



# The Kemsley Mill K4 Combined Heat and Power Generating Station Development Consent Order

PINS Ref: EN010090



## Consultation Report

Document 5.1

Author: DHA Planning

Planning Act 2008 S37(3)(c)



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# 1 Executive Summary

## 1.1 The Project Context

1.1.1 DS Smith Paper Ltd is applying for a Development Consent Order to allow for the construction and operation of a replacement Combined Heat and Power (CHP) Plant at the Kemsley Paper Mill to the north of Sittingbourne in Kent.

1.1.2 The proposed plant, called 'K4', would have a nominal power output of 68-73 megawatts and would supply electricity and steam to the Kemsley paper mill, with any excess being exported to the grid. K4 would be built within the south-eastern corner of the main mill site, which is located to the east of Kemsley and to the north of Sittingbourne. It will comprise a complex of buildings together with ancillary structures and plant. There will be two stacks, one 70m in height and one 35 metres in height.

## 1.2 Summary of the Approach to Consultation

1.2.1 Under Sections 42, 47 and 48 of the Planning Act 2008 an applicant is required to publicise an application for a Development Consent Order and to consult the local community, specifically prescribed bodies and local authorities.

1.2.2 S47 consultation took place in late 2017, followed by S42 consultation and S48 publicity concurrently during January and February 2018. A second round of S42 consultation, to include four S.44 parties, took place in March 2018. Prior to the formal consultation exercise some informal non-statutory consultation had taken place with Swale Borough Council and selected statutory bodies in order to inform the preparation of the SoCC and the technical assessments within the Environmental Statement.

1.2.3 Table 1.1 provides a summary timeline of the key stages and outcomes within the overall consultation process:

Date	Action	Requirement
15 <sup>th</sup> June 2017	Introductory meeting with PINS	-
17 <sup>th</sup> August 2017	Submission of Scoping Report to SoS	EIA
14 <sup>th</sup> September 2017	Initial briefing meeting with SBC	-
28 <sup>th</sup> September 2017	Receipt of Scoping Opinion from SoS	EIA
Ongoing	Informal consultation with selected statutory bodies to inform ES assessments	-
5 <sup>th</sup> October 2017	SoCC formally submitted to KCC and SBC	S47
30 <sup>th</sup> October 2017	Swale response on SoCC	S47
1 <sup>st</sup> November 2017	Notice in Sittingbourne News Extra and Sheerness Times Guardian to publicise public exhibitions	S47
1 <sup>st</sup> November 2017	News article in Sittingbourne News Extra regarding exhibitions	-
2 <sup>nd</sup> November 2017	Deadline for SoCC consultation responses	S47
2 <sup>nd</sup> November 2017	KCC response on SoCC	S47



3 <sup>rd</sup> November 2017	Letter/leaflet sent to all businesses/other premises within Zone of Influence	S47
3 <sup>rd</sup> November 2017	SoCC/PEI uploaded to project website and deposited in stated locations	S47
3 <sup>rd</sup> November 2017	Posters advertising exhibitions placed in key locations	S47
3 <sup>rd</sup> November 2017	SoCC/project leaflet sent to all A, B, C and D local authorities	S47
3 <sup>rd</sup> November 2017	SoCC/Leaflets sent to local politicians and Parish Councils	S47
3 <sup>rd</sup> November 2017	SoCC/leaflets sent to local interest groups and forums	S47
3 <sup>rd</sup> /4 <sup>th</sup> November 2017	Leaflet drop to all homes within Zone of Influence	S47
8 <sup>th</sup> November 2017	Notice in Sittingbourne News Extra and Sheerness Times Guardian to publicise public exhibitions and SoCC	S47
9 <sup>th</sup> November 2017	First public exhibition (12:30pm to 5:30pm)	S47
11 <sup>th</sup> November 2017	Second public exhibition (9:30am to 2pm)	S47
13 <sup>th</sup> November 2017	PEI, exhibition boards and questionnaire made available on project website	S47
15 <sup>th</sup> November 2017	Notice in Sittingbourne News Extra and Sheerness Times Guardian to publicise SoCC	S47
6 <sup>th</sup> December 2017	Review meeting with PINS	-
17 <sup>th</sup> December 2017 (5pm)	Deadline for public consultation responses	S47
24 <sup>th</sup> January 2018	S48 Notice published in Sittingbourne News Extra and Sheerness Times Guardian	S48
24 <sup>th</sup> January 2018	S42 consultation pack sent to prescribed bodies, statutory undertakers and local authorities	S42
25 <sup>th</sup> January 2018	S42 consultation pack sent to PINS under S46	S46
26 <sup>th</sup> January 2018	PINS confirmed receipt of S46 notification	S46
30 <sup>th</sup> January 2018	S48 Notice published in London Gazette (electronically)	S48
30 <sup>th</sup> January 2018	S48 Notice published in Telegraph	S48
31 <sup>st</sup> January 2018	S48 Notice published in London Gazette (paper copy)	S48
31 <sup>st</sup> January 2018	S48 Notice published in Sittingbourne News Extra and Sheerness Times Guardian	S48
19 <sup>th</sup> February 2018	Review meeting with KCC and SBC	-
20 <sup>th</sup> February 2018	Reminder letter sent to S42 consultees	S42
2 <sup>nd</sup> March 2018	Deadline for S42 and S48 responses	S42/S48
5 <sup>th</sup> March 2018	S42 consultation pack sent to S.44 parties	S42
3 <sup>rd</sup> April 2018	Deadline for S42 responses from S44 parties	S42

Table 2.1 – Timeline of Consultation

1.2.4 A number of comments were received from statutory consultees, statutory undertakers and local authorities at the S42 stage, generally in respect of the approach being taken to the assessment of environmental topics within the Environmental Statement. A number of changes were made to the Environmental Statement following the S42 consultation, particularly in respect of the nearby scheduled monument, the highways assessment, the impact of noise on ecology and archaeology. An archaeology requirement was added to the DCO as a result of the S42 consultation. None of the comments made required any change to be made to the proposed development scheme itself.

- 1.2.5 The levels of local community involvement were low, despite the efforts made by the applicant to widely publicise the public exhibitions held and the other methods by which comments could be made. The comments made by the local community have been addressed comprehensively within the various topic chapters of the Environmental Statement.
- 1.2.6 S48 publicity ran concurrently with S42 consultation. However all of the responses received by the 2<sup>nd</sup> March 2018 S42/S48 deadline were from consultees or parties who had been contacted as part of the S42 consultation. No responses have therefore been received directly as a result of the S48 publicity.
- 1.2.7 DS Smith has satisfied the relevant legislation relating to pre-application consultation, and has endeavoured to engage with statutory consultees, local authorities, interested parties and the local community regarding their proposals. The low level of community involvement in particular is likely to reflect the fact that the proposed K4 plant represents a relatively minor installation within the established Kemsley Paper mill and is in itself environmentally benign.
- 1.2.8 DS Smith thank all those parties who have engaged in their pre-application consultation.

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## 4 Glossary of Terms

- **CHP** – Combined Heat and Power
- **KCC** – Kent County Council
- **LIR** – Local Impact Report
- **NSIP** – Nationally Significant Infrastructure Project
- **PINS** – Planning Inspectorate
- **S42** – Duty to Consult under the Planning Act 2008
- **S46** – Duty to Notify PINS under the Planning Act 2008
- **S47** – Duty to consult local community under the Planning Act 2008
- **S48** – Duty to publicise under the Planning Act 2008
- **SBC** – Swale Borough Council
- **SoCC** – Statement of Community Consultation
- **'The Act'** – The Planning Act 2008, as amended by the Localism Act 2011



## 5 Introduction

- 5.1.1 This report has been produced in support of an application for a Development Consent Order by DS Smith Paper Ltd to allow for the construction and operation of a Combined Heat and Power (CHP) Plant at the Kemsley Paper Mill to the north of Sittingbourne in Kent.
- 5.1.2 It comprises the Consultation Report required to be submitted by Section 37(3)(c) of the Planning Act 2008 for all applications for a Development Consent Order.

### 5.2 Signposting

- 5.2.1 An Executive Summary is provided at Chapter 1 and provides a quick reference guide detailing, in chronological order, the actions taken to consult prior to the submission of the application.
- 5.2.2 Chapter 7 contains a summary table addressing legislative compliance and Chapter 8 discusses compliance with relevant guidance.
- 5.2.3 The main body of the report deals with the following distinct areas of consultation and publicity in turn;
- (1) Non-Statutory Informal consultation – Chapter 9;
  - (2) S.42 Consultation with prescribed bodies and local authorities – Chapter 10;
  - (3) S.47 Consultation with the local community – Chapter 12;
  - (4) S.48 Publicity – Chapter 13.

### 5.3 Quick Reference Guide

- 5.3.1 This report has been produced using the guidance provided in 'Planning Act: Guidance on the Pre-Application Process (March 2015). In particular the following sections are provided:
- **Explanatory text** setting the scene to the project and consultation work, and a **Quick Reference Guide**, summarising all consultation activity in chronological order, is set out within Chapter 1;
  - A **Full List of Prescribed Consultees** is set out within **Appendix 1**;
  - A description covering the **application of S.43 of the Act** is provided at Section 10.3 and includes maps identifying the authorities in question;
  - A summary of the **methodology behind the SoCC** is provided at Section 12.1 and 12.2;

- **Appendix 6** and Section 12.4 provide evidence that local authorities were consulted about the proposed SoCC and were provided with 28 days to make comments;
- The **Local Authority's comments on the proposed SoCC** are provided at **Appendix 6**;
- Section 12.5 and Appendix 10 document the **publication of the SoCC**;
- Section 12.6 assesses **compliance with the SoCC** and appraises where steps were not taken and where additional work was completed;
- **Appendix 14** and Chapter 15 address the **S.48 statutory publicity** and provide a copy of the notice, together with describing the consultation material used and how this could be accessed by prescribed consultees;
- **Non-statutory consultation work** is described in Chapter 9.
- Sections 14.4 to 14.9 provides a **summary of responses** arising from the S.47 consultation.
- Responses arising from S.42 consultation and S48 publicity are discussed in Chapter 14 and 15 and summarised in Chapter 16.

## 6 Project Context

- 6.1.1 A full description of the proposal site and proposed development, including the CHP process, is provided within Chapter 2 of the Environmental Statement [Document 3.1], which assesses the likely significant environmental effects of the proposed development. The Non-Technical Summary [Document 3.2] provides a more concise overview of the project and its likely significant environmental effects.
- 6.1.2 A Design and Access Statement [Document 5.3] forms part of the DCO application and discusses the site context and proposed development in more detail. A Planning Statement [Document 5.2] has also been submitted and assesses the proposed development against the relevant planning policy context.

### 6.2 DS Smith Paper Ltd

- 6.2.1 DS Smith Paper Ltd (DS Smith) is a leading European manufacturer of recycled corrugated case materials and speciality papers. The company operate nine paper mills across Europe, with Kemsley their only mill within the UK.

### 6.3 The Kemsley Paper Mill

- 6.3.1 The Kemsley mill was built in 1924 to produce newsprint and by 1970 had diversified to produce corrugated case materials. The entire site is owned by DS Smith, who have invested heavily in modernising the facility, which now employs around 400 people and has an annual production capacity of up to 800,000 tonnes.





Figure 6.1 – The Kemsley Paper Mill

## 6.4 Existing Energy Supply

6.4.1 The paper production process is energy intensive and requires a substantial amount of electricity and steam. The energy and steam requirements of the Kemsley mill are provided by a range of sources, operated by either DS Smith or partner companies. The current power sources are:

- **K1** – a gas turbine CHP plant located within the mill site which provides electricity and steam to the mill;
- **K2** – a steam generator located within the mill site which uses waste plastic and sludge as a source to provide steam to the mill;
- **K3** – an energy from waste plant operated by Wheelabrator to the east of the main mill complex which from 2019 will provide steam to the mill.

6.4.2 K3 is currently being constructed, with the original design having a capacity of less than 50MW. A separate DCO application is being prepared, the 'Wheelabrator Kemsley Generating Station (K3) – Power Upgrade', to increase the capacity of the K3 plant to 75MW. That is an entirely separate proposal from the K4 scheme which forms the subject of the DCO application which this Consultation Report accompanies.

## 6.5 K4 – The Proposed Combined Heat and Power Plant

6.5.1 The electricity and steam provided by the existing onsite K1 gas turbine is key to the operation of the mill. However K1 was built in 1995 and does now require significant investment to extend its operational life. In addition K1 was designed to serve the Sittingbourne Paper mill (which no longer exists) as well as the Kemsley mill, so has an inefficient surplus potential capacity.

6.5.2 DS Smith is therefore seeking permission to decommission the existing K1 plant and to build K4, a new gas fired CHP plant with a nominal power output of 68-73 megawatts, to supply electricity and steam to the Kemsley paper mill, with any excess being exported to the National grid.

## 6.6 Project Location, Layout and Design

6.6.1 K4 would be built within the south-eastern corner of the main mill site, which is located to the east of Kemsley and to the north of Sittingbourne. It would comprise a complex of buildings together with ancillary structures and plant. There will be two stacks, one up to 70m high and one up to 35m high.



