale
Preliminary	11.11.09	1:500
Project Leader	**Drawn By**	**Initial Review**
AWY	SMG	RS

Drawing Number: 16315 / A1 / P / 0112 Rev F

FIGURE 4.6



NORTH WEST ELEVATION



NORTH WEST SITE SECTION
1:1000

notes :

1. If this drawing has been received electronically it is the recipients 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.

10m SCALE 1:500

10m SCALE 1:1000

Key:

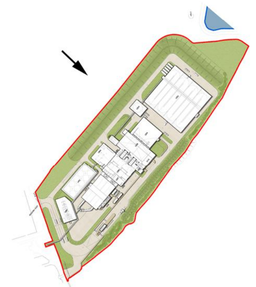
1. Horizontally laid Sinusoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Terracotta' (matt finish) / RAL 040 40 40
2. Vertically laid Flat profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Albatross' / RAL 240 80 05
3. Horizontally 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
4. Vertically laid Trapezoidal profile insulated cladding panel with Colorcoat HPS200® Ultra coating - Colour 'Anthracite' (matt finish) / RAL 7016
5. Stack - Colour 'Light Grey' / RAL 7035
6. Concrete plinth detail - Colour 'Anthracite'
7. 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** to match adjacent cladding colour

Polyester powder coated aluminium **window frames** and **Brise Soleil** - Colour 'Anthracite' (matt finish) / RAL 7016

Metal **external handrails** and **plant support** - Colour 'Anthracite' (matt finish) / RAL 7016 (with contrasting elements to comply with building regulations)

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



Drawing for PLANNING purposes only

rev	amendments	by	ckd	date
E	E.ON logo added. Building extents clarified.	KRy	PRP	15.02.10
D	Stack colour reference amended.	AJL	PRP	18.01.10
C	Key and notes updated and minor amendments to drawing.	SMG	PRP	17.12.09
B	Building levels information clarified. Keyplan Updated. Stack height confirmed.	AJL	PRP	25.11.09
A	Key added. Keyplan updated. Building elements labled.	AJL	PRP	19.11.09

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Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
W www.rpsgroup.com
E rpsnewark@rpsgroup.com

Client: StRegis e·on

Project: Kemsley Sustainable Energy Plant

Title: North West Elevation

Drawing Status	Date Created	Drawing Scale
Preliminary	11.11.09	1:500
Project Leader	Drawn By	Initial Review
AWY	SMG	RS

