



## Meeting note

### File reference

<b>Status</b>	<b>Final</b>
<b>Author</b>	Kath Dunne
<b>Date</b>	15 July 2016
<b>Meeting with</b>	Wheelabrator Technologies inc
<b>Venue</b>	Temple Quay House, Bristol

<b>Attendees</b>	Kath Dunne – Infrastructure Planning Lead (PINS) Mark Wilson - Infrastructure Planning Lead (PINS) David Price – EIA and Land Rights Manager (PINS)
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Paul Green  
Chris Ratcliffe  
Chris Lecointe  
Andrew Stevenson  
Claire Brook  
Kate Ashworth  
David Spencer

<b>Meeting objectives</b>	Meeting with Wheelabrator Technologies inc (the Developer) to discuss the proposed Kemsley Paper Mill Energy from Waste Project.
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<b>Circulation</b>	All attendees
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The Planning Inspectorate (PINS) explained its statutory duty, under section 51 of the Planning Act 2008 as amended (PA 2008), to record the advice that is given in relation to an application or a potential application and to make this publicly available. All parties were informed that any advice given by PINS does not constitute legal advice upon which applicants (or others) can rely.

The Developer explained that they have an extant planning permission for the proposal and they intend to build out this consent, with a limiter on the turbine, to ensure it does not generate over 50MW of electricity. The Developer will submit an application for a Development Consent Order (DCO) to 'operate' the facility over 50MW (the application will not seek permission for construction of the facility). Construction of the plant under



## The Planning Inspectorate

the Town and Country Planning Act (TCPA) planning permission will commence prior to submission of the DCO application.

The Developer is intending to submit a further non-material amendment application to the local planning authority prior to submitting the DCO application. The Planning Inspectorate advised that all amendments should be made prior to submission of the DCO, to avoid confusion over what is being applied for through TCPA and the DCO.

The Developer explained that they intend to make the proposed development an EIA development by submitting a notification in accordance with EIA Regulation 6(1)(b). The Developer presented the likely approach to the assessment focussing on the slightly more novel aspects of the project including the baseline scenario which is heavily influenced by the development of the site in accordance with their extant TCPA permission. PINS explored this in more detail and asked questions to develop an understanding of the likely approach. PINS explained that the relationship between the powers requested by the DCO and the assessment undertaken is of paramount importance.

The likely approach to EIA scoping was discussed and in particular the understanding of the baseline position given that the TCPA permission will have been enacted and construction will be mostly complete. The Developer explained the current status of the Incinerator Bottom Ash (IBA) facility and the application being progressed separately through the TCPA process. The energy from waste facility and the IBA will have different operators, the Developer does not propose to include the IBA within the DCO application.

The approach to the likely underground electric line connection to the plant was discussed and the possibility that this may be applied for in the DCO application. PINS advised that this aspect of development would (if included in the DCO) need to be scoped having regard to impacts at construction, operation and decommissioning stage. If the connection were to be pursued through other consenting methods this would likely need consideration as part of the assessment of cumulative impact. PINS informed the Developer that its responsibility to provide s.51 advice when requested provides a useful approach to discuss issues prior to submission of a formal scoping request.

The likely timescales for submission of the scoping report were discussed and the Developer explained that they are currently targeting a submission in September 2016.

### **Actions:**



## The Planning Inspectorate

The Developer will provide the project information required to enable the Planning Inspectorate to set up a project page on the National Infrastructure Planning website.