Figure 6.2 – Indicative DCO boundary

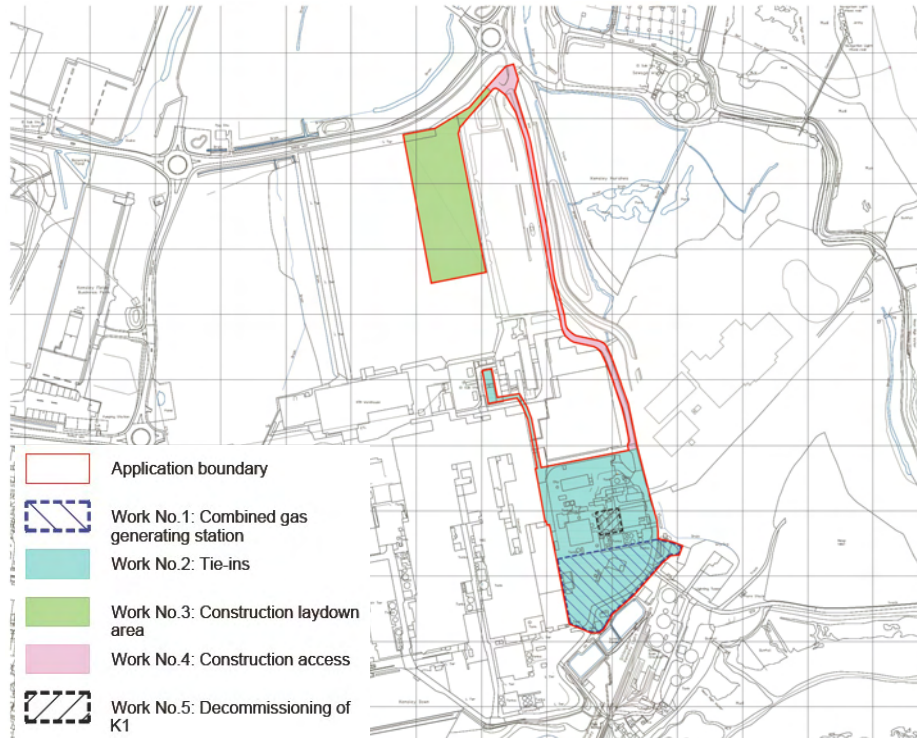


Figure 6.3: Indicative Works Plan

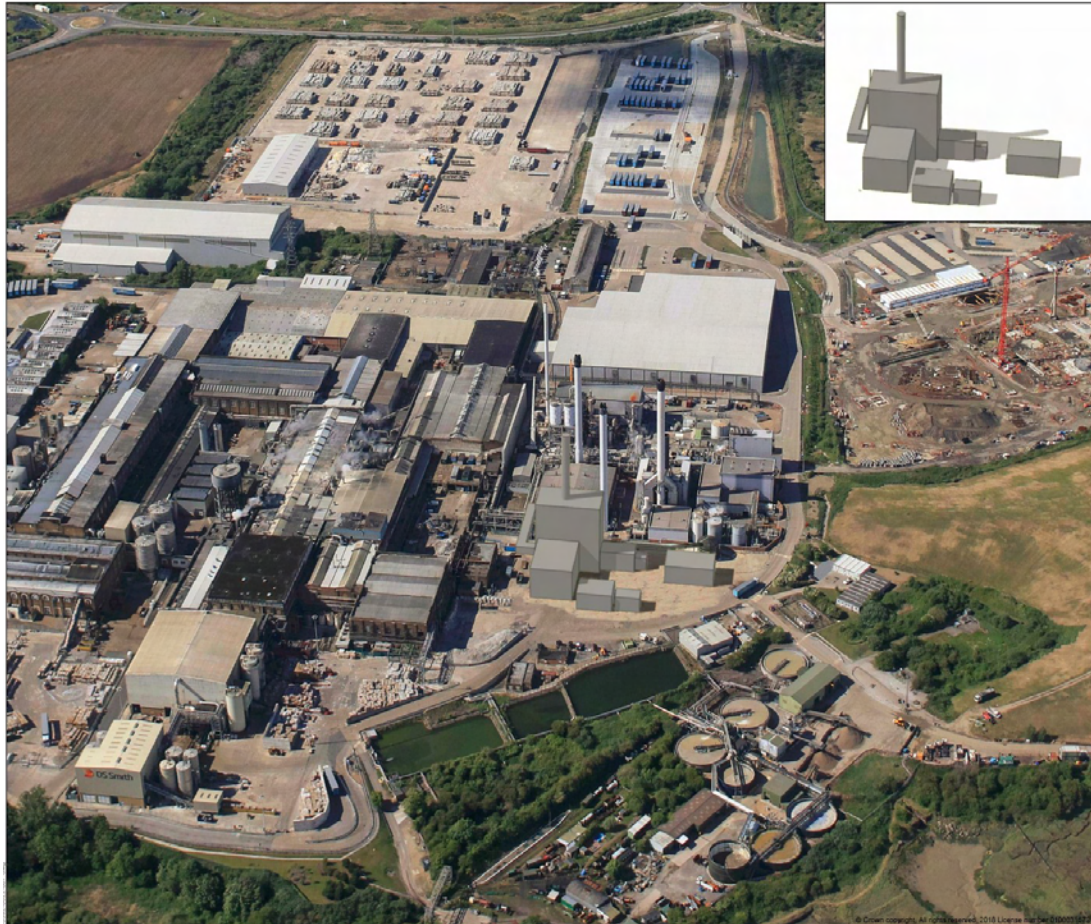


Figure 6.4 – Indicative Proposed Model



## 7 Compliance with Legislation

7.1.1 Table 7.1 summarises compliance with the various aspects of the Planning Act 2008 (as amended by the Localism Act 2011).

Ref	Requirement	Compliance
<b>Planning Act 2008 (as amended)</b>		
<b>S42 – Duty to Consult</b>		
	s42(1)(a) persons prescribed?	As demonstrated by Section 10.8 of this Statement, prescribed persons were consulted under S42
	s42(1)(aa) the Marine Management Organisation?	The Marine Management Organisation were consulted under S42 and are record 20 in the list of S42 consultation bodies in Appendix A. The MMO responded to the S42 consultation as set out in Section 10.8
	s42(1)(b) each local authority within s43?	Section 10.3 of this report identifies the local authorities who were consulted under S42.
	s42(1)(c) the Greater London Authority (if in Greater London area)?	The application site is not within the Greater London Area.
	s42(1)(d) each person in one or more of s44 categories	Following the first S42 consultation four S44 parties were identified. Those parties were consulted under S42 separately, as set out at Section 10.4 of this Statement.
<b>Section 45 – Timetable for consultation under Section 42</b>		
1	The applicant must, when consulting a person under Section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation	The deadline set was the 2 <sup>nd</sup> March 2018 for the first S42 consultation. The deadline for the second S42 consultation with S44 parties was the 3 <sup>rd</sup> April 2018.
2	A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.	The 2 <sup>nd</sup> March 2018 deadline provided in excess of the 28 day period. The 3 <sup>rd</sup> April 2018 deadline provided 29 days.
<b>Section 46 – Duty to notify Secretary of State of proposed application</b>		
1	The applicant must supply the SoS with such information in relation to the proposed application as the applicant would supply to the SoS for the purpose of complying with Section 42 if the applicant were required by that section to consult the SoS about the proposed application.	The S42 consultation pack was sent to the Inspectorate on the 25 <sup>th</sup> January 2018 and PINS confirmed receipt on the 26 <sup>th</sup> January 2018.
2	The applicant must comply with subsection (1) on or before commencing consultation under section 42.	
<b>Section 47 – Duty to consult local community</b>		
1	The applicant must prepare a statement setting out how the applicant proposes to consult, about the	A SoCC has been prepared, see Chapter 12 of this Consultation Report.

	proposed application, people living in the vicinity of the land.	
2	Before preparing the statement the application must consult each local authority that is within section 43(1) about what is to be in the statement.	Kent County Council and Swale Borough Council were both consulted on the SoCC on the 5 <sup>th</sup> October 2017.
3	The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.	The deadline for responses on the SoCC was 2 <sup>nd</sup> November 2017; a 28 period beginning on the 6 <sup>th</sup> October 2017.
4	In subsection (3) "the consultation documents" means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).	The documents supplied were the draft SoCC and the explanatory Consultation Strategy document.
5	In preparing the statement the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).	Section 12.3 of this Consultation Report sets out how regard was had to the responses received.
6	(as amended by Part 134 of the Localism Act 2011) Once the applicant has prepared the statement, the applicant must make it available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land and must publish a notice in the local paper stating where and when the notice can be inspected.	The SoCC was deposited at the Kemsley mill office, Swale Borough Council Offices and Sittingbourne Library. Notices stating the location of the SoCC were published in the Sittingbourne Messenger on the 8 <sup>th</sup> and 15 <sup>th</sup> November 2017.
7	The applicant must carry out consultation in accordance with the proposals set out in the statement.	Section 12.6 of this Report addresses compliance with the agreed SoCC and documents further correspondence with KCC to ensure the strategy taken to public consultation was appropriate.
<b>Section 48 – Duty to publicise</b>		
1	The applicant must publicise the proposed application in the prescribed manner	S48 notices were placed in locally circulating newspapers for two consecutive weeks on 24 <sup>th</sup> and 31 <sup>st</sup> January 2018, in the London Gazette on 31 <sup>st</sup> January 2018 and in the Telegraph on 30 <sup>th</sup> January 2018.
2	Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.	The S48 notice states a deadline of 5pm on the 2 <sup>nd</sup> March 2018 for responses, which is more than 28 days from the date of publication of the last notice.
<b>Section 49 – Duty to take account of responses to consultation and publicity</b>		
2	The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.	Chapters 10 and 14 and Appendix 3 of this Report demonstrate how regard has been taken of the consultation responses received.
3	In subsection (2) "relevant responses" means – a) A response from a person consulted under S42 that is received by the application before the deadline imposed by S45 in that person's case; b) A response to consultation under S47(7)	

	<p>that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47A response; or</p> <p>c) A response to publicity under S48 that is received by the applicant before the deadline imposed in accordance with s48(2) in relation to that publicity.</p>	
<b>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017</b>		
12	<p>The consultation statement prepared under section 47 (duty to consult local community) must set out-</p> <p>a) Whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development;</p> <p>b) If that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.</p>	<p>Section 3.2 of the SoCC states that the DCO application will be accompanied by an Environmental Statement. It then notes that the public consultation will be accompanied by Preliminary Environmental Information and the wider SoCC document sets out how the applicant intends to publicise and consult on that PEI.</p>
13	<p>Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 11(1)(c)</p>	<p>The S48 notice was included in the S42 consultation pack distributed to consultees.</p>

Table 7.1: Compliance with relevant legislation

## 8 Consultation Guidance

- 8.1.1 The applicant has had regard to the DCLG 'Planning Act 2008: Guidance on the pre-application process' ['The Guidance'] when formulating their consultation strategy.
- 8.1.2 Paragraph 15 of the Guidance notes that effective pre-application consultation will lead to applications which are better understood by the public. As demonstrated by some of the responses to the questionnaire completed by the public at the public exhibitions (see Section 14.5- 14.8) there were occasions where the exhibition material was able to clarify areas of confusion. In particular in the case of K4 there was the potential for local confusion with K3, given the similar names and types of development and proximity of the two sites, and the applicant has ensured that clarity is provided regarding the two projects within the consultation material.
- 8.1.3 Paragraph 17 requires developers to be clear about the status of documents. This has been reflected during the consultation process; the leaflet [Appendix L] distributed to the local community makes clear at the outset that it is for the purpose of consulting the public.
- 8.1.4 Paragraph 30 recognises the role played by local authorities as bodies with expert knowledge of their local community, and Paragraphs 34 makes clear the benefit that expertise can bring to the Statement of Community Consultation. The applicant met with Swale Borough Council at an early stage to engage with the Council regarding the intended strategy towards consultation with the local community. Contact was also made with the Community Liaison Officer at KCC to see whether any further groups could be identified who should be contacted [Appendix F]. In particular the direct Zone of Influence defined for the purposes of S47 consultation was discussed with Swale Borough Council at an early stage to ensure it represented an appropriate coverage of the area around the proposal site.
- 8.1.5 In accordance with Paragraph 54 of the Guidance an inclusive approach was taken to engaging with the local community. A range of publicity measures were used; internet, leaflet drops, newspaper articles and adverts to ensure as wide a range as possible of the local community were aware of the proposals. A range of methods of response were also provided; physical questionnaire, online questionnaire, email, letter or phone. The material circulated to the local community was appropriately non-technical in nature, to ensure it remained accessible to all. The SoCC was made widely available, in accordance with Paragraph 57.
- 8.1.6 Paragraph 58 recommends that S48 publicity should coincide with S47 community consultation where possible. In this case, due in particular to the short period between the consultation with local authorities on the SoCC and the public exhibitions, it was not possible to align those processes. S48 publicity was therefore undertaken after the S47 period concluded; in effect allowing any interested parties two opportunities to comment on the proposal.

- 8.1.7 The community consultation on K4 was undertaken at an early stage when the design proposals were still conceptual but when there was sufficient information to provide the community with a good understanding of the scale and likely impacts of the proposed CHP plant. That early consultation then allowed the opportunity for the application to incorporate any comments into the design evolution, although as demonstrated within this Report the outcome of the comments made through the consultation under S42 and S47 were primarily matters for the Environmental Statement and the DCO, rather than requiring changes to the proposed scheme itself.
- 8.1.8 The functional nature and relatively small scale of the proposed development, together with its context within the wider Kemsley Paper mill and low level of environment impacts, mean that in respect of Paragraphs 70 to 73 the level of consultation undertaken is considered to have been appropriate and there was no need in this case for a multi staged process. That approach is borne out by the low levels of response from both statutory consultees and the local community. No changes arose as a result of consultation which have meant that further consultation is necessary.

## 9 Non-Statutory Informal Consultation

### 9.1 Environmental Impact Assessment

9.1.1 As part of the preparation of the technical chapters of the Environmental Impact Assessment, RPS have consulted informally with the following between August 2017 and January 2018. Where relevant the correspondence has been provided as Appendices within the Environmental Statement [Document 3.1], as referenced below:

- Mid Kent Environmental Health department regarding approach to Air Quality assessment within the ES [Document 3.1 – Appendix 5.1];
- Swale Borough Council Environmental Health Department regarding approach to noise assessment;
- Environment Agency regarding data to feed into flood risk assessment work and correspondence regarding approach to flood risk with the Upper Medway Internal Drainage Board;
- KCC Ecology regarding scope of ecology work and requirement for bird surveys in particular [Document 3.1. – Appendix 10.1];
- Kent County Council and Swale Borough Council regarding viewpoint positions for landscape and visual impact assessment work [Document 3.1 – Appendix 11.1].

### 9.2 Local Authority

9.2.1 An initial briefing meeting was held between the project team and the Case Officer at Swale Borough Council on the 14<sup>th</sup> September 2018 to set out the project concept and to present a draft of the Community Consultation Statement and Statement of Community Consultation. The approach being taken by the applicant to consultation with the local community was discussed, with no issues raised by the Council in that respect.

9.2.2 A further review meeting was then held on the 19<sup>th</sup> February 2018 with Officers from Swale Borough Council and Kent County Council. That meeting was timed to take place during the S42 consultation period for the local authorities. No significant issues were raised by either Council in respect of the S42 consultation documents.



## 10 S.42 – The Duty to Consult

10.1.1 Section 42 of the Act establishes a duty to consult:

- (a) Such persons as may be prescribed;
- (b) Each local authority that is within Section 43;
- (c) The Greater London Authority if the land is in Greater London, and
- (d) Each person who is within one or more of the categories set out in Section 44.

10.1.2 In this case the land in question is not within Greater London and Part (c) of Section 42 does not apply.

### 10.2 Section 42 – Part a) Such Persons as may be prescribed

10.2.1 Prescribed persons are identified in Regulation 3 of, and Schedule 1 to, the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

10.2.2 In identifying prescribed persons regard has been had to those bodies consulted by PINS as part of the Scoping Opinion, together with the Annex to PINS Advice Note 3: EIA Consultation and Notification. Where relevant consultees have been included in the S42 list if there is any doubt as to whether they do form a prescribed body.

10.2.3 Appendix 1 provides a list of those prescribed persons consulted under S42.

### 10.3 Section 42 – Part b) Relevant Local Authorities

10.3.1 Figure 10.1 and Table 10.1 identify relevant Local Authorities under S43 of the Act (as amended by S133 of the Localism Act 2011). The Categories for the purposes of Table 10.1 are those set out within The Act, in terms of 'A', 'B', 'C' or 'D' authorities.