Drawing Number: 16315 / A1 / P / 0113 Rev E

FIGURE 4.7

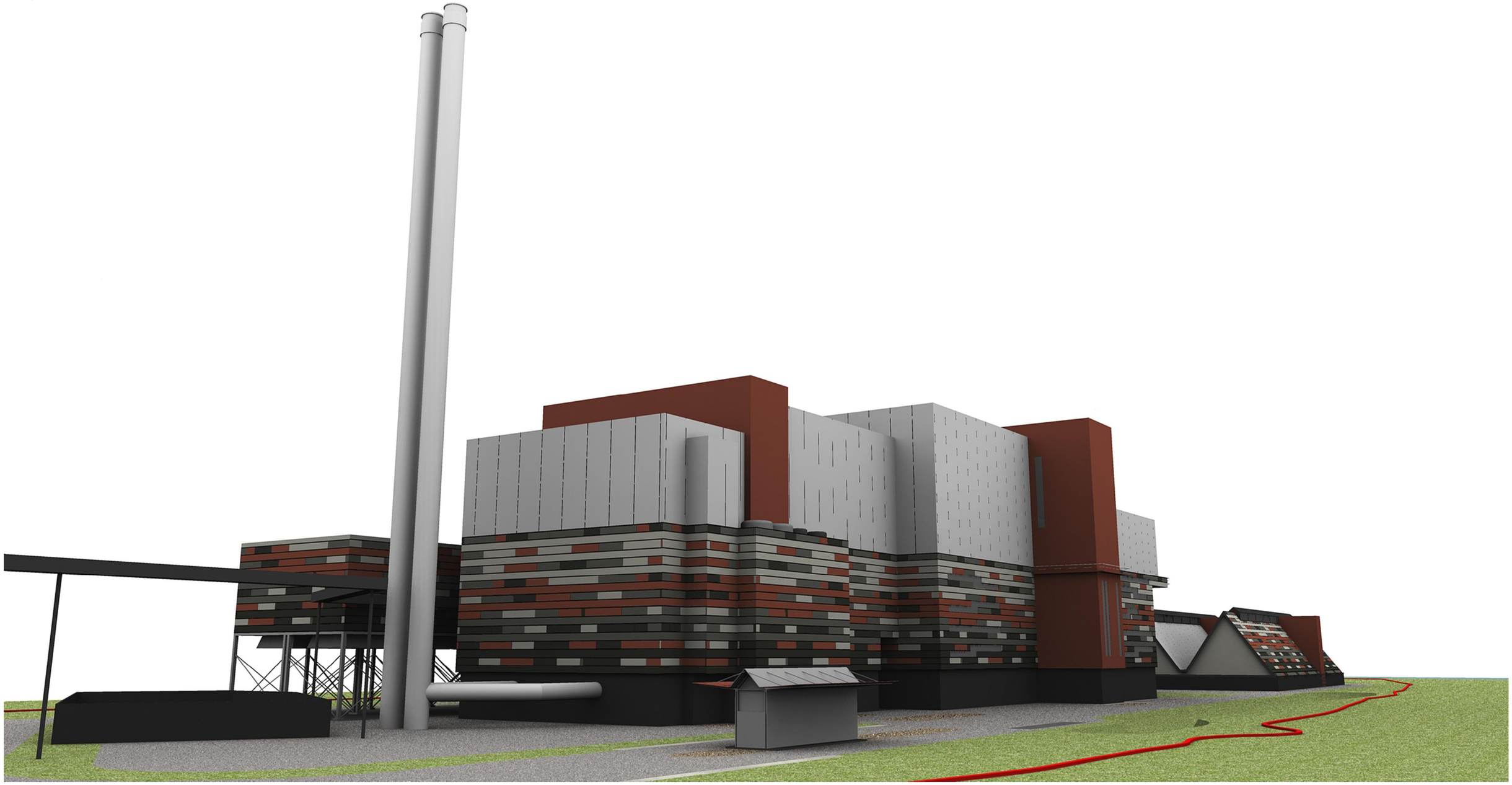

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