



Mr E Williams  
Major Applications and Plans  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Our ref: Document 12.1 – Deadline 4  
Covering Letter

Your Reference: EN010083  
20<sup>th</sup> May 2020

Dear Mr Williams,

## THE PLANNING ACT 2008

### WTI/EFW HOLDINGS LTD. - EN010083: APPLICATION FOR THE WHEELABRATOR KEMSLEY GENERATING STATION (K3) AND WHEELABRATOR KEMSLEY NORTH (WKN) WASTE-TO-ENERGY FACILITY ORDER

#### DEADLINE 4 SUBMISSIONS – 20<sup>th</sup> May 2020

#### DOCUMENT 12.1 - COVERING LETTER

I write to provide submissions made on behalf of WTI/EFW Holdings Ltd, the Applicant, at Deadline 4 of the Examination into the application which seeks a Development Consent Order for the construction and operation of the Wheelabrator Kemsley (K3) Generating Station and the Wheelabrator Kemsley North (WKN) waste-to-energy facility on land to the north-east of Kemsley, Sittingbourne, in Kent.

This letter summarises the submissions made by the Applicant at Deadline 4 and provides a further update to that provided at Deadline 3 on the status of the Statements of Common Ground being prepared.

The submissions made at Deadline 4 comprise the following (using the Applicant's referencing system, as recorded in the Application Guide):

- Document 12.1 – this Covering letter
- Document 12.2 – The Applicant's Response to the Examining Authority's Second Written Questions (ExQ2);
- Document 12.3 – The Applicant's Responses to Deadline 3 Submissions.

A revised draft DCO (Document 2.1) is provided together with an accompanying table of changes to the dDCO since the submission of the application. A tracked and clean version of the dDCO are provided, with the clean version also provided in word format. In response to the questions within ExQ2 a revised Habitat Regulations Assessment

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(Document 3.1 – Appendix 11.2) and revised draft CEMP (Document 3.1 – Appendix 2.1) also form part of the submission.

An updated version of the Application Guide (Document 1.2) has also been provided.

### **Statements of Common Ground**

The Applicant continues to recognise the benefit to the ExA of submitting Statements of Common Ground and work has continued to agree those with the parties identified within the Rule 6 letter. The position at Deadline 4 of the respective SoCG's between the Applicant and other parties is as follows:

- **8.1 - Swale Borough Council** – the applicant and Swale BC have been liaising and a SoCG is being discussed which reflects the position taken by the Borough Council in their letter to the ExA in May 2020 which has been provided to the Applicant by the Borough Council. The Applicant will move forward with those discussions as quickly as possible and will provide an update in due course as to the timing of that SoCG following discussions with the Borough Council and reflecting the procedural decision to be taken as to the programme of the examination moving forward.
- **8.2 - The Environment Agency** – the Applicant has continued to liaise with the EA regarding the SoCG; the current version remains the draft submitted at Deadline 1 but the two parties will review the position again once the revised examination programme has been determined.
- **8.3 - Natural England** – the Applicant has continued to liaise with NE who have helpfully provided an early sight of their Deadline 3 submissions. As with the EA the intention is to review the draft SoCG submitted at Deadline 1 in the light of the revised examination programme.
- **8.4 - Kent County Council** – KCC have provided comments on the draft SoCG and the Applicant has responded to those. Once KCC have had the opportunity to review those further comments the two parties are intending to discuss how to progress the SoCG to a form where it can be submitted either signed or in draft to the ExA.
- **8.5 - Highways England** – the Applicant and Highways England have been exchanging comments on a position note prepared by the Applicant. A revised version of that note is being provided to Highways England alongside the Applicant's submissions to the ExA at Deadline 4 and it is anticipated that it will form the basis of further discussions between the Applicant and HE and then the basis for the SoCG.



The Applicant acknowledges the request by the ExA to provide a Statement of Commonality and will submit that as appropriate as the various SoCG's advance.

Please do not hesitate to contact me should you have any queries regarding the Applicant's submissions at Deadline 4.

Yours sincerely,



David Harvey  
Director