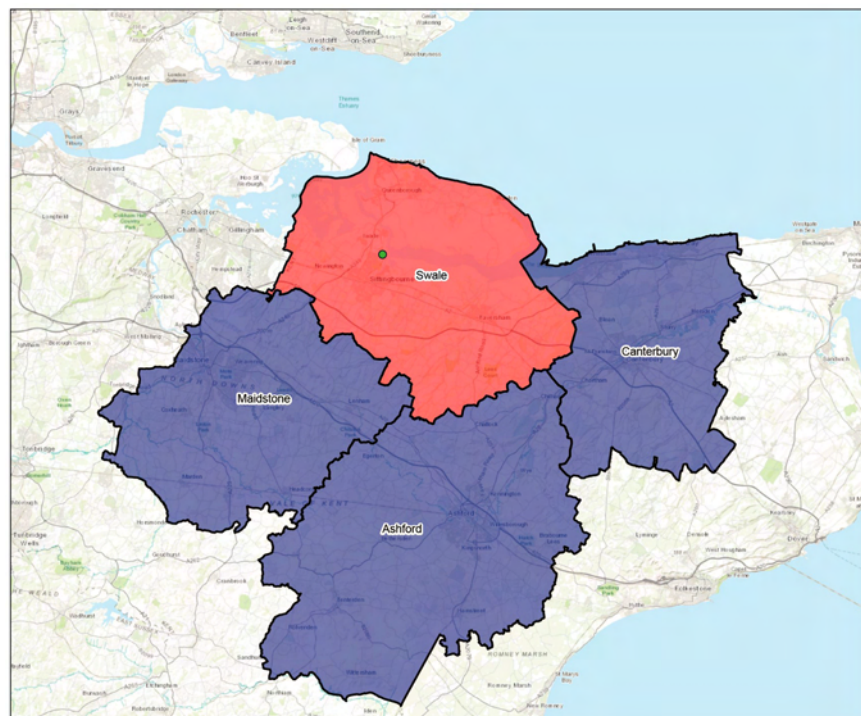
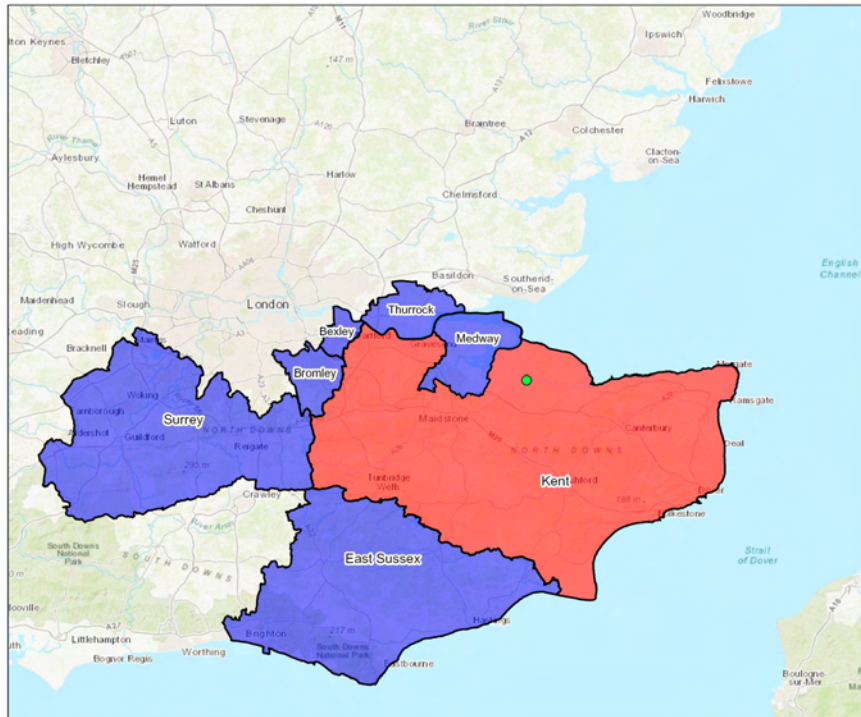


Figure 11.1 – Local Authorities under S43

Category	Authority
A	Canterbury City Council Ashford Borough Council

	Maidstone Borough Council
B	Swale Borough Council
C	Kent County Council
D	Medway Council Thurrock Council London Borough of Bexley London Borough of Bromley Surrey County Council East Sussex County Council

Table 11.1 – Local Authorities under S43

#### 10.4 Section 42 – Part d) Each person within the categories in Section 44

10.4.1 Category (1) covers a person who is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land. Following diligent inquiry the following parties were identified as falling into Category (1) in respect of the land encompassed within the DCO boundary:

Organisation	Address
Fletcher Challenge	Fletcher Challenge c/o Furley Page LLP 39 St Margarets Street Canterbury Kent CT1 2TX
Grovehurst Energy Limited	Mr S Parish, Grovehurst Energy Limited, 350 Euston Road, London, NW1 3AX
South Eastern Power Networks	South Eastern Power Networks PLC, Newington House, 237 Southwark Bridge Road, London, SE1 6NP
SRP New Thames Limited	Mr S Parish, SRP New Thames Limited, 350 Euston Road, London, NW1 3AX

- 10.4.2 Grovehurst Energy Limited and SRP New Thames Limited are subsidiary companies of DS Smith Paper Ltd so have interests in the paper mill site, including land which falls within the DCO boundary.
- 10.4.3 Fletcher Challenge are freeholders of land around the roundabout to the north of the paper mill. Given the proximity of the DCO boundary to the roundabout they have been consulted for completeness. South Eastern Power Networks have a leasehold which passes within the DCO boundary.
- 10.4.4 Category (2) of S44 applies to anyone who is interested in the land or has power to sell and convey or to release the land. No parties have been identified as falling within Category (2).
- 10.4.5 Category (4) of S44 applies to any person who would or might be entitled to make a 'relevant claim', as defined in S44(6) as a result of the implementing of the order, the order being implemented or as a result of the use of the land once the order has been implemented. No parties have been identified under Category (4).

## **10.5 Form of S.42 Consultation**

- 10.5.1 The consultation documents for the purposes of Section 42 comprised the following:
- a covering letter explaining the proposed project and the role of Section 42 consultation within the DCO process;
  - A CD containing a draft Environmental Statement and Non-Technical Summary, by way of Preliminary Environmental Information;
  - A draft plan pack, to form plans and maps to detail the nature and location of the proposed development;
  - A copy of the S48 notice, in accordance with Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

## **10.6 Consultation Process**

- 10.6.1 The initial batch of S42 consultation packs were sent by Royal Mail Recorded delivery to prescribed bodies and relevant local authorities on the 24<sup>th</sup> January 2018. The letter provided a deadline for responses of 5pm on the 2<sup>nd</sup> March 2018, by email or by post. That deadline provides a 35 day deadline from Friday 26<sup>th</sup> January 2018, starting with the day after the day on which S42 consultees received their packs. The deadline set ensured that the minimum 28 day consultation period was provided, even if there were to be some delay in a consultation body receiving the S42 pack.
- 10.6.2 Royal Mail tracking records demonstrate that all S42 packs were received by prescribed bodies and relevant local authorities by the 29<sup>th</sup> January 2018 at the latest.

10.6.3 A follow up letter (Appendix 2) was sent on the 20<sup>th</sup> February 2018 to all those prescribed bodies and relevant local authorities who had not responded, to highlight the deadline for responses of the 2<sup>nd</sup> March 2018.

10.6.4 S42 packs were sent to the four S44 parties on the 5<sup>th</sup> March 2018 by Royal Mail Recorded Delivery. Due to inclement weather in the UK at that point Royal Mail were experiencing delays with postal deliveries, so the covering letters, S48 notices and a link to the project website (allowing for the download of the S42 pack) was also sent by email on the 5<sup>th</sup> March 2018 to the four consultation bodies. The deadline provided for the S44 parties was the 3<sup>rd</sup> April 2018; a period of 29 days starting on the 6<sup>th</sup> March 2018, and timed to avoid the bank holiday on the 2<sup>nd</sup> April 2018.

## 10.7 Response to S42 Consultation

10.7.1 The following tables document the responses received from Prescribed Bodies, Statutory Undertakers and Local Authorities to the S42 consultation. No responses were received from the S44 parties contacted.

10.7.2 Appendix 3.5 of the Environmental Statement [Document 3.1] provides a detailed response to the matters raised by S42 consultees and documents how the Environmental Statement, where necessary/appropriate, was amended to reflect the comments received. The key points are summarised below in respect of the comments made by individual consultees and ES Appendix 3.5 is also provided as Appendix 2 to this Report.

## 10.8 Prescribed Bodies

10.8.1 The Coastguard representation (19) was received after the S42 deadline but nonetheless has been treated as a S42 response.

10.8.2 No response was received from the Civil Aviation Authority (CAA) during the S42 period. However due to the height of the proposed stack the CAA were contacted following the S42 period and responded by email. That response has been treated as a response under S42 for the purposes of this report.

Code	Consultee	Consultee Comment	Applicant Response
01	Health and Safety Executive	Redline boundary is not within the consultation zones of any major accident site with Hazardous Substances consent. No major accident hazard pipelines within the development. Licence for an explosive port in the vicinity is being revoked; no explosive sites in the vicinity once that has occurred.	No changes to proposed scheme or application as a result of the response.
04	Natural England	Identifies areas where further clarity is recommended in respect of designated nature conservation sites and associated mitigation measures, including noise, air quality, water quality, water temperature and lighting.	As demonstrated by Appendix 3, cross referencing was improved within the HRA Report and the approach to noise thresholds in respect of ecology has been amended to reflect the S42 comments.

05	Historic England	Agrees with conclusions regarding direct physical impacts on heritage assets. Recommends assessment of impacts of lighting, noise and traffic on Castle Rough scheduled monument.	Following the Historic England comment the Heritage Chapter (12) of the ES [Document 3.1] was reviewed to ensure that the effects of noise, traffic and lighting on the setting of the scheduled monument were addressed.
16	Environment Agency	Requires application to address ground condition and details of piling. Notes that ongoing discussions are taking place regarding environmental permitting requirements.	Appendix 8.1 of the ES provides a full desk based Phase 1 survey and is taken forward into the draft DCO as Requirement 12, which requires a piling risk assessment and ground gas protection measures to be agreed with the local planning authority and makes provision for any unforeseen contamination to be dealt with when discovered.
17	Equality and Human Rights Commission	No specific comments	No changes to proposed scheme or application as a result of the response.
19	Coastguard	Reserve comments until the formal marine licencing stage given far majority of works take place above the Mean High Water Springs.	No changes to proposed scheme or application as a result of the response.
20	Marine Management Organisation	No element of the proposals are within the UK Marine Area. Recommends that licencing requirements should be discussed if any element of the surface water outfall into the Swale is to alter.	No changes to proposed scheme or application as a result of the response.
21	Civil Aviation Authority	No initial response and no requirement for lighting given there are already stacks on the site at equal or greater height and distance from nearby airports/aerodrome. Recommends contact with National Police Air Service and Air Ambulance Units.	The National Police Air Service and Air Ambulance Units have been contacted for comment but no responses have been received at the time of submission. On the basis of the CAA response no stack lighting is proposed within the DCO application.
34	Royal Mail Group	Raises concerns regarding future ability to provide an efficient mail sorting and delivery service.	Chapter 4 of the ES assesses the traffic impacts of the proposed CHP plant. The small number of staff and lack of any operational vehicular requirements, other than ad-hoc maintenance, means that the proposed development will not generate any notable traffic when operational. At the construction stage the impact of construction traffic is considered to be negligible to slight, which is not significant. The draft DCO makes provision for a Construction Traffic Management Plan with Requirement 8, with that to be agreed with the Highway authority. That is considered to be a proportionate and appropriate approach given the level of traffic which will be created and the lack of



			any significant effects.
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## 10.9 Relevant Statutory Undertakers

Code	Consultee	Consultee Comment	Applicant Response
38	Energy Assets Pipelines Ltd	No buried plant or apparatus identified within the affected area	No changes to proposed scheme or application as a result of the response.
40	ESP Gas Group Ltd	No buried plant or apparatus identified within the affected area	No changes to proposed scheme or application as a result of the response.
48	National Grid Electric and Gas	No buried plant or apparatus identified within the affected area	No changes to proposed scheme or application as a result of the response.
50	SGN	Identify a gas main in the northern part of the DCO boundary	No physical works are proposed within the area of the DCO boundary where the gas main is located and no powers in respect of statutory undertaker equipment are sought within the DCO. No changes are therefore required as a result of the response.
62	UK Power Networks	No plant identified	No changes to proposed scheme or application as a result of the response.

## 10.10 Local Authorities

Code	Consultee	Consultee Comment	Applicant Response
63	Canterbury City Council	Makes no comments at the S42 stage	No changes to proposed scheme or application as a result of the response.
66	Swale Borough Council	Makes no comments at the S42 stage	No changes to proposed scheme or application as a result of the response.
67	Kent County Council	Made comments regarding highways and landscape and visual assessment.	Following the S42 comment the RPS transport consultant contacted KCC direct; a number of changes were made to the traffic assessments within the ES as documented in Appendix 2, together with changes to the landscape and visual chapter to reflect the increasing status of the Saxon Shore Way.
68	Medway Council	Raises no objection	No changes to proposed scheme or application as a result of the response.
70	London Borough of Bexley	Makes no comments at the S42 stage	No changes to proposed scheme or application as a result of the response.
71	London Borough of	Consultation responses from Council's Highways and Environmental Health teams	No changes to proposed scheme or application as a

	Bromley	raise no objections. Planning response does not identify any adverse impacts on air quality in Bromley given distance but requests that PINS require further details on air quality within the Environmental Statement. No objections raised.	result of the response.
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**10.11 S.42 Consultation – Summary**

- 10.11.1 A number of prescribed bodies and local authorities took the opportunity to comment on the S42 pack. None of the comments raised required a change to the design of the scheme itself, but a number of changes have been made to the approach to the assessment of issues within the ES in order to address the points made.
- 10.11.2 It is submitted that the applicant has addressed the requirements of Section 42, with active steps taken to address any comments made by parties consulted under Section 42.

## **11 S.46 – Duty to Notify PINS of proposed development**

- 11.1.1 S46(1) of The Act requires an applicant to supply PINS with such information as would be required should PINS be consulted under S42. S46(2) requires the application to comply with (1) on or before commencing consultation under S42.
- 11.1.2 The S.42 consultation pack, comprising the draft Environmental Statement, Non Technical Summary and plan set, were sent to PINS on the 25<sup>th</sup> January 2018, at the same time as the S42 consultation packs were distributed. The submission to PINS included, for information, the covering letter sent to S42 consultees and the list of prescribed bodies, statutory undertakers and local authorities consulted under S42.
- 11.1.3 PINS confirmed receipt of the S42 pack on the 26<sup>th</sup> January 2018. S.42 letters were sent to consultees on the 24<sup>th</sup> and 25<sup>th</sup> January 2018 and set a deadline for responses of the 2<sup>nd</sup> March 2018; a period in excess of the minimum 28 days stated by S45. Notification under S46 was therefore sent to PINS at the same time as the S42 packs were distributed, and the acknowledgement of receipt was more than 28 days before the conclusion of the S42 consultation period. S46 of The Act has therefore been satisfied.