FIGURE 4.29

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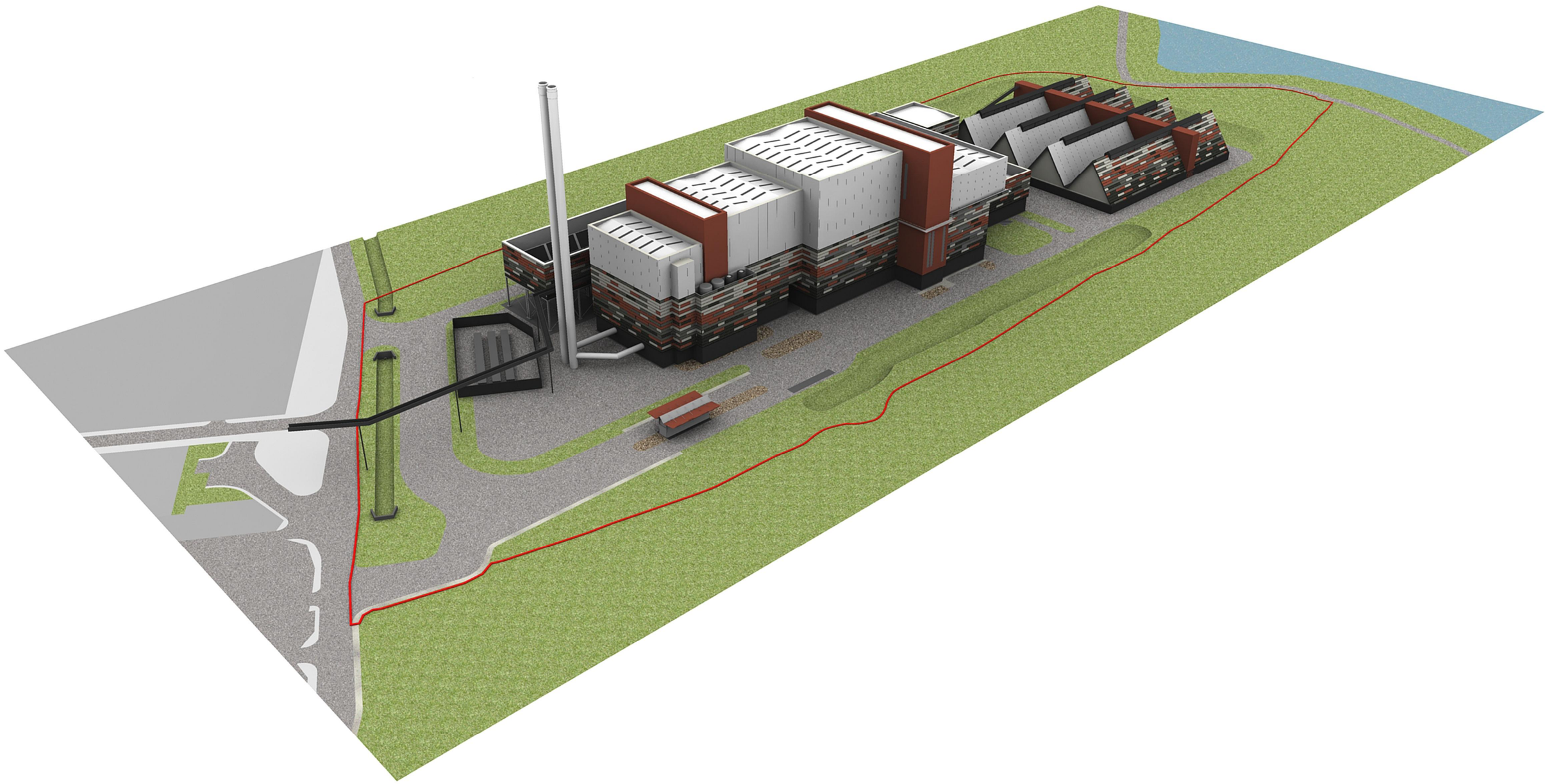

