



Wheelabrator
TECHNOLOGIES



Deadline 1: Applicant's Response to Additional Submissions

Wheelabrator Kemsley (K3 Generating Station) and Wheelabrator Kemsley North (WKN) Waste to Energy facility Development Consent Order

PINS Ref: EN010083

Document 9.3
March 2020 - Deadline 1





Deadline 1 – Response to Additional Submissions

Applicant: **EFW/WTI Holdings Ltd
(Wheelabrator Technologies Inc)**

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

Date: **March 2020**

Reference: **EN010083 – Document 9.3**

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement has been prepared at Deadline 1 of the Examination by the Planning Inspectorate into an application by WTI/EFW Holdings Ltd (a subsidiary of Wheelabrator Technologies Inc – “WTI”) under the Planning Act 2008 for a Development Consent Order (a “DCO”) for the construction and operation of the Wheelabrator Kemsley (“K3”) and Wheelabrator Kemsley North (“WKN”) waste-to-energy generating stations on land at Kemsley, Sittingbourne in Kent.
- 1.1.2 This Statement provides the comments by the applicant on additional submissions received by the Planning Inspectorate since the acceptance of the application and before the Preliminary Meeting on the 19th February 2020.
- 1.1.3 For ease and completeness this document briefly summarises the proposed development and identifies the application site before providing the applicant’s comments on the additional submissions. The additional submissions are not replicated within this document but can be viewed on the project page of the Planning Inspectorate’s website:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/wheelabrator-kemsley-generating-station-k3-and-wheelabrator-kemsley-north-wkn-waste-to-energy-facility/?ipcsection=docs>

2 The Proposed K3 and WKN Facilities

- 2.1.1 WTI has made an application to the SoS for a DCO for the construction and operation of the Wheelabrator Kemsley Generating Station ('K3') and for the construction and operation of a new waste-to-energy facility on adjacent land called Wheelabrator Kemsley North ('WKN').
- 2.1.2 Planning permission was granted under the Town and Country Planning Act 1990 by Kent County Council in 2012 for a sustainable waste-to-energy facility (K3). Construction of the plant began in July 2016 and is expected to be completed with the plant operational in Q2 2020. As consented K3 will have two 102 megawatt thermal (MWth) lines, be capable of processing 550,000 tonnes of waste per annum and have a generating output of up to 49.9 megawatts (MW).
- 2.1.3 This application seeks a DCO which, in practical terms, would permit K3 as constructed to generate an additional 25.1MW and to process an additional 107,000 tonnes of waste per annum ("the K3 Proposed Development"). In order to properly categorise and consent those increases under the Planning Act 2008 consent is being sought for the construction and operation of K3 with a generating capacity of up to 75MW and an annual tonnage throughput of 657,000 tonnes.
- 2.1.4 Development Consent is also being sought for the proposed new WKN waste-to-energy facility, which would be a single 125MWth line facility capable of processing 390,000 tonnes of waste per annum, with a generating capacity of 42MW ("the WKN Proposed Development").
- 2.1.5 Consent for the K3 and WKN Proposed Developments is being sought via a single DCO through a single application to the SoS via PINS.

2.2 The Site(s)

Wheelabrator Kemsley (K3) Site

- 2.2.1 The site is located on land immediately to the east of the Kemsley Paper Mill, located 0.8km east of Kemsley, a residential suburb in the north of Sittingbourne in Kent (hereafter the 'K3 Site'). It lies adjacent to the Swale Estuary to its east, with the Isle of Sheppey beyond and within the administrative areas of Kent County Council (KCC) and Swale Borough Council (SBC). To the south of the K3 Site lies a capped former landfill site which lies adjacent to the confluence between Milton Creek and the Swale Estuary. To the north lies an area of reedbed known as Kemsley Marshes. Access to the K3 Site is obtained from Barge Way to the north via an existing access road forming the eastern boundary of the Kemsley Paper Mill and shared with the mill operator DS Smith Ltd. The K3 Site lies in proximity to the A249 which links to both the M2 and M20 motorways to the south and with the Isle of Sheppey to the north.

Wheelabrator Kemsley North (WKN) Site

- 2.2.2 The site is located on land immediately north of the permitted K3 facility (hereafter the "WKN Site"). The WKN Site is currently being used by the Applicant

as a laydown and parking area for the construction of the adjacent K3 facility. It has been cleared of vegetation and laid to concrete or hardcore with a perimeter fence.

2.2.3 To the east of the WKN Site lies the Swale Estuary with the Isle of Sheppey beyond. Immediately to the north lie the Kemsley Marshes beyond which lies the Kemsley Paper Mill anaerobic digester treatment works (under construction) and to the north east a jetty operated by Knauf for the import of gypsum by barge.

2.2.4 The location of the K3 and WKN sites is shown in Figure 1.



Figure 1: Location of the K3 (green) and WKN (yellow) sites

3 Comments on Additional Submissions

3.1 The Additional Submissions Received

3.1.1 The following Additional Submissions are recorded as having been received by the Planning Inspectorate:

- (1) Fire and Rescue Service – 30th January 2020
- (2) Natural England – 7th February 2020
- (3) Marine Management Organisation – 14th February 2020

3.1.2 The Examining Authority exercised their discretion on the 15th January 2020 to accept a letter dated 4th December 2019 from Kent County Council as an additional submission. However the applicant understands from Kent County Council that the letter in question was intended to be their Relevant Representation and have therefore treated that letter as a Relevant Representation and have responded to that within Document 9.2 – Response to Relevant Representations.

3.2 Fire and Rescue Service – 30th January 2020

3.2.1 The Applicant notes the comments from the Fire and Rescue Service;

3.2.2 The ExA will note that Work No1(k) and Work No2(k) establishes parameters for fire water tanks within the K3 and WKN facilities. The provision of more detailed fire strategy plans etc. would be undertaken during operational discussions on K3 and the detailed design of the WKN facility.

3.3 Natural England – 7th February 2020

3.3.1 The Applicant notes and agrees with the statement by Natural England that the two parties continue to engage constructively regarding a Statement of Common Ground.

3.4 Marine Management Organisation – 14th February 2020

3.4.1 For the avoidance of doubt the Applicant has checked their records relating to the notification of parties under Section 56 of the Planning Act 2008 regarding the acceptance of the application. A letter was sent to the Marine Management Organisation's Lancaster House office in Newcastle Upon Tyne on the 30th October 2019 which is recorded as having been delivered on the 31st October 2019.

3.4.2 The Applicant confirms that a variation to Marine Licence MLA/2017/00316/1, to allow for the construction of a second drainage water outfall, was issued on the 10th May 2019. The Applicant is corresponding with the MMO to understand why they would consider a SoCG to be necessary in that respect and will update the ExA accordingly as the examination progresses.