## **12 S.47 - Statement of Community Consultation (SoCC)**

### **12.1 Preparation of SoCC**

- 12.1.1 Section 47 of The Act states that the applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land. Before preparing the statement the applicant must consult each local authority that is within Section 43(1) about what is to be in the statement.
- 12.1.2 The Local Authorities for the purposes of Section 43(1) are Swale Borough Council and Kent County Council.
- 12.1.3 In preparing the SoCC, regard was had to a variety of sources which include the DCLG-Planning Act 2008 – Guidance on the Pre-Application Process (March 2015) and the Planning Inspectorate Advice Note 14: Compiling the consultation report.

### **12.2 Community Consultation Strategy (CCS)**

- 12.2.1 A Community Consultation Strategy was produced in order to inform the SoCC and to provide context to the SoCC for the purposes of SBC and KCC.
- 12.2.2 The CCS first provided the context to the proposals and summarised the likely environmental effects, based on early EIA work which had been carried out at that stage. The Swale Borough Council Statement of Community Involvement document, 'Shaping Spaces and Places' sets out the principles and strategy for consulting the local community within the borough on planning applications and therefore formed a basis for determining the approach to be taken to public consultation on K4.
- 12.2.3 The CCS set a number of core aims and objectives for the K4 public consultation:
- (i) To make stakeholders aware of the proposed development at an early stage in the process and to inform them about the context, function and expected impacts of the proposed CHP plant;
  - (ii) To provide clarification regarding K4, to ensure the distinction with K3 is understood locally;
  - (iii) To inform stakeholders about the process which will be followed in order to seek a Development Consent Order from the Planning Inspectorate and to highlight how they can continue to be involved in this process;
  - (iv) To provide an early opportunity for stakeholders to provide their comments on the proposed development and to have any queries answered;

- (v) To allow the project team the opportunity at an early stage in the process to reflect the comments made within the scheme being proposed and to feedback to interested parties.

- 12.2.4 Based on the proposed development and its likely environmental effects a direct zone of influence was defined, to form the focus of public consultation together with the wider community. As set out at Paragraphs 6.2.4 and 6.2.5 of the CCS the zone of influence was defined using natural boundaries in the surrounding area and reflecting the initial work done at that stage regarding the environmental assessment of topics such as landscape and visual impact and air quality.
- 12.2.5 Census data was used to assess the make-up of the local community, to ensure an appropriately wide range of consultation methods were used. A series of consultation actions were defined on that basis to target the Zone of Influence, such as leaflet mailings, together with actions intended to target the wider community. A range of local consultees, comprising the defined local authorities, politicians, Parish Councils and other organisations were identified as bodies who should be consulted directly on the proposals.
- 12.2.6 The outcomes of the consultation were expected to be a contact list of interested parties, comments on the proposed scheme and queries addressed to the project team.
- 12.2.7 The CCS was presented to and discussed with SBC alongside the draft SoCC at the initial briefing meeting on the 14<sup>th</sup> September 2017.

### **12.3 Preparation and Methodology of the SoCC**

- 12.3.1 The first version of the SoCC was prepared on the basis of the CCS discussed above. It provides a brief overview context to the proposal and consultation process, together with a list of key terms. The SoCC provides an overview of DS Smith, the Kemsley Paper mill, the existing energy arrangements and the proposed K4 plant, using a context plan, indicative DCO boundary plan and an early illustrative 3D model of the K4 plant for illustration.
- 12.3.2 A summary of the DCO process is set out within the SoCC, which makes clear that an Environmental Impact Assessment will be carried out and reported within the application within an Environmental Statement. That section sets out that a Preliminary Environmental Information document will be produced to inform the consultation.
- 12.3.3 The SoCC explains the methods by which it will be circulated, sets out contact details for the project team and explains how anyone interested can find out more and get involved. The SoCC clearly states the deadline for responses and sets out how interested parties can request documents in alternative formats and keep updated, before then explaining the future programme of events.

### **12.4 SoCC Consultation**

- 12.4.1 The first version of the SoCC was discussed in the initial briefing meeting with Swale Borough Council on 14<sup>th</sup> September 2017.

- 12.4.2 The draft SoCC and the accompanying Consultation Strategy document were formally submitted to SBC and KCC on the 5<sup>th</sup> October 2017. A deadline for responses of the 2<sup>nd</sup> November 2017 was provided, which allowed for a 28 day period from the 6<sup>th</sup> October 2017.
- 12.4.3 The SBC consultation response was received on the 30<sup>th</sup> October 2017. It is provided as Appendix 6 and raises no issues with the proposed SoCC.
- 12.4.4 The KCC consultation response was received on the 2<sup>nd</sup> November 2017. It is provided in Appendix 6 and, whilst it noted that KCC were generally satisfied with the proposed consultation, it raised a number of specific points, as set out below. An update had been sent to KCC on the 26<sup>th</sup> October 2017 explaining that the applicant intended to publicise the SoCC and the exhibitions immediately after the 3<sup>rd</sup> November 2018 deadline, to understand whether KCC were likely to raise any fundamental issues with the approach being taken to public consultation. KCC did not indicate that was the case and the comments made were reflected in the SoCC prior to it being published and in the questionnaires prior to those being made available at the exhibitions.
- **Public consultation** – names and addresses: the SoCC was amended so that the wording requests personal details but does not read that it is mandatory to supply those. In addition the SoCC already made clear that any personal details supplied will not be made public and further clarification was provided that summaries of comments provided would potentially be published.
  - **Public exhibitions** – KCC suggested additional public exhibition dates. DHA responded to KCC by email on 7<sup>th</sup> November 2017 to suggest that a review would be undertaken as to whether further exhibitions would be useful depending on the level of attendance at the two events originally scheduled. That response also noted that the exhibition boards, questionnaire and PEI were provided on the project website and could be requested from DHA, so the ability of interested people to respond was not hindered.
  - **Targeted mailings** – in accordance with the KCC comment a map was introduced into the SoCC to make clear the extent of the Zone of Influence. The targeted mailings of the explanatory leaflet included all non-residential premises within the zone of influence, including educational facilities. In accordance with KCC's suggestion the KCC Community Liaison Officer was contacted on the 7<sup>th</sup> November 2017 and responded on the 13<sup>th</sup> November 2017 to confirm that he had not identified any additional organisations who should be contacted.
  - **Website** – Section 4.4 of the SoCC was updated to list the information which would be provided on the website. KCC suggested that a FAQs page be added to the website; the SoCC made reference to Frequently Asked Questions being provided on the website, however as demonstrated by Chapter 14 of this report levels of response to the public consultation were very low and no additional information requirements were requested by any respondents. The project leaflet is considered to have provided a sufficient high level summary of the proposals and their context and negates the need to provide that information in a 'FAQ's'



form. However the potential to use FAQs will continue to be reviewed as the project progresses.

- **Public consultation** – in accordance with the KCC suggestion the feedback form was amended to allow respondents to tick if they wished to be added to the project contact list. That ability was used within the majority of the feedback forms returned.

12.4.5 As demonstrated by the above the short period between the conclusion of the SoCC consultation period and the commencement of S47 consultation did not prejudice the applicant’s ability to reflect KCC comments where necessary.

## 12.5 Publication of SoCC

12.5.1 Notices publicising the SoCC were placed in the Sittingbourne News Extra and the Sheerness Times Guardian on the 8<sup>th</sup> and 15<sup>th</sup> November 2017. The notices set out the ways which the SoCC could be viewed; at the deposit locations (the DS Smith mill office, the Swale Borough Council Offices and the Sittingbourne library), on the project website or by requesting a copy from the project team via email. The notices stated that the deadline for any representations on the proposed development was 5pm on the 17<sup>th</sup> December 2017.

## 12.6 Discussion of SoCC Compliance

12.6.1 As set out in Section 12.4.4, KCC had suggested that further consultation events might be required. DHA sent a further email to KCC on the 21st November 2017 following the first two consultation events, setting out the efforts made to publicise those and the low levels of attendance. This was followed by a further email on the 9th January 2018. KCC responded on the 11th January 2018 to confirm that they did not consider a further consultation event to be necessary, albeit noting that any significant change to the proposal might warrant a further event.

### **Compliance with SoCC**

12.6.2 The compliance of the consultation undertaken with the various aspects of the SoCC are summarised in Table 12.1 below.

SoCC / Consultation Strategy Element	Compliance
Notices relating to SoCC availability published in the Sittingbourne Messenger	Yes – notices published on the 8 <sup>th</sup> and 15 <sup>th</sup> November 2017
Copies of the SoCC made available at stated deposit locations	Yes – the SoCC and PEI was placed on deposit at the Kemsley Mill, the Swale Borough Council Offices and the Sittingbourne Library on 3 <sup>rd</sup> November 2017.
SoCC sent to stated local authorities, local MP’s, Ward Members, Parish Councils and selected local interest	Yes – SoCC sent to stated organisations on 3 <sup>rd</sup> November 2017.

groups and local forums	
Public exhibitions	Yes – public exhibitions held on the 9 <sup>th</sup> November 2017 and 11 <sup>th</sup> November 2017.
Copies of PEI and feedback forms to be available at exhibitions	Yes – both documents were available at the exhibitions
Targeted mailings	Yes- a project leaflet was delivered to all homes, businesses and premises within the zone of influence on the 3 <sup>rd</sup> /4 <sup>th</sup> November 2017. Leaflets were sent to Local MP's, Borough and Kent County Councillors, Parish Councils and local interest/action groups alongside the SoCC.
Website updated	Yes – the project website was updated on 3 <sup>rd</sup> November 2017 with the SoCC and PEI and then again on the 13 <sup>th</sup> November 2017 with the exhibition boards and questionnaire (which could be completed and submitted online).
Deadline for responses	No responses were received after the 17 <sup>th</sup> December 2017 deadline.
Alternative formats	No requests were received for any of the documents in an alternative format.
Register of stakeholders	A register of stakeholders has been compiled and updates will be provided at appropriate points during the project.
Local press	A press release was sent to the Sittingbourne Messenger and an article regarding K4, which publicised the exhibitions, was published on the 1 <sup>st</sup> November 2017.
Website	The project website has been updated to reflect the S42 and S48 consultation which commenced in January 2018.

Table 12.1 – Compliance with agreed SoCC

## 13 S.47 - Consultation Events

### 13.1 Exhibition Arrangements

13.1.1 Two exhibitions were held:

- Thursday 9<sup>th</sup> November 2017 – 12:30pm to 5:30pm
- Saturday 11<sup>th</sup> November 2017 – 9:30am to 2pm.

13.1.2 The times selected were intended to provide sufficient opportunity for a wide range of the local community to attend, either on a working day or on the weekend.

13.1.3 The exhibition events took place at the Kemsley Village Hall, which lies just under a kilometre to the west of the Kemsley Paper mill. The hall is a focal feature of the surrounding community and is easily accessible for both immediate residents and any other interested parties from the wider local area.

### 13.2 Exhibition Material

13.2.1 A set of ten information boards were produced [Appendix H] and provided information on DS Smith, the Kemsley Paper Mill, the proposed CHP, anticipated environmental effects, the DCO process and how interested parties could get involved.



Figure 13.1 – Exhibition (Saturday 11th November 2017)

- 13.2.2 Copies of the SoCC, PEI and the project leaflet were also available. The PEI for the purposes of S47 consultation comprised a document which took a similar form to an EIA Non-Technical Summary, which is provided as Appendix I to this report. The PEI report provided a self-contained, non-technical summary of the context to the project, the proposed scheme and the environmental impacts being assessed, to provide any parties interested with an accessible non technical source of information at the S47 stage. That approach is consistent with the advice provided at Paragraph 93 of the Planning Act 2008: Guidance on the pre-application process' guidance, in terms of it being of an appropriately accessible source of environmental information but then also being supplemented by the more detailed draft Environmental Statement presented as PEI at the S48 stage.
- 13.2.3 The consultation events were staffed by members of the project team from DS Smith, E.ON, DHA and RPS.
- 13.2.4 A questionnaire was provided to allow for responses to be made at the consultation event.

### **13.3 Publicity**

#### ***Newspaper notices***

- 13.3.1 A notice was first placed in the Sittingbourne News Extra and Sheerness Times Guardian on the 1<sup>st</sup> November 2017 to publicise the proposed exhibitions. The subsequent notices placed in the same papers relating to the publicity of the SoCC, on the 8<sup>th</sup> November 2017 also publicised the two public exhibitions. Further notices were placed in both papers on the 15<sup>th</sup> November 2017 to publicise the SoCC.

#### ***Project Website***

- 13.3.2 The project website was updated to provide information regarding the dates, times and venue of the exhibitions.

#### ***Leaflet Drop***

- 13.3.3 Some 2720 leaflets were hand delivered to residential properties within the defined Zone of Influence on the 3<sup>rd</sup> and 4<sup>th</sup> November. The leaflets provided a broad overview of the project and publicised the exhibitions.

#### ***Leaflet Mailing***

- 13.3.4 The same leaflets were sent by post on the 3<sup>rd</sup> November 2017 to businesses and other non-residential properties within the Zone of Influence, to Parish Councils, local politicians and to local interest groups and forums.

### **Flyers**

- 13.3.5 Posters advertising the exhibitions were placed at the Kemsley village hall, the Sittingbourne library, local shops in Kemsley, the Kemsley doctors surgery and the Iwade village shops.

### **Newspaper Articles**

- 13.3.6 An article which provided an overview of the project and which highlighted the exhibitions was published in the Sittingbourne News Extra on the 1<sup>st</sup> November 2017.

## **13.4 Deadline**

- 13.4.1 The deadline for consultation responses to be received was 5pm on the 17<sup>th</sup> December 2018. That provided a period of over a month and a half from the publication of the first exhibition notice in the local paper and from the circulation of the project leaflets, and over a month from the date of the two exhibitions.

## **13.5 Key Statistics**

- 13.5.1 Levels of attendance at both exhibitions was low; ten members of the public and three local Councillors attended the Thursday event, with four members of the public and one Councillor attending the Saturday event.
- 13.5.2 Six questionnaires were returned, one of those by post subsequent to the event. One further submission was made through the project website.

## 14 S.47 - Consultation Responses

### 14.1 Questionnaire

14.1.1 The project questionnaire primarily used free text questions to allow for those responding to have the ability to provide open answers on what were considered to be the key issues relating to the project. The questions covered:

- The need, location, design and scale of the proposed K4 plant;
- What are considered to be the important environmental effects;
- Any elements of the proposal which cause concern;
- Any areas where further information would be helpful;
- Any general comments.

14.1.2 The questionnaire provides the opportunity for those responding to be added to the project contact list to receive future updates.

### 14.2 Rates of Response

14.2.1 As noted previously six questionnaires were returned at or after the consultation events. One submission was made via the project website.

### 14.3 Location of Respondents

14.3.1 Five of the respondents stated that they were a resident of Kemsley. One respondent was a resident of nearby Milton Regis and one respondent did not provide a response but was a Sittingbourne resident.