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16315 / P/0151

FIGURE 4.30

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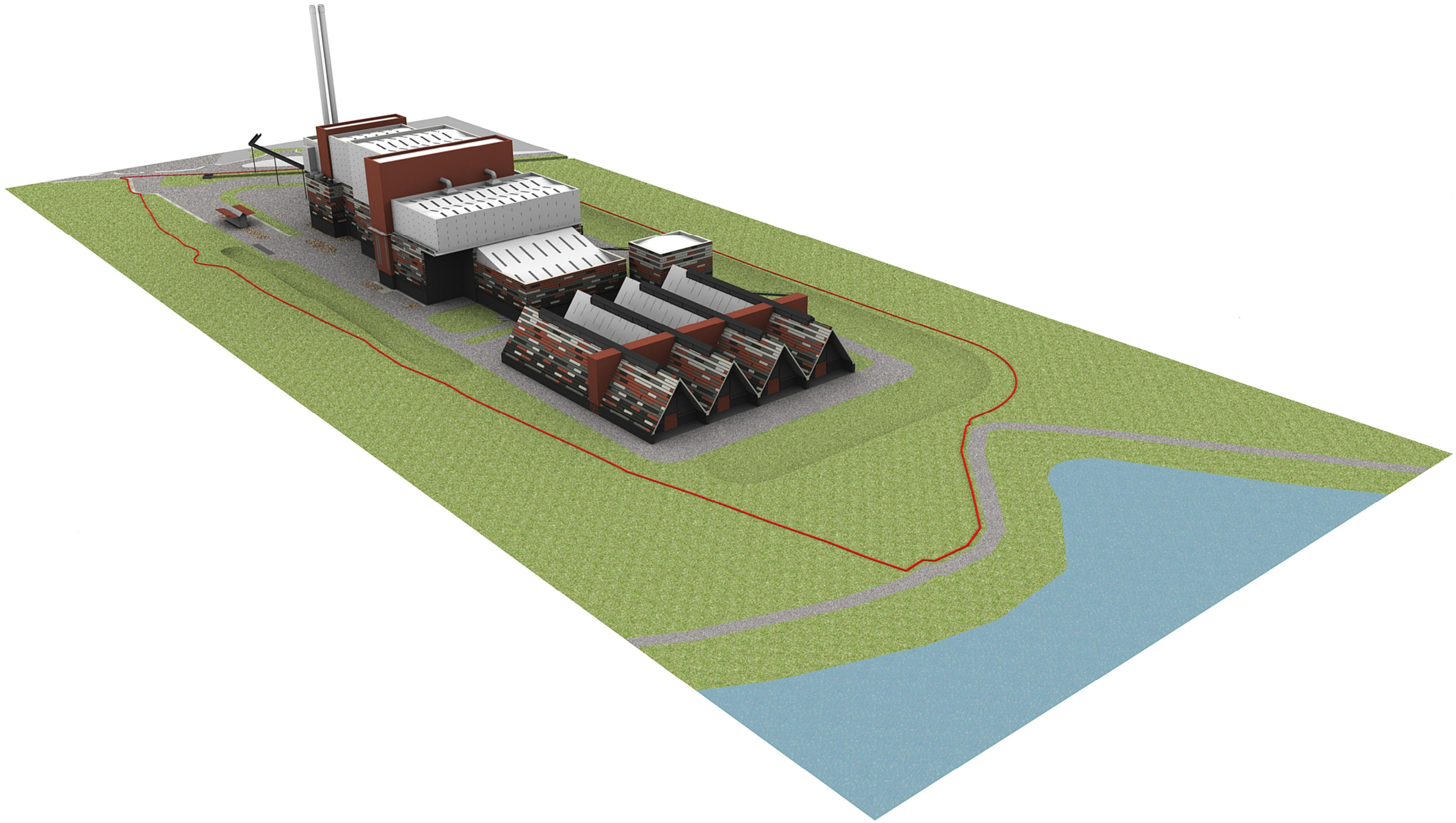
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ



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16315 / P/0152

FIGURE 4.31

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Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

