

Date: 18 March 2020
Our ref: 310579
Your ref: EN010083



Wheelabrator Kemsley Case Team
Planning Inspectorate

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BY EMAIL ONLY

Dear Case Team

NSIP Reference Name / Code: EN010083 Wheelabrator Kemsley Generating Station (K3) and Wheelabrator Kemsley North (WKN) Waste to Energy Facility
Location: Kemsley, Sittingbourne, Kent

Deadline 2 Submission – Answers to the Examining Authority’s First Written Questions

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Q1.5.8 Please see above question (For the Eurasian reed warbler and reed bunting features of Swale SPA the PC for nutrient nitrogen deposition was greater than 1% of the minimum CL and the relevant minimum CL was already exceeded. The minimum relevant CL listed on the APIS website for such habitat incorporates other wetland habitats more susceptible to change than reedbeds (of which this habitat is comprised), which are considered to have low susceptibility, therefore the upper end of the CL range is more appropriate for this habitat. On this basis the PC is less than 1% of the CL and so concluded not to be significant), and indicate if you consider this approach to be appropriate and if not, why not?

Natural England agrees with the approach taken by the applicant. The upper end of the Critical Load range is appropriate for reedbeds, as they are less susceptible to nutrient enrichment than the other fen wetland habitats in the grouping used within APIS.

Q1.8.22 Please confirm whether you agree that the correct sites and features were considered in the HRA and state whether you agree with the conclusions set out in the HRAR and if not, why not.

Natural England agrees the correct sites and features are set out in the HRA. We have had discussions with the Applicant since the HRAR was submitted, particularly in relation to the air quality assessment. Consequently, as set out in the Statement of Common Ground (SoCG) with Natural England [REP1-004], the Applicant will add their analysis of the in combination effects with the Swale Local Plan to their HRA. Natural England also understands that further amendments may be made to the HRAR in the light of the Examining Authority’s first written questions.

Therefore, whilst our view is that, in principle, the impacts arising from the proposal have been addressed and that is not likely that any further mitigation measures are necessary to avoid adverse impacts on the integrity of nearby European sites, we would like to comment on the conclusions of the HRAR once the updated document has been submitted to the Examination.

Yours sincerely

Alison Giacomelli
Sussex and Kent Area Team