### 14.4 Responses - Need, Location, Design and Scale

#### ***What are your thoughts on the need, location, design and scale of the proposed K4 CHP plant?***

14.4.1 Six responses were provided to the question. One respondent was neutral, whilst the other five responses were positive; the comments made included a statement that the information provided was helpful, the need for the development was understood, K4 was a sensible approach and forward thinking.

14.4.2 On that basis there do not appear to be any issues with the need, location, design and scale of the K4 proposal.



## 14.5 Responses - Environmental Effects

***The information boards outline the anticipated environmental effects of the proposed K4 CHP plant. Which of these effects are most important to you and why?***

14.5.1 The following issues were raised, in terms of being environmental effects which were most important to those responding:

- (1) Emissions/ Air Quality
- (2) Traffic levels (including congestion on A249)
- (3) Emissions from traffic
- (4) Noise
- (5) Height of stack/Visual Impact
- (6) Surface water Run-off
- (7) Ground contamination
- (8) Wildlife

14.5.2 All the issues raised were also included in the Scoping Opinion provided by PINS and are therefore being comprehensively addressed within the ES and summarised in the NTS.

## 14.6 Responses- Issues of Concern

***Do any aspects of the proposed K4 CHP plant cause you particular concern and why?***

14.6.1 Three respondents did not identify any areas of concern; in two of those cases no answer was provided and in the remaining case the respondent confirmed 'none' as a response.

14.6.2 Table 14.1 sets out the concerns raised by the remaining four respondents and provides a response to those. Some of the responses covered multiple themes or issues.

Response	Applicant comment
'Air quality. There are far too many incinerators and power station within far too small an area.'	Chapter 5 of the ES [Document 3.1] assesses air quality and concludes that the proposed development would not have a significant effect on air quality, either alone or in combination with other projects, and would not conflict with national or local policies. On that basis no change has been made to the scheme as a result of the comment.
'Noise'	Chapter 7 of the ES [Document 3.1] sets out a full assessment of potential noise impacts arising from the proposed development. It

	concludes there would be no significant adverse noise effects from the construction of K4 or arising from normal operation. The emergency steam release procedure is a noisy process but is limited in frequency and duration. The design of K4 already includes a dump condenser which is intended to reduce the frequency of steam release events below the amount currently required for K1. No changes are therefore proposed to the scheme.
'Was very concerned about the traffic that may be larger than at present, also the smells and noise. All seems to have been carefully thought out and planned with a good deal of research so thank you'	This comment is noted, on the basis that the respondent raised initial concerns which then appear to have been dealt with by the exhibition material.
'In all your literature you state that CO2 emissions will only improve by maybe 33% so why not go for zero CO2 emissions. This can be achieved by capping all the new stacks with the latest CO2 filters that collect CO2 for resale' only improving by 33%, with zero carbon emissions achievable with latest CO2 filters which collect CO2 for resale.'	K4 falls significantly below the threshold of 300MW set out in EN-1 where it would be required to be Carbon Capture Ready. In that respect no changes were made to the scheme as a result of the comment.
'The land contamination from asbestos due to the demolishing of the old plant'	The demolition of K1 does not form part of the proposed DCO. However any demolition which did occur in the future would be governed by the appropriate controls to deal with any asbestos which might be present.
Reliance on other industries locally, in terms of how sound and future proof those companies may be long term	It is assumed this relates to the steam to be provided to DS Smith from the Wheelabrator K3 plant. There is no reason to suggest the K3 plant would not provide a secure form of steam in the long term and other systems exist, such as the current on site boilers, to deal with any interruption to that supply.
Noted 5 year plan for air quality monitoring and queried who would monitor this and how data would be shared	The monitoring of emissions would be undertaken within the Environmental Permit for the site, and as such results would be provided to the Environment Agency for review.
Queried emissions from plastic combustion	K4 will be gas fired, so the emissions will be consistent.

Table 14.1 – Responses regarding issues of concern

## 14.7 Responses - More information

***Are there any topics or areas where you feel more information is needed to help you understand the proposed K4 CP plant or its anticipated environmental effects?***

14.7.1 No respondents raised any specific issues; one simply asked for continued updates on the project.

## 14.8 Responses - General comments

***Please provide any general comments you have regarding the proposed K4 CHP plant below.***

14.8.1 Additional comments were as follows:

Questionnaire Response	Applicant comment
Suggested monitoring of pollution	The emissions of the mill are routinely monitored as part of the Environmental Permitting regime already in place at the site, which would encompass the K4 development.
Welcomed improvement and couldn't see any downsides	Noted
Concluded no real objections as K4 would replace K1	Noted
Queried whether run off site water could be collected and incorporated into the process	The proposed K4 will use less water than K1 and will be efficient in recycling and reusing process water and condensate from the CHP process. The lack of consistency regarding supply and the need to clean/treat surface water means it has very limited potential to be used within the process.
Supported the local contribution, forward thinking and inclusion of DS Smith	Noted
Envisaged there would be little objection for the additional construction costs in applying for a clean air government subsidy due to the large amount of houses/flats being built in and nearby Kemsley and the need to aim for zero emissions and zero environmental impacts'.	The comment is noted; as set out within Chapter 6 of the ES [Document 3.1] K4 is expected to generate a reduction of 12% of greenhouse gas emissions compared to a future baseline scenario when K4 was not constructed. EN-1 makes clear that individual NSIP applications are not to be assessed against carbon budgets and K4 falls below the threshold where it would be required to be Carbon Capture Ready. In that respect no changes were made to the scheme as a result of the comment.

<p>Queried whether land to the east of the Kemsley mill could be used for solar panels to further contribute to energy needs, or could be landscaped to enhance the site and surrounding area –</p>	<p>The paper production process is energy intensive and a continually running process and the key for DS Smith is securing a sufficiently robust and flexible solution capable of meeting that need. CHP provides that capacity and flexibility, which cannot be achieved by solar panels. The ability to meaningfully landscape the area in question is limited by the fact it was once used as a landfill site and there are ongoing gas monitoring stations placed throughout.</p>
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## 14.9 S47 Summary

- 14.9.1 Appropriate steps have been taken to define a consultation strategy which ensures that the local community would be properly informed regarding the proposals and would have the opportunity to comment. In particular some 2720 households and a further 70 business/establishments within the defined Zone of Influence received the overview leaflet which provides a broad summary of the proposal and its likely significant effects.
- 14.9.2 The rate of response to the S47 consultation was unfortunately low, however that in itself can be considered representative of the attitude of the local community to what is in physical terms a minor addition to an established large industrial site. The responses that were received to the S47 consultation did not raise any issues in terms of the need, location, design and scale of the proposed development. In terms of environmental effects the overriding themes were those of air quality/emissions, odour, and traffic and in a number of cases respondents noted that the exhibition information had served to allay their concerns regarding the environmental impacts of the proposal. In addition a number of respondents made positive comments regarding the overall strategy and benefits of replacing K1 with K4.

## 15 S.48 Statutory Publicity

15.1.1 Section 48 of The Act states that the applicant must publicise the proposed application in the prescribed manner and requires those publication notices to include a deadline for receipt by the applicant of responses to the publicity.

15.1.2 Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 then sets out provisions for the publication of the public notice and what this must contain.

### 15.2 The S48 Notice

15.2.1 The S48 notice addresses all of the specific points within Regulation 4(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

15.2.2 The following notices were published:

- Sittingbourne News Extra – 24<sup>th</sup> January 2018 and 31<sup>st</sup> January 2018
- Sheerness Times Guardian – 24<sup>th</sup> January 2018 and 31<sup>st</sup> January 2018
- The London Gazette – online 30<sup>th</sup> January 2018, in paper 31<sup>st</sup> January 2018
- The Telegraph – 30<sup>th</sup> January 2018

15.2.3 The above reflects Regulation 4(2) of the Prescribed Forms and Procedure Regulations 2009 which require the S48 Notice to be published for two consecutive weeks in a locally circulating paper, once in the London Gazette and once in a national newspaper.

15.2.4 The S48 notice provides a deadline for responses of the 2<sup>nd</sup> March 2018, which is consistent with the deadline provided for S42 consultees. That deadline provides a period of 31 days from the date of the last notice being published.

15.2.5 The documents, maps and plans (as required under Regulation 4(3)(e)) comprise the draft Environmental Statement, Non-Technical Summary and plan set as issued under the S42 consultation. Those documents were placed on deposit at the Kemsley paper mill office, the Swale Borough Council offices and at the Sittingbourne library.

### 15.3 Response to S48 Publicity

15.3.1 As noted the S48 publicity was undertaken at the same time as S42 consultation. All of the responses received during that period either made specific reference to S42 in their response or were from a consultee included on the S42 mailing list. No other responses were received from any other parties who would have been notified of the project by the S48 publicity.

## 16 Summary and Conclusions

16.1.1 In accordance with Section 25 of the Guidance on the pre-application process (March 2015), the consultation undertaken in respect of the proposed K4 project is considered to have been thorough, effective and proportionate.

16.1.2 Levels of response and engagement from both statutory consultees and the local community has been low. The responses received to consultation and publicity have not generated any changes to the proposed scheme itself. However elements of the DCO application have altered as a result of the consultation undertaken by the applicant, in particular:

- The assessment of ecology and noise within the Environmental Statement;
- The assessment of wider impacts on the setting of the scheduled monument;
- Improved scoping of the highways assessment within the ES;
- The reflecting of the increasing status of the Saxon Shore Way footpath within the ES;
- The inclusion of an archaeology requirement within the draft DCO.



## **APPENDIX 1**

### **S42 CONSULTEES**

## Kemsley Paper Mill (K4) CHP Plant

### Statutory Consultation under S.42 and S44 of the Planning Act 2008

#### Section 42 (a) Prescribed Bodies

(as per the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 with reference to the Annex to Advice Note 3 by the Planning inspectorate)

	Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
-	Welsh Ministers	-	-	The application will not affect land in Wales	-	-
-	Scottish Executive	-	-	The application will not affect land in Scotland	-	-
-	Relevant Northern Ireland Department	-	-	The application would not affect land in Northern Ireland	-	-
1	Health and Safety Executive	Health and Safety Executive	Health and Safety Executive, NSIP Consultations, Building 2.2, Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS	All cases	Yes	Yes
2	National Health Service Commissioning Board	NHS England	NHS England, NHS Commissioning Board, PO Box 16738 Redditch B97 9PT	Application will affect land in England	Yes	Yes
3	The relevant clinical commissioning group	NHS Swale Clinical Commissioning Group	NHS Swale Clinical Commissioning Group Bramblefield Clinic, Grovehurst Road, Kemsley, Sittingbourne, Kent ME10 2ST	Application will affect land in England	Yes	Yes

Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42	
-	Relevant Health Board	-	-	The application would not affect land in Scotland	-	-
4	Natural England	Natural England	Natural England, Consultation Service, Hornbeam House, Electra Way, Crewe Business Park, Crewe, Cheshire, CW1 6GJ	All applications likely to affect land in England	Yes	Yes
5	The Historic Buildings and Monuments Commission for England	Historic England	Historic England South East Office Eastgate Court, 195-205 High Street, Guildford, GU1 3EH	All applications likely to affect land in England	Yes	Yes
6	Relevant Fire and Rescue Authority	Kent Fire and Rescue Service	Kent Fire and Rescue Service Headquarters The Godlands Straw Mill Hill Tovil Maidstone ME15 6XB	All cases	Yes	Yes
7	Relevant Police and Crime Commissioner	Kent Police and Crime Commissioner	Office of the Kent Police and Crime Commissioner Kent Police HQ Sutton Road Maidstone ME15 9BZ	The application is in England and is outside of London and Wales	Yes	Yes
8	Relevant Parish Council	Bapchild Parish Council	Ms E Cruise Bapchild Parish Council 18 Morris Court Close Bapchild Sittingbourne Kent ME9 9P	A Parish Council which borders the location of the proposed development	No	Yes
9		Bobbing Parish Council	Ms L Fisher Bobbing Parish Council 53 Springvale, Iwade, Sittingbourne, Kent, ME9 8RX		No	Yes

Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
10	Borden Parish Council	Ms A Smith, Borden Parish Council, 11 Cumberland Drive, Lower Halstow, Sittingbourne, Kent, ME9 7JA		No	Yes
11	Iwade Parish Council	Ms L Fisher Iwade Parish Council 53 Springvale, Iwade, Sittingbourne, Kent, ME9 8RX		No	Yes
12	Minster-on-Sea Parish Council	Ms T Codrington Minster-on-Sea Parish Council Love Lane, Minster-on-Sea Sheerness, Kent ME12 2LP		No	Yes
13	Rodmersham Parish Council	Mrs Lena A Jordan Rodmersham Parish Council Waterside Highsted Valley Sittingbourne Kent ME9 0AD		No	Yes
14	Tonge Parish Council	Ms M Mulley, Tonge Parish Council c/o Flat 6, The Oasts, London Road, Teynham, Sittingbourne, ME9 9PS		No	Yes
15	Tunstall Parish Council	Ms M Licence Tunstall Parish Council 14 Trapfield Close, Bearsted ME14 4HT		No	Yes
16	Environment Agency	Environment Agency, Orchard House, Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH	All applications likely to affect land in England	Yes	Yes

	Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
-	Scottish Environment Protection Agency	-	-	The application does not affect land in Scotland	-	-
17	The Equality and Human Rights Commission	The Equality and Human Rights Commission	- The Equality and Human Rights Commission, Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX	Application is in England / statutory undertaker	Yes	Yes
-	The Scottish Human Rights Commission	-	-	Removed by Regulation 3 (3) of the 2013 Amendment Regulations for land in England	-	-
-	Relevant AONB Conservation Boards	-	-	The proposal does not affect an AONB managed by a Conservation Board	-	-
-	Royal Commission on Ancient and Historical Monuments of Wales	-	-	The application will not affect the historic environment in Wales	-	-
-	The Natural Resources Body for Wales	-	-	The application will not affect land in Wales	-	-
18	Homes and Communities Agency (Homes England as of January 2018)	Homes England	Homes England Fry Building 2 Marsham Street London SW1P 4DF	Application is in England / statutory undertaker	Yes	Yes
-	Joint Nature Conservation Committee	-	-	Proposal is not within the offshore area 12nm from the coastline	-	-
-	Scottish Natural Heritage	-	-	The application will not affect land in Scotland	-	-

	Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
19	Maritime and Coastguard Agency	Maritime and Coastguard Agency	Maritime and Coastguard Agency, Navigation Specialist Support, Bay 2/04, Spring Place, 105 Commercial Road, Southampton, Hants, SO15 1EG	Proximity of application to marine area	Yes	Yes
20	Marine Management Organisation	Marine Management Organisation	Marine Management Organisation, Licensing Support Team, Lancaster House, Hampshire Court, Newcastle Upon Tyne, NE4 7YH	Proximity of application to marine area	Yes	Yes
-	Scottish Fisheries Protection Agency	-	-	The application will not affect the fisheries industry in Scotland	-	-
21	Civil Aviation Authority	Civil Aviation Authority	ORA5 Civil Aviation Authority Directorate of Airspace Policy CAA House 45-59 Kingsway London WC2B 6TE	Included for completeness as consulted by PINS at Scoping Stage/ statutory undertaker	Yes	Yes
-	Secretary of State for Transport	-	-	Application will not affect any of the stated lengths of road for which the SoS has responsibility	-	-
-	Integrated Transport Authorities	-	-	The application will not affect transport within or to an integrated transport area within an ITA	-	-
-	Passenger Transport Executives	-	-	The application will not affect transport within or to an integrated transport area within a PTE	-	-