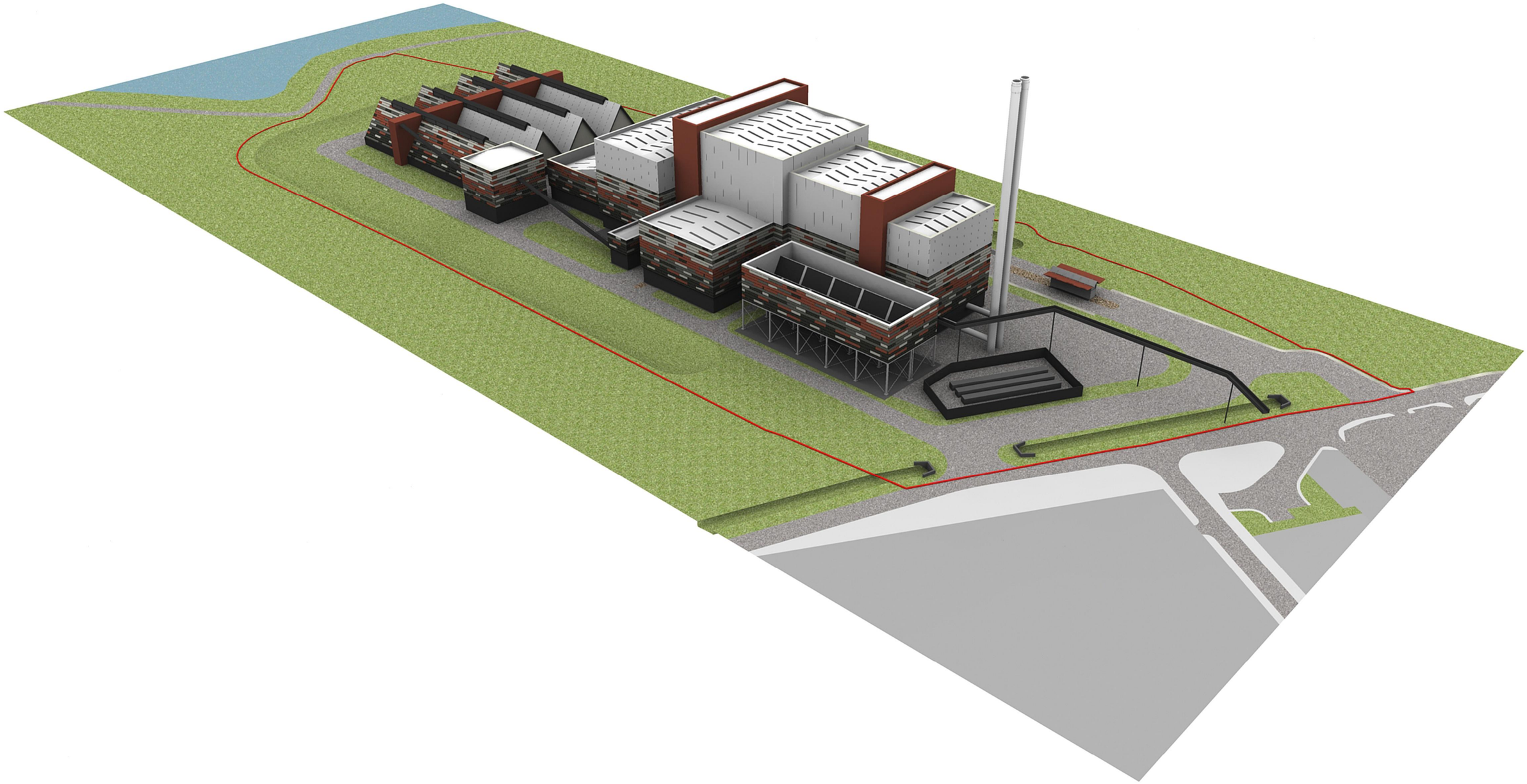

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FIGURE 4.32

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Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