Schedule 1 Description		Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
22	Relevant Highways Authority	Kent County Council Highways	Kent County Council Highways County Hall Maidstone Kent ME14 1XQ	The application would impact on the volume of traffic in the vicinity of the proposal during construction	Yes	Yes
23	The relevant strategic highways company	Highways England	Highways England Company Ltd Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ	The application would impact on the volume of traffic in the vicinity of the proposal during construction, which includes the M2/A249	Yes	Yes
-	Transport for London	-	-	The application will not affect transport within, to or from Greater London	-	-
-	The Passengers Council/Transport Focus	-	-	The application will not affect rail passenger transport	-	-
-	Disabled Persons Transport Advisory Committee	-	-	Not a statutory party in respect of projects in England, according to Reg 3(2)	-	-
-	Coal Authority	-	-	The application site does not lie within an area of past, present or future coal mining	-	-
-	Office of Rail Regulation and approved operators	-	-	The application will not affect the rail transport industry	-	-
24	Gas and Electricity Markets Authority	Ofgem	Ofgem, 9 Millbank, London, SW1P 3GE	All applications likely to affect gas and electricity industry	No	Yes

Schedule 1 Description	Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42	
25	Water Services Regulation Authority	Ofwat	Ofwat, 4th floor 21 Bloomsbury Street London WC1B 3HF	Included for completeness given nature of the proposed development	No	Yes
-	Water Industry Commission of Scotland	-	-	The application will not affect the water industry in Scotland	-	-
-	Relevant waste regulation authority	-	-	The proposal will not affect waste infrastructure	-	-
26	Relevant Internal Drainage Board	Lower Medway IDB	Lower Medway IDB 17 Albion Place Maidstone Kent ME14 5EQ	The proposal relates to an area of flood risk	No	Yes
-	The Canal and River Trust	-	-	The application would not affect inland waterways	-	-
27	Trinity House	Trinity House	Navigation Services Officer, Trinity House, Navigation Directorate, Tower Hill, London, EC3N 4DH	Including for completeness given EIA Scoping consultation	Yes	Yes
28	Public Health England, an executive agency of the Dept of Health	Public Health England	Public Health England Wellington House 133-155 Waterloo Road London SE1 8UG	Included for completeness in the event the proposal were to involve chemicals which could potentially cause harm to people	Yes	Yes
29	Relevant Local Resilience Forum	Kent Resilience Support team	Kent Resilience Support Team, Kent Fire and Rescue Service HQ, The Godlands, Straw Mill Hill, Tovil, Maidstone, Kent, ME15 6XB	All cases	No	Yes
Relevant Statutory Undertakers		See separate table				

Schedule 1 Description		Organisation	Address	Reason	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
30	Crown Estate Commissioners	The Crown Estate	The Crown Estate Commissioners The Crown Estate 1 St James's Market London SW1Y 4AH	Included for completeness, as consulted at the EIA Scoping Stage	Yes	Yes
-	Forestry Commission	-	-	The application will not affect forests or woodlands in England	-	-
-	Natural Resources Body for Wales	-	-	The application will not affect land in Wales	-	-
-	Relevant local Health Board	-	-	The application will not affect land in Wales	-	-
-	National Health Service Trust	-	-	Application will not affect land in Wales	-	-
31	Secretary of State for Defence	Ministry of Defence	Ministry of Defence, Whitehall London SW1A 2HB	Included for completeness as the application is in England	Yes	Yes
-	Office for Nuclear Regulation	-	-	The application will not affect matters relevant to the ONR purposes	-	-

### Relevant Statutory Undertakers

Schedule 1 Description		Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
-	Relevant Clinical Commissioning Group	NHS Swale Clinical Commissioning Group	Already listed as a Prescribed body	Yes	Yes
-	The National Health Service Commissioning Board	NHS England	Already listed as a Prescribed Body	Yes	Yes
31	The relevant NHS Foundation trust	South East Coast Ambulance Service NHS Foundation Trust	South East Coast Ambulance Service Kent Office, Heath Road Coxheath, Maidstone Kent, ME17 4BG	Yes	Yes

Schedule 1 Description	Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42	
32	Railways	Highways England Historical Railways Estate	Highways Agency Historical Railways Estate Hudson House Toft Green York, YO1 6HP	Yes	Yes
-	Civil Aviation Authority	Civil Aviation Authority	Already listed as a Prescribed body	Yes	Yes
33	Licence Holder (Chapter 1 of Part 1 of Transport Act 2000)	NATS En-route (NERL) Safeguarding	NATS Safeguarding, Corporate & Technical Centre, 4000 Parkway, Whiteley, Fareham PO15 7FL	Yes	Yes
34	Universal Service Provider	Royal Mail Group	Royal Mail Group, 100 Victoria Embankment, London, EC4Y 0HQ	Yes	Yes
-	Relevant Homes and Communities Agency	Homes and Communities Agency	Homes and Communities Agency consulted as a specified Prescribed body	Yes	Yes
-	Relevant Environment Agency	The Environment Agency	Environment Agency already consulted as a specified Prescribed body	Yes	Yes
35	The Relevant water and sewage undertaker	Southern Water	Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX.	Yes	Yes
36	Public Gas Transporters	Cadent Gas Limited	Cadent Gas Limited, Ashbrook Court, Central Boulevard, Prologis Park, Coventry, CV7 8PE	Yes	Yes
37	Public Gas Transporters	Energetics Gas Limited	Energetics Gas Limited International House, Stanley Boulevard, Hamilton International Technology Park, Glasgow, South Lanarkshire, Scotland, G72 0BN	Yes	Yes
38	Public Gas Transporters	Energy Assets Pipelines Limited	Energy Assets Pipelines Limited, Ship Canal House, 98 Kings Street, Manchester M2 4WU	Yes	Yes

Schedule 1 Description		Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
39	Public Gas Transporters	ES Pipelines Ltd	Mr A Slee, ES Pipelines Ltd, ESP Utilities Group Ltd Bluebird House, Mole Business Park, Leatherhead, Surrey KT22 7BA	Yes	Yes
40	Public Gas Transporters	ESP Connections Ltd	Mr A Slee, ESP Connections Ltd, Bluebird House, Mole Business Park, Leatherhead, Surrey KT22 7BA	Yes	Yes
41	Public Gas Transporters	ESP Networks Ltd	Mr A Slee, ESP Networks Ltd, Bluebird House, Mole Business Park, Leatherhead, Surrey KT22 7BA	Yes	Yes
42	Public Gas Transporters	ESP Pipelines Ltd	Mr A Slee, ESP Pipelines Ltd, Bluebird House, Mole Business Park, Leatherhead, Surrey KT22 7BA	Yes	Yes
43	Public Gas Transporters	Fulcrum Pipelines Ltd	Fulcrum Pipelines, 2 Europa View, Sheffield Business Park, Sheffield, S9 1XH	Yes	Yes
44	Public Gas Transporters	GTC Pipelines Ltd	GTC Pipelines Ltd , Energy House, Woolpit Business Park Woolpit, Bury St Edmunds, Suffolk IP30 9UP	Yes	Yes
45	Public Gas Transporters	Independent Pipelines Ltd	Independent Pipelines Ltd Energy House Woolpit Business Park, Windmill Avenue, Woolpit, Bury St. Edmunds, Suffolk, IP30 9UP	Yes	Yes
46	Public Gas Transporters	Indigo Pipelines Ltd	Indigo Pipelines Limited 1 London Wall London EC2Y 5AB	Yes	Yes
47	Public Gas Transporters	Quadrant Pipelines Limited	Quadrant Pipelines Ltd Energy House Woolpit Business Park, Windmill Avenue, Woolpit, Bury St. Edmunds, Suffolk, IP30 9UP	Yes	Yes

Schedule 1 Description		Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
48	Public Gas Transporters	National Grid Gas Plc	Asset Protection, Land and Development, National Grid, 1-3 Strand, London, WC2N 5EH	Yes	Yes
49	Public Gas Transporters	Scotland Gas Networks Plc	Scotland Gas Networks Plc , Axis House 5 Lonehead Drive, Newbridge, Edinburgh, Scotland, EH28 8TG	Yes	Yes
50	Public Gas Transporters	Southern Gas Networks Plc	Southern Gas Networks PLC, St Lawrence House, Station Approach, Horley, Surrey, RH6 9HJ	Yes	Yes
51	Public Gas Transporters	Wales and West Utilities Ltd	Wales and West Utilities Ltd Wales and West House Spooon Close Celtic Springs Newport NP10 8FZ	Yes	Yes
52	Electricity Distributors with CPO Powers	Energetics Electricity Limited	Energetics Electricity Limited, International House, Stanley Boulevard, Hamilton International Technology Park, Glasgow, South Lanarkshire, Scotland, G72 0BN	Yes	Yes
53	Electricity Distributors with CPO Powers	ESP Electricity Limited	MR A Slee, ESP Electricity Limited, Bluebird House, Mole Business Park, Leatherhead, Surrey KT22 7BA	Yes	Yes
54	Electricity Distributors with CPO Powers	G2 Energy IDNO Limited	G2 Energy IDNO Limited 25 Olney Office Park, 25 Osier Way, Olney, Buckinghamshire, England, MK46 5FP	Yes	Yes
55	Electricity Distributors with CPO Powers	Harlaxton Energy Networks Limited	Harlaxton Energy Networks Limited Toll Bar Road Marston Grantham Lincs NG32 2HT	Yes	Yes



Schedule 1 Description		Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
56	Electricity Distributors with CPO Powers	Independent Power Networks Limited	Independent Power Networks Limited Energy House Woolpit Business Park Woolpit Bury St Edmunds Suffolk IP30 9UP	Yes	Yes
57	Electricity Distributors with CPO Powers	Peel Electricity Networks Limited	Peel Electricity Networks Limited Peel Dome The Trafford Centre Manchester M17 8PL	Yes	Yes
58	Electricity Distributors with CPO Powers	The Electricity Network Company Limited	The Electricity Network Company Limited Energy House Woolpit Business Park Bury St Edmunds Suffolk IP30 9UP	Yes	Yes
59	Electricity Distributors with CPO Powers	UK Power Distribution Limited	UK Power Distribution Limited 22-26 King Street Kings Lynn Norfolk PE30 1HJ	Yes	Yes
60	Electricity Distributors with CPO Powers	Utility Assets Limited	Utility Assets Limited, 53 High Street, Cheveley, Newmarket, Suffolk, CB8 9DQ	Yes	Yes
61	Electricity Distributors with CPO Powers	Utility Distribution Networks Limited	Utility Distribution Networks Limited Ship Canal House 98 King Street Manchester M2 4WU	Yes	Yes
62	Electricity Distributors with CPO Powers	UK Power Networks Limited	UK Power Networks Limited Newington House 237 Southwark Bridge Road London SE1 6NP	Yes	Yes

**Section 42 (b) Local Authorities within Section 43**

	Category	Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
63	A	Canterbury City Council	Head of Planning, Canterbury City Council, Military Road Canterbury CT1 1YW	Yes	Yes
64	A	Ashford Borough Council	Head of Planning, Ashford Borough Council, Civic Centre, Tannery Lane, Ashford TN23 1PL	Yes	Yes
65	A	Maidstone Borough Council	Head of Planning, Maidstone Borough Council, Maidstone House King Street Maidstone Kent ME15 6JQ	Yes	Yes
66	B	Swale Borough Council	Mr R McCardle, Swale Borough Council, Swale House East Street, Sittingbourne, Kent ME10 3HT	Yes	Yes
67	C	Kent County Council	Mr A Payne ,Strategic Planning and Infrastructure, Kent County Council, Invicta House, Maidstone, Kent, ME14 1XX	Yes	Yes
68	D	Medway Council	Head of Planning, Medway Council, Gun Wharf, Dock Road, Chatham ME4 4TR	Yes	Yes
69	D	Thurrock Council	Head of Planning, Thurrock Council, Civic Offices New Road, Grays, RM17 6SL	Yes	Yes

	Category	Organisation	Address	Consulted by PINS at the EIA Scoping Stage	Consulted under S.42
70	D	London Borough of Bexley	Head of Planning, London Borough of Bexley, Civic Offices 2 Watling Street Bexleyheath Kent DA6 7AT	Yes	Yes
71	D	London Borough of Bromley	Head of Planning, Bromley Council, Civic Centre, Stockwell Close, Bromley BR1 3UH	Yes	Yes
72	D	Surrey County Council	Head of Planning, Surrey County Council, Penrhyn Road, Kingston upon Thames, Surrey, KT1 2DW	Yes	Yes
73	D	East Sussex County Council	Head of Planning, East Sussex County Council, County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1UE	Yes	Yes

## **APPENDIX 2**

### **S42 COVERING AND FOLLOW UP LETTER (January 2018)**

### **S42 COVERING LETTER (March 2018)**

S.42 Consultees

Our Ref: DHA/DCH/12321/S42

22<sup>nd</sup> January 2018  
(letters sent on the 24th January)

Dear Sir/Madam,

**DS SMITH PAPER LTD, KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD  
PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL  
(K4) CHP PLANT**

**CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)**

I write on behalf of DS Smith Paper Ltd, who intend to apply to the Secretary of State under Section 37 of the Planning Act 2008 ("the Act") for a Development Consent Order to allow for the construction and operation of a Combined Heat and Power (CHP) Plant at the Kemsley Mill, to the north of Sittingbourne in Kent.

The proposed CHP plant would have a nominal power output of 68 to 73 Megawatts and would provide electricity and steam to the DS Smith paper mill. It would be constructed within the main paper mill site and would comprise a complex of buildings including a gas turbine, a heat recovery steam generator with a 70m stack, a dump condenser, a turbine hall, an auxiliary package boiler with a 35 metre stack and other ancillary infrastructure, buildings and plant.

Section 42 of The Act requires the applicant to consult various prescribed bodies and statutory undertakers about the proposed application, together with directly affected and adjoining local authorities. For the purposes of the consultation under Section 42 the enclosed CD contains a draft of the Environmental Statement (ES) being prepared to accompany the DCO application, which provides a full description of the proposed development. The ES is supported by a Non-Technical Summary and by a draft plan set to illustrate the location and scale of the proposed development.

As the proposed development requires Environmental Impact Assessment the applicant is required by Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) ("the EIA Regulations"), to send prescribed consultees a copy of the notice publicising the

**dha planning**

Eclipse House, Eclipse Park, Sittingbourne Road  
Maidstone, Kent ME14 3EN

t: 01622 776226 f: 01622 776227

e: [info@dhaplanning.co.uk](mailto:info@dhaplanning.co.uk) w: [www.dhaplanning.co.uk](http://www.dhaplanning.co.uk)

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proposed application under S48 of The Act. This Section 48 Notice is therefore enclosed and will be placed in the Sittingbourne News Extra, Sheerness Times Guardian, the Gazette and a nationally circulating paper.