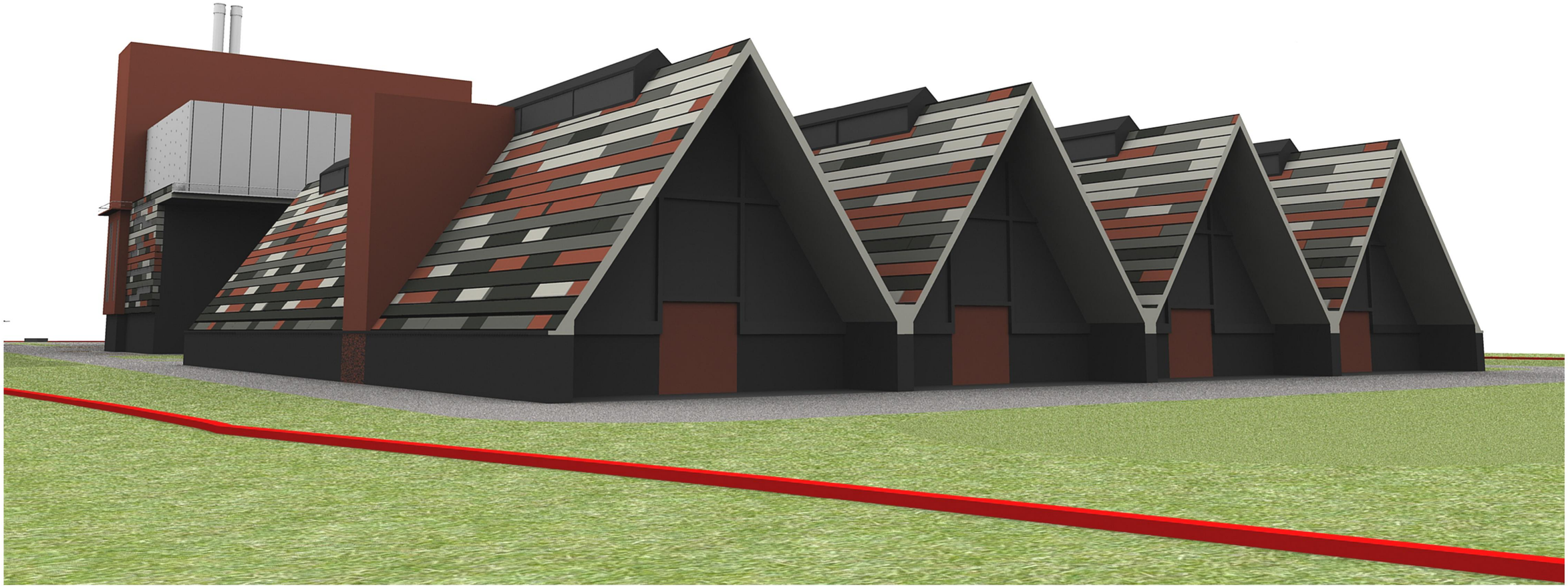

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FIGURE 4.33

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Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

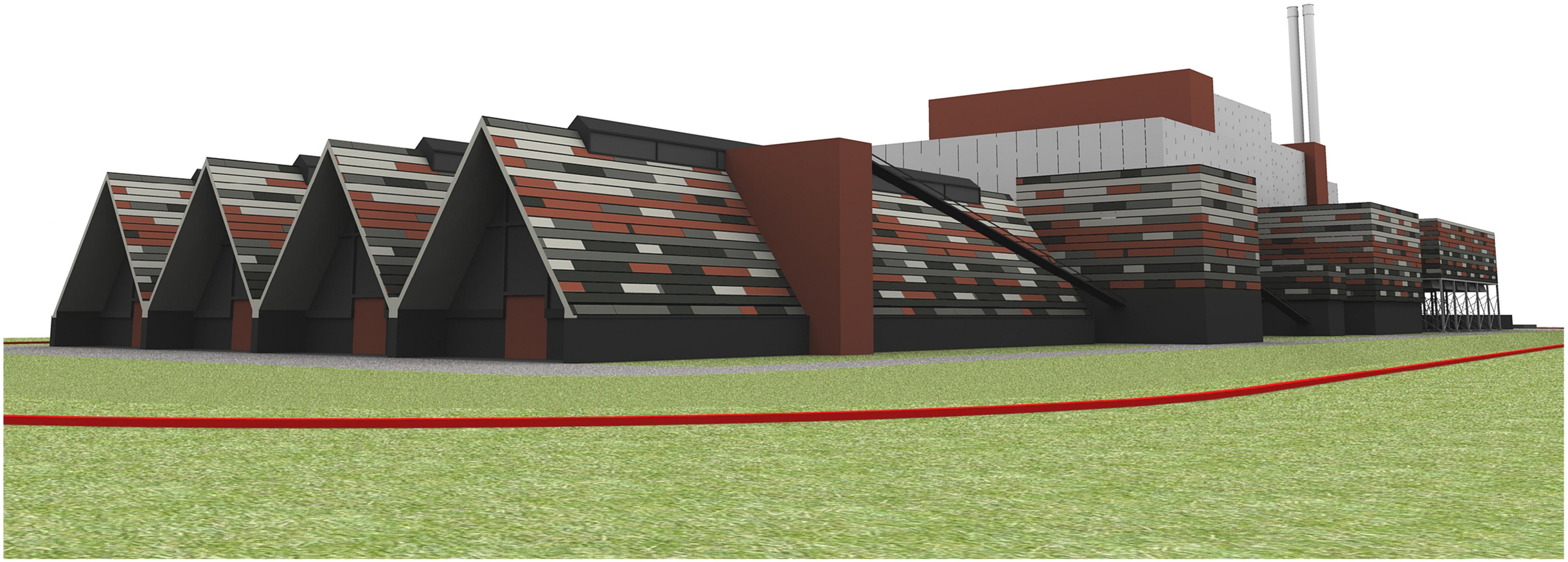

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FIGURE 4.34

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T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
E rpsnewark@rpsgroup.com
W www.rpsgroup.com

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ

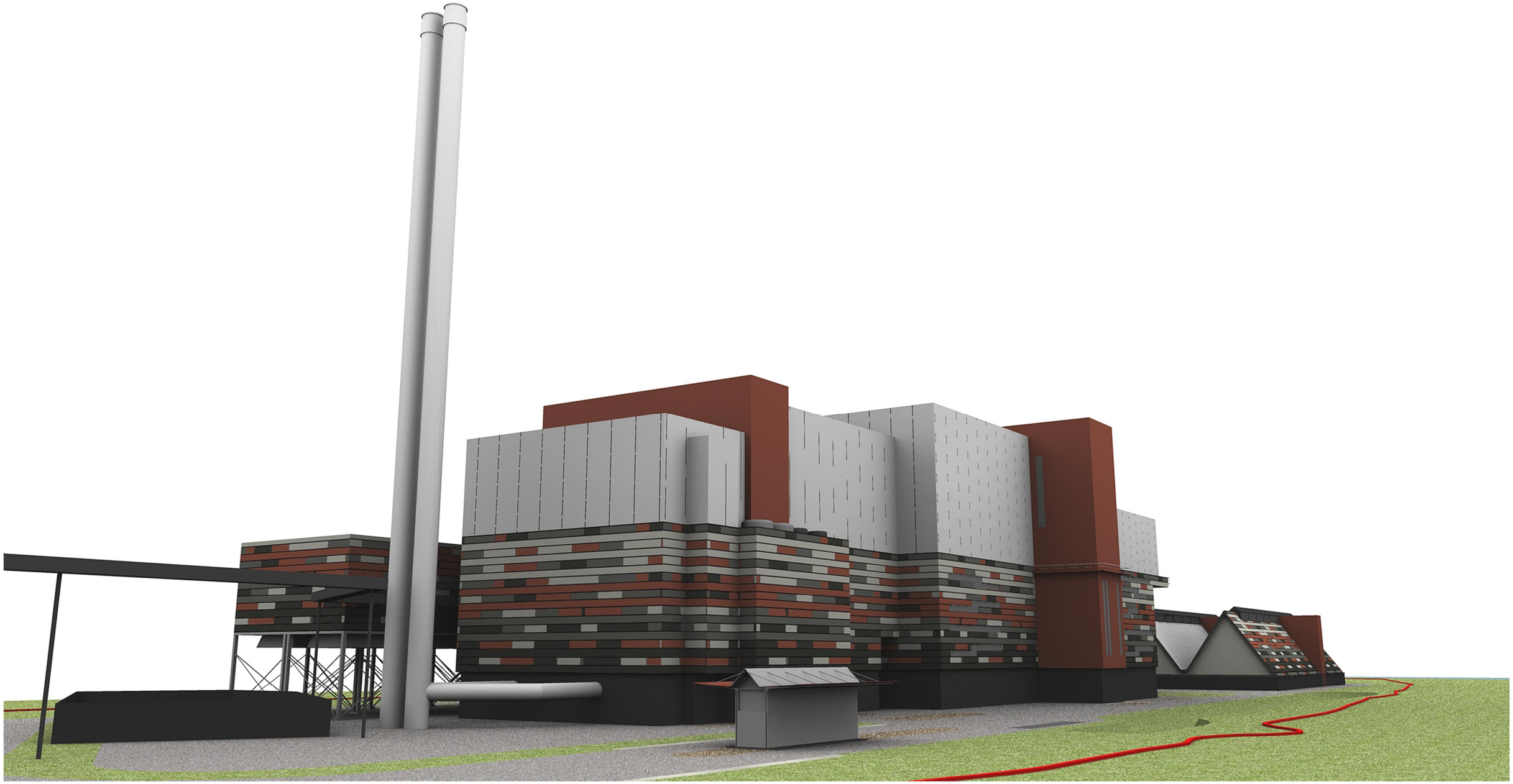

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FIGURE 4.35

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F +44 (0) 1636 610 696
E rpsnewark@rpsgroup.com
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Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