### **Responding to this Consultation**

Responses to this consultation can be made in writing to:

- [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)
- David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN.

Any responses should include the name of the responding organisation and a contact address where further correspondence regarding the project can be sent. **All responses must be received by 5pm on Friday 2<sup>nd</sup> March 2018.**

Hard copies of the application documents are available on request for a reasonable charge, via the contact details above. Any representations or responses received will be made public and will be summarised within the Consultation Report submitted as part of the DCO application.

The documents are also available at the project website:

<http://www.dsmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>

If you have queries about this consultation or any of the documents provided on the enclosed CD then please do not hesitate to contact David Harvey of DHA Planning on 01622 776 226 or at [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk).

Yours faithfully

A black rectangular box redacting the signature of David Harvey.

David Harvey  
Director

**Enc.** Statutory Notice under Section 48 of the Planning Act 2008

CD containing:

- Draft Environmental Statement and NTS
- Draft application plan set

Our Ref: DHA/DCH/12321/S42-R

20<sup>th</sup> February 2018

Dear Sirs

**DS SMITH PAPER LTD, KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD  
PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL  
(K4) CHP PLANT**

**REMINDER OF DEADLINE FOR RESPONSES UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)**

I write further to my letter of the 22<sup>nd</sup> January 2018 regarding the above, which sought comments under Section 42 of the Planning Act 2008 on the proposal by DS Smith Paper Ltd to construct and operate a Combined Heat and Power (CHP) Plant at the Kemsley Mill, to the north of Sittingbourne in Kent. That previous letter provided a CD which contained a draft of the Environmental Statement, Non-Technical Summary and maps/plans which will accompany the DCO application, together with a copy of the statutory notice published by DS Smith in local and national newspapers.

The purpose of this letter is to remind you that the consultation period for responses will close at **5pm on Friday the 2<sup>nd</sup> March 2018**. Responses can be made in writing to [K4@dhaplanning.co.uk](mailto:K4@dhaplanning.co.uk) or to David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN. Any representations or responses received will be made public and will be summarised within the Consultation Report submitted as part of the DCO application.

If you have any queries or would like to request hard copies of any of the documentation relating to the application then please do not hesitate to contact me on the details below or at [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk). My apologies if you have already responded to the consultation since this letter was sent out.

Yours faithfully

A black rectangular redaction box covering the signature of David Harvey.

David Harvey  
Director

**dha planning**

Eclipse House, Eclipse Park, Sittingbourne Road  
Maidstone, Kent ME14 3EN

t: 01622 776226 f: 01622 776227

S.42 Consultees

Our Ref: DHA/DCH/12321/S42

5<sup>th</sup> March 2018

Dear Sir/Madam,

**DS SMITH PAPER LTD, KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD  
PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL  
(K4) CHP PLANT**

**CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)**

I write on behalf of DS Smith Paper Ltd, who intend to apply to the Secretary of State under Section 37 of the Planning Act 2008 ("the Act") for a Development Consent Order to allow for the construction and operation of a Combined Heat and Power (CHP) Plant at the Kemsley Mill, to the north of Sittingbourne in Kent.

The proposed CHP plant would have a nominal power output of 68 to 73 Megawatts and would provide electricity and steam to the DS Smith paper mill. It would be constructed within the main paper mill site and would comprise a complex of buildings including a gas turbine, a heat recovery steam generator with a 70m stack, a dump condenser, a turbine hall, an auxiliary package boiler with a 35 metre stack and other ancillary infrastructure, buildings and plant.

Section 42 of The Act requires the applicant to consult various prescribed bodies and statutory undertakers about the proposed application, together with directly affected and adjoining local authorities. For the purposes of the consultation under Section 42 the enclosed CD contains a draft of the Environmental Statement (ES) being prepared to accompany the DCO application, which provides a full description of the proposed development. The ES is supported by a Non-Technical Summary and by a draft plan set to illustrate the location and scale of the proposed development.

As the proposed development requires Environmental Impact Assessment the applicant is required by Regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations"), to send prescribed consultees a copy of the notice publicising the proposed

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t: 01622 776226 f: 01622 776227

e: [info@dhaplanning.co.uk](mailto:info@dhaplanning.co.uk) w: [www.dhaplanning.co.uk](http://www.dhaplanning.co.uk)

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application under S48 of The Act. This Section 48 Notice is therefore enclosed and has been placed in the Sittingbourne News Extra, Sheerness Times Guardian, the Gazette and the Telegraph.

### **Responding to this Consultation**

Responses to this consultation can be made in writing to:

- [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)
- David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN.

Any responses should include the name of the responding organisation and a contact address where further correspondence regarding the project can be sent. **All responses must be received by 5pm on Tuesday 3rd April 2018.**

Hard copies of the application documents are available on request for a reasonable charge, via the contact details above. Any representations or responses received will be made public and will be summarised within the Consultation Report submitted as part of the DCO application.

The documents are also available at the project website:

<http://www.dsmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>

If you have queries about this consultation or any of the documents provided on the enclosed CD then please do not hesitate to contact David Harvey of DHA Planning on 01622 776 226 or at [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk).

Yours faithfully

A solid black rectangular box used to redact the signature of David Harvey.

David Harvey  
Director

**Enc.** Statutory Notice under Section 48 of the Planning Act 2008

CD containing:

- Draft Environmental Statement and NTS
- Draft application plan set

**APPENDIX 3**  
**S42 RESPONSES**  
**ES APPENDIX 3.5 – RESPONSE TO S42 CONSULTATION**  
**RESPONSES**

CEMHD Policy - Land Use Planning  
NSIP Consultations  
Building 2.2  
Redgrave Court  
Merton Road  
Bootle  
Merseyside  
L20 7HS

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

Kemsley Paper Mill  
DHA Planning  
By email only

Dear Kemsley Paper Mill team,

28 February 2018

**Section 42 Planning Act 2008: Statutory Consultation Proposed CHP plant - Kemsley Paper Mill**

Thank you for your letter of the 22<sup>nd</sup> January 2018 regarding the proposed CHP plant – Kemsley Paper Mill.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

The redline boundary of the development does not fall within the consultation zones of any major accident hazard site with Hazardous Substances Consent (HSC).

There are currently no major accident hazard pipelines within the development. If in the intervening period we are notified of a change to this situation, the developer would need to seek advice from us.

Would Hazardous Substances Consent be needed?

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

With regard to Chapter 3.11 of the above document, Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE is consulting further with DCLG to clarify this requirement.

Explosives sites

The licence for the licensed explosive port in this vicinity is in the process of being revoked. Once this licence has been revoked there will be no explosive sites in the vicinity.

## Waste

In respect of waste management the applicant should take account of and adhere to relevant health and safety requirements. More details can be found on HSE's website at: <http://www.hse.gov.uk/waste/index.htm>.

## **Electrical Safety**

No comment from a planning perspective

Please note that any further electronic communication on this project can be sent directly to the HSE designated e-mail account for NSIP applications the details of which can be found at the top of this letter or hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)  
NSIP Consultations  
2.2 Redgrave Court  
Merton Road, Bootle  
Merseyside, L20 7HS

Yours sincerely,

A solid black rectangular box used to redact the signature of Marion Davies.

Marion Davies

Date: 01 March 2018  
Our ref: 237759  
Your ref: DHA/DCH/12321/S42



David Harvey  
DHA Planning  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent ME14 3EN

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**By email only, no hard copy to follow**

Dear Mr Harvey


**Consultation under Section 42 of The Planning Act 2008 (as amended)  
Proposed application for a Development Consent Order for The Kemsley Paper Mill (K4) CHP  
Plant**

Thank you for your letter dated 22 January 2018 consulting Natural England on the above proposal. 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.

Based on the information provided, there are a number of areas where Natural England recommends further clarity is provided in relation to potential impacts to designated nature conservation sites and the associated mitigation measures that may be required. These are detailed more fully within Annex A appended to this letter; once this information has been collated we would be happy to provide further advice on the proposal in relation to designated sites. Natural England would be pleased to discuss the concerns and further information required through our [Discretionary Advice Service](#) if this would be helpful.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Sean Hanna on 0208 0266 064 or by email to [sean.hanna@naturalengland.org.uk](mailto:sean.hanna@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

  
Sean Hanna  
Lead Adviser  
Sussex and Kent Team

## **Annex A: Natural England's detailed advice in relation to the proposed Kemsley Paper Mill CHP (K4) Plant**

### **Designated nature conservation sites – further information required**

As detailed within the Environmental Statement, the application site is within close proximity, and has the potential to impact the following designated sites:

- The Swale Site of Special Scientific Interest (SSSI)
- The Swale Special Protection Area (SPA)
- The Swale Wetland of International Importance under the Ramsar Convention (Ramsar Site)
- The Swale Marine Conservation Zone (MCZ)
- Medway Estuary and Marshes SSSI
- Medway Estuary and Marshes SPA
- Medway Estuary and Marshes Ramsar Site
- South Thames Estuary and Marshes SSSI
- Thames Estuary and Marshes SPA
- Thames Estuary and Marshes Ramsar Site
- Queendown Warren SSSI
- Queendown Warren Special Area of Conservation (SAC)

Natural England considers that impacts to these sites are likely to result through a number of pathways including lighting, noise, water quality, changes to water temperature within The Swale, air quality and disturbance to species associated with the above sites. These are discussed in more detail below.

#### Noise

The Environmental Statement and accompanying Information to Inform the Habitats Regulations Assessment (Appendix 10.1) discounts impacts on the basis that noise levels within the designated sites will not exceed 80dB L<sub>Amax</sub>. Natural England's advice is that it is generally accepted that noise levels below 55dB are unlikely to result in disturbance to coastal bird species. Above 55dB, disturbance can occur and the significance of the impact is both species and site specific. Consequently, we recommend that further assessment of the potential impacts from noise impacts during construction and operation to species associated with The Swale SSSI, SPA and Ramsar Site and The Swale MCZ is provided along with details of any avoidance and mitigation measures that may be required. It would also be helpful if a noise contour plan detailing existing noise levels is provided to supplement those provided for construction and operation levels within the Environmental Statement.

#### Air Quality

Natural England notes that the Ecology section of the Environmental Statement (Chapter 10) and the Information to Inform the Habitats Regulations Assessment (Appendix 10.1) in general defer consideration of the air quality impacts and mitigation measures to Chapter 5 of the Environmental Statement. Chapter 5, the Air Quality section of the Environmental Statement appears to relate primarily to human health rather than ecological impacts. As such, we would recommend that further detailed consideration of the potential for air quality impacts, which should include information on the specific avoidance and mitigation measures to be implemented in relation to designated sites is provided.

We also note that section 5.29 of Appendix 10.1 states that '...redevelopment is not anticipated to increased traffic on the A249, nor on local service roads'. Natural England recommends that further clarity is provided within the assessment to confirm that there will be no increase in traffic which could result in air quality impacts to the designated sites.

Natural England notes that the Air Quality 'in-combination' assessment within Appendix 10.1 has yet to be completed and as such we are unable to provide detailed advice on this at present.

### Water quality

The Environmental Statement highlights that the scheme could result in a number of impacts to the designated sites in close proximity to the application site (The Swale SSSI, SPA and Ramsar Site and The Swale MCZ). These include impacts from contaminated run-off, construction materials and altered water flow for example. Whilst the Environmental Statement provides general principles of the measures that are to be developed to ensure impacts to the designated sites do not occur, we recommend that greater clarity is provided at this stage on the prevention and control measures that are to be implemented. The final detail of which can of course be agreed post consent but there needs to be sufficient certainty at this stage that impacts can be avoided or fully mitigated to allow Natural England to provide detailed advice on the proposal.

### Water temperature

Mention is made of warm water discharges to The Swale within the Environmental Statement but no assessment of the potential impacts that could result to the designated sites from this appears to have been provided. It would be helpful if clarity were provided on whether this will result in any additional impacts to those from the existing consented CHP which this proposal will replace; if so the potential ecological impacts should be fully detailed along with the avoidance and mitigation measures.

### Lighting

Sections 10.6.4 and 10.6.5 of the Environmental Statement detail that light impacts during construction and operation are unlikely to result in significant impacts to the designated sites. It would however be helpful if light contour plans detailing the current and likely lux levels within the designated sites during construction and operation of the scheme are provided.

### **Protected species**

We have not assessed the potential impacts to protected species as part of this advice letter. However as part of the Development Consent Order process, we would be happy to provide advice on mitigation measures as part of the Letter of No Impediment on a cost recovery basis through our [Discretionary Advice Service](#).





Historic England

SOUTH EAST OFFICE

Mr David Harvey  
DHA Planning  
Eclipse House, Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

Direct Dial: 01483 252043

Our ref: PA00703608

7 February 2018

Dear Mr Harvey

### Pre-application Advice

#### **KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD**

Thank you for consulting Historic England regarding the proposed construction and operation of a Combined Heat and Power (CHP) Plant at the Kemsley Mill, Sittingbourne, Kent. We provide the following advice.

#### **Advice**

An Environmental Statement (ES) has now been submitted for the proposed development. This includes a Cultural Heritage chapter which assesses the development's impact upon both non-designated and designated heritage assets and their setting.

The ES states that the development will have no direct physical impact upon any designated heritage assets. It also states that the development will cause no change to the setting of the Grade I Church of St Giles, or the scheduled monuments of 'Murston Old Church' or 'World War II Heavy Anti-aircraft Gunsite.' This is by virtue of the distance between these assets and the development site, and the screening effect of intervening development. We agree with these statements.

We think that the assessment of the development's impact upon the setting of the closest scheduled monument (Castle Rough) is inadequate in some respects. The assessment discusses only the *visual* impact of the development upon the setting of the monument, i.e. it fails to assess the impact that changes in ambient lighting, noise and traffic might also have. We would expect an assessment of these aspects of setting to have been undertaken, especially considering the proximity of the monument to the proposed development. This would also have been in line with Historic England's guidance on setting ('The Setting of Heritage Assets'), and advice we gave



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020  
HistoricEngland.org.uk



*Historic England is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*

*Historic England will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.*



## SOUTH EAST OFFICE

in August 2017 regarding the scope of the ES.

Although we think the assessment is in some aspects inadequate, we do - following our own site visit - agree that the *visual* impact of the development on the setting of Castle Rough will be negligible. This is because views to, from and around the monument have already been considerably compromised by the existing industrial complex. As the new development will sit comfortably within the massing of the existing complex, the additional visual impact it will cause should therefore indeed be negligible.

It may be that the impact of additional noise, lighting and traffic associated with the development will also be negligible for the same reasons. However, we note that this has not been formally assessed and thus we cannot determine this aspect of the development's impact. We understand that a noise assessment has been carried out and was used to assess impacts upon residential areas and ecology; therefore we believe that sufficient raw data should be available to allow the impact of additional noise upon the setting of Castle Rough to be assessed also.

The Cultural Heritage chapter of the ES also assesses the development's impact upon the setting of other designated assets (e.g. grade II buildings and Conservation Areas), and upon non-designated buried archaeology. We are principally interested in designated assets and would therefore defer to the advice of the Heritage Conservation Team at Kent County Council (KCC) with regards to the impact on non-designated heritage.

### *Relevant Policy*

When applying for planning permission (or a Development Consent Order) for a development, applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance (para. 128 NPPF).

The planning system should play an active role in guiding development to sustainable solutions; with economic, social and environmental gains sought jointly and simultaneously (para.8 NPPF). When determining an application for a DCO, the deciding body should therefore seek to improve proposals so that they avoid or minimise harm to the significance of designated heritage assets, whether through changes to the asset or to its setting.

### **Next Steps**



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020  
HistoricEngland.org.uk



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Historic England

SOUTH EAST OFFICE

We agree that the development's impact upon the setting of the Castle Rough scheduled monument will be negligible as regards *visual* impact. Although this may also be true of the development's impact upon other aspects of the monument's setting (e.g. noise, lighting levels), we note that this has not yet been clearly assessed or demonstrated within the ES.

We recommend that any application for a Development Consent Order is accompanied by a refined assessment of the development's impact upon the setting of the Castle Rough scheduled monument, i.e. one which also addresses the impact of increased noise, lighting and traffic. This is in accordance with paragraph 128 of the NPPF.

If the application cannot demonstrate that the impact of these aspects upon the setting of the Castle Rough scheduled monument will also be negligible, the applicant should seek to improve the proposal so that harm is avoided, minimised or mitigated. This is in accordance with paragraph 8 of the NPPF.

You should consult the Heritage Conservation Team at Kent County Council as regards the development's impact upon non-designated archaeology and how harm may best be avoided, minimised or mitigated. You should also consult the Conservation Officer at Swale Borough Council regarding the development's impact upon the setting of Grade II listed buildings, Conservation Areas and non-designated heritage assets.

Please do not hesitate to contact me if you require any further clarification or advice.

Yours sincerely



Maria Buczak  
Assistant Inspector of Ancient Monuments  
E-mail: [maria.buczak@HistoricEngland.org.uk](mailto:maria.buczak@HistoricEngland.org.uk)

cc: Wendy Rogers, KCC Heritage Conservation Team

**KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD**  
**Pre-application Advice**



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



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Historic England

SOUTH EAST OFFICE

**List of information on which the above advice is based**  
Environmental Statement (Chapters 1-13)  
Non-Technical Summary  
Additional Plans



EASTGATE COURT 195-205 HIGH STREET GUILDFORD SURREY GU1 3EH

Telephone 01483 252020  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



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*Historic England will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.*

Mr David Harvey  
DHA PLANNING  
Eclipse House (Eclipse Park)  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

**Our ref:** KT/2017/123292/02-L01  
**Your ref:** DHA/DCH/12321/S42  
**Date:** 26 February 2018

Dear Mr Harvey

**CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (AS AMENDED).**

**PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL (K4) CHP PLANT, SITTINGBOURNE, KENT**

Thank you for sending us this consultation. We would like to offer the following advice:

**Groundwater and Contaminated Land**

The DCO application documents will need to set out how the ground conditions will be investigated, assessed, and if necessary remediated as part of the development. Details of any piling for foundations will also need to be agreed through the DCO process to ensure protection of the underlying aquifer.

**Environmental Permitting**

For your information, we are having ongoing discussions with the applicant regarding the environmental permitting requirements of the proposal.

Please do not hesitate to contact me if you require any further information.

Yours sincerely

**Mr Niall Connolly**  
**Planning Specialist**

Direct dial 0208 474 6765  
Direct e-mail [kslplanning@environment-agency.gov.uk](mailto:kslplanning@environment-agency.gov.uk)

## David Harvey

---

**From:** Correspondence <Correspondence@equalityhumanrights.com>  
**Sent:** 30 January 2018 10:52  
**To:** David Harvey  
**Cc:** Info  
**Subject:** EHRC-CU10600 Harvey 20180130 Your letter to EHRC  
**Attachments:** EHRC-CU10600 Harvey 20180122 LetterFromDavidHarvey-DHAPanning.pdf

Dear Mr Harvey

### **Subject: Consultation - Combined Heat and Power (CHP) plant at the Kemsley Mill**

Thank you for your letter dated 22 January 2018.

The Commission does not have the resources to respond to all consultations. However, you and the local authority concerned will have obligations under the Public Sector Equality Duty to identify any adverse impact on a protected group as defined by the Equality Act (2010) and take appropriate mitigating action.

The Commission will respond to consultations where it may consider there to be pertinent matters to address.

Yours sincerely

EHRC Corporate Correspondence Team

Correspondence Unit | Arndale Centre, Arndale House, Manchester, M4 3AQ



---

### Our vision

We live in a country with a long history of upholding people's rights, valuing diversity and challenging intolerance. The Commission seeks to maintain and strengthen this heritage while identifying and tackling areas where there is still unfair discrimination or where human rights are not being respected.

### Legal disclaimer

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## David Harvey

---

**From:** Thomas Bulpit <Thomas.Bulpit@mcga.gov.uk>  
**Sent:** 07 March 2018 16:22  
**To:** David Harvey  
**Cc:** David Harvey; Helen Croxson  
**Subject:** DCO Consultee Response / Kemsley Paper Mill K4 CHP Plant

Good Afternoon,

I am writing in response to your letter and attached documents dated 22<sup>nd</sup> January, with regards to the proposals for a Development Consent Order (DCO) for the above works.

We have made an initial assessment of the plans, and note that the far majority of the works take place above the Mean High Water Springs (MHWS). Therefore we will reserve comments until we are approached by either the Planning Inspectorate or the Marine Management Organisation at the formal marine licencing stage.

Should you have any questions please feel free to get in touch.

Best Regards,

Tom

### Thomas Bulpit, Marine Licencing Lead

Maritime & Coastguard Agency

Spring Place, 105 Commercial Road, Southampton, SO15 1EG

Direct: 020381 72418 | Mobile: 07825 792138


Email: [Thomas.bulpit@mcga.gov.uk](mailto:Thomas.bulpit@mcga.gov.uk) | GSI: [Thomas.bulpit@mcga.gsi.gov.uk](mailto:Thomas.bulpit@mcga.gsi.gov.uk)

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Marine  
Management  
Organisation

Marine Licensing Team T +44 (0)300 123 1032  
Lancaster House [www.gov.uk/mmo](http://www.gov.uk/mmo)  
Hampshire Court  
Newcastle upon Tyne  
NE4 7YH

David Harvey  
DHA Planning  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

Your reference: DHA/DCH/12321/S42  
Our reference: DC10165/Regulator

**By email only**

22 February 2018

Dear Mr Harvey,

**CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (AS AMENDED): PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER FOR THE KEMSLEY PAPER MILL (K4) CHP PLANT**

Thank you for your letter dated 24 January 2018, notifying the Marine Management Organisation (the “MMO”) of the proposed application by DS Smith PLC for an Order granting Development Consent for the Kemsley Paper Mill (K4) Combined Heat and Power (CHP) Plant.

**The MMO’s role in Nationally Significant Infrastructure Projects**

The MMO was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring (“MHWS”) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

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<sup>1</sup> Under Part 4 of the 2009 Act





In the case of Nationally Significant Infrastructure Projects (“NSIPs”), the Planning Act 2008 (as amended) enables Development Consent Orders (“DCO”) for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO’s website<sup>3</sup>. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note<sup>4</sup>.

### **Kemsley Paper Mill (K4) CHP Plant**

The MMO has reviewed the Environmental Statement submitted on the 24 January 2018. The following chapters have not been considered as part of this review:

- Chapter 03: Methodology
- Chapter 04: Transport
- Chapter 05: Air Quality
- Chapter 06: Climate Change
- Chapter 07: Noise
- Chapter 08 Ground Conditions
- Chapter 10: Ecology
- Chapter 11: Landscape
- Chapter 12: Heritage
- Chapter 13: Summary Tables

Based on the information provided, no element of the proposals are within the UK Marine Area (as defined by Section 42 of The 2009 Act). The proposals are therefore wholly outside of the MMO’s remit.

From the information provided, notably within the Non-Technical Summary and Section 02 ‘Site description and Proposed Development’, the MMO has determined that the application boundary for the K4 plant is located entirely above MHWS and the report contains no reference to any additional activities on existing infrastructure, such as an outfall pipe, which may extend below MHWS.

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<sup>2</sup> Section 149A of the 2008 Act

<sup>3</sup> <https://www.gov.uk/planning-development/marine-licences>

<sup>4</sup> <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>



In relation to Chapter 09 of the Draft Environmental Statement, Section 9.4.5 references a drainage network which is connected to a surface water outfall into the River Swale. The MMO is aware of a Marine Licence which is in place for the construction, maintenance and operation of the outfall (Ref. 'MLA/2017/00316'). For clarity, the undertaker for this proposed DCO should contact the MMO to discuss licensing requirements should any additional works be required which are outside of the parameters of this licence.

Please note that this response constitutes the MMO's initial comments, and that the MMO reserves the right to make further comments on this project throughout the determination process, and to modify its present advice or opinion in view of any additional information that may come to its attention.

### **Conclusion**

Based on the information provided, the MMO has no comments to make in respect of the proposed K4 CHP Plant as works are located entirely above MHWS and therefore are outside the remit of the MMO. However, should it become apparent that any element of the proposals will extend below MHWS, the MMO reserves the right to provide further comment during the application process.

### **Your feedback**

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours sincerely,



Kathleen Mongan  
Marine Licensing Case Officer  
T: 020802 65326  
E: [kathleen.mongan@marinemanagement.org.uk](mailto:kathleen.mongan@marinemanagement.org.uk)

## David Harvey

---

**From:** Jiggins Craig <Craig.Jiggins@caa.co.uk>  
**Sent:** 14 March 2018 14:59  
**To:** Tim Spicer  
**Cc:** David Harvey  
**Subject:** RE: CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)

Hi Tim

We looked at the original application received last 17 August 2017, and felt that there needed no comment from the CAA as there are already Stacks on the site at equal or greater height, and therefore this new stack didn't require lighting. Also, the distance from any nearby airports/aerodromes such as Southend and Rochester was sufficient that these airports/aerodromes didn't require consultation.

However, I would suggest that it would be prudent to establish the related viewpoints of local emergency services Air Support Units of the proposal, due to the unique nature of operations in respect of altitudes and potentially unusual landing sites:

- National Police Air Service (NPAS) organisation via email [npas.obstructions@npas.pnn.police.uk](mailto:npas.obstructions@npas.pnn.police.uk);
- Air Ambulance Units - <https://associationofairambulances.co.uk/member/kent-surrey-sussex-air-ambulance/>

Regards

Craig

### Craig Jiggins

ATM Technical Specialist  
Safety and Airspace Regulation Group (SARG) - Airspace Regulation  
Civil Aviation Authority

020-7453 6559

[www.caa.co.uk](http://www.caa.co.uk)

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Please consider the environment. Think before printing this email.

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**From:** AROps  
**Sent:** 12 March 2018 09:59  
**To:** Jiggins Craig <Craig.Jiggins@caa.co.uk>; Miller David S <David.Miller@caa.co.uk>  
**Subject:** FW: CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)  
**Importance:** High

---

**From:** Tim Spicer [<mailto:tim.spicer@dhaplanning.co.uk>]  
**Sent:** 12 March 2018 09:53  
**To:** AROps <[AROps@caa.co.uk](mailto:AROps@caa.co.uk)>  
**Cc:** David Harvey <[david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk)>

**Subject:** CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008 (as amended)

**Importance:** High

Dear Sir/Madam

You were recently formally consulted by DHA Planning on behalf of DS Smith Paper Ltd in relation to a forthcoming application to the Secretary of State for Business, Energy and Industrial Strategy for a new CHP plant at Kemsley Paper Mill, Sittingbourne.

I re-attach the consultation letter issued on the 24<sup>th</sup> of January as well as a site location plan. A reminder of the above was also issued on the 20<sup>th</sup> of February.

As part of this development DS Smith are proposing a 70m stack and we are therefore keen to understand from the CAA whether you have any concern with a stack in this location and whether any associated lighting or other such safety measures would be required.

The Planning Inspectorate on behalf of the Secretary of State will look for the CAA to comment on the application and to have engaged with us.

I'd be most grateful if you could look to issue a formal position statement from the CAA at your earliest convenience but if you wish to discuss further informally in the meantime then please do not hesitate to call.

Kind regards

Tim

**Tim Spicer**  
**Associate (Environment)**

Office: 01622 776226

Email: [tim.spicer@dhaplanning.co.uk](mailto:tim.spicer@dhaplanning.co.uk)



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## **Kemsley Paper Mill (K4) CHP Plant– proposed development by DS Smith Paper Ltd**

### **Section 42 consultation response by Royal Mail Group Limited – March 2018**

#### **Introduction**

Reference the letter from DHA Planning to Royal Mail dated 22 January 2018, Royal Mail's response to DS Smith Paper Ltd's section 42 consultation is set out below.

#### **Royal Mail – relevant information**

Royal Mail is responsible for providing efficient mail sorting and delivery nationally. As the Universal Service Provider under the Postal Services Act 2011, Royal Mail has a statutory duty to deliver mail to every residential and business address in the country as well as collecting mail from all Post Offices and post boxes six days a week.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to Royal Mail's business.

Royal Mail has operational facilities in Sittingbourne, Rainham, Medway and Sheerness. Royal Mail's Delivery Office in Sittingbourne (Central Avenue, Sittingbourne ME10 4AA) is only 3 miles from the proposal site. In exercising its statutory duties, Royal Mail uses all of the main roads in the vicinity of the proposed K4 CHP Plant at Kemsley Paper Mill on a daily basis.

The adjacent Wheelabrator Kemsley Generating Station (K3) Power Upgrade planning permission and DCO proposal together with other nearby planned major developments creates potential for cumulative traffic impact during the construction and operation phases.

Therefore Royal Mail is concerned that its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations may be adversely affected by the construction of this new Power Station.

#### **Royal Mail's comments / requests**

Royal Mail's consultant BNP Paribas Real Estate has reviewed the section 42 consultation documents including ES Chapter 04 – Transport. It is noted that a CTMP will be prepared and agreed with the Local Highways Authority Officers prior to commencement of construction works. However, the documents do not appear to formally acknowledge the need to ensure that major road users such as Royal Mail are not disrupted though full advance consultation by the applicant at the appropriate time in the development process.



In order to address this, Royal Mail requests that:

1. The forthcoming DCO application offers a requirement that Royal Mail is pre-consulted by DS Smith Paper Ltd on any proposed road closures/ diversions/ alternative access arrangements, hours of working and the content of the final CTMP.
2. The forthcoming DCO application offers a requirement that the final CTMP includes provision for a mechanism to inform major road users about works affecting the local network (with particular regard to Royal Mail's distribution facilities in the vicinity of the DCO application site).

The above requests, made by Royal Mail at section 42 consultation stage, have been agreed and actioned