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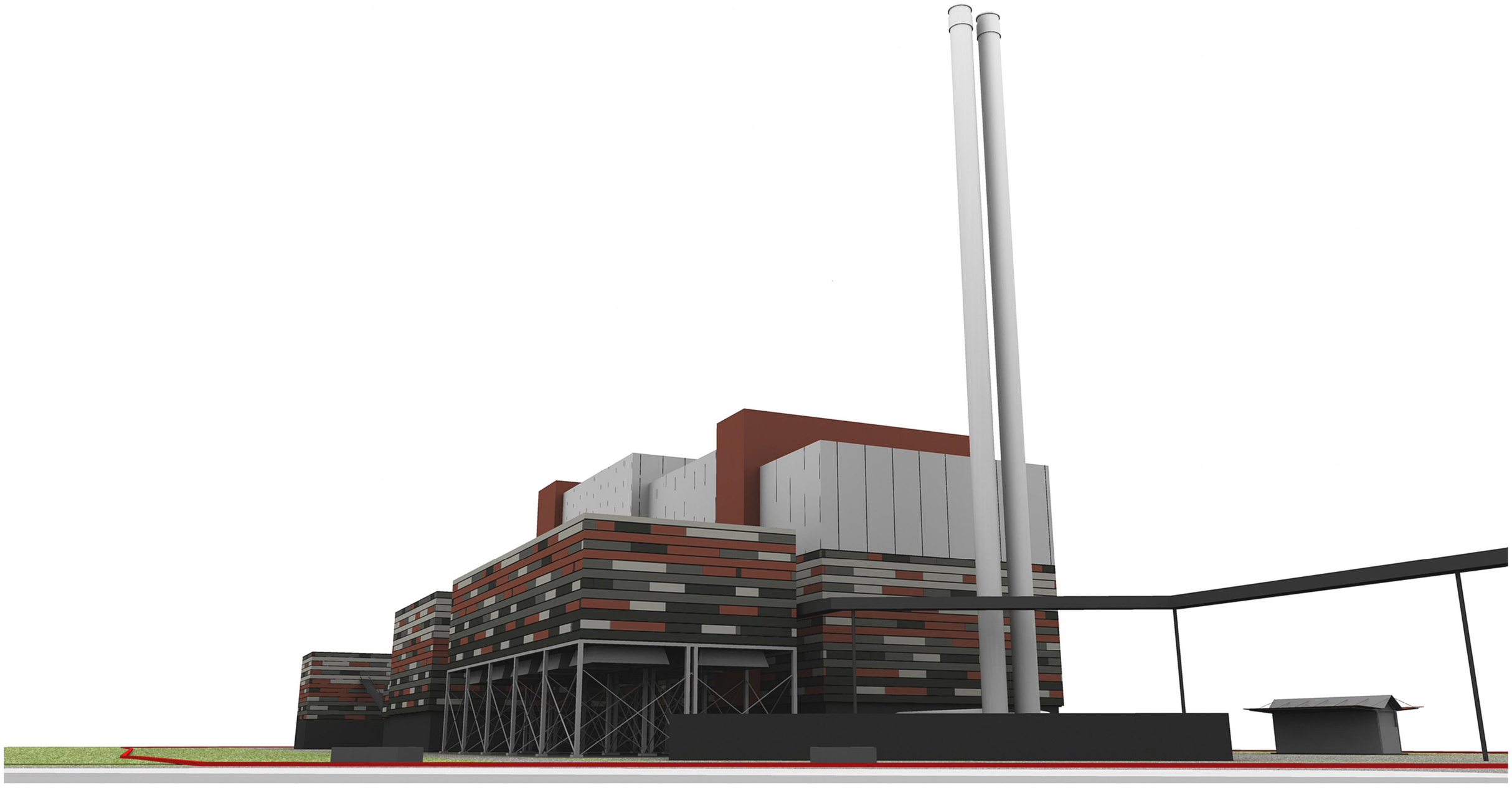

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FIGURE 4.36

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T +44 (0) 1636 605 700
F +44 (0) 1636 610 696
E rpsnewark@rpsgroup.com
W www.rpsgroup.com

Sherwood House
Sherwood Avenue
Newark, Nottinghamshire
NG24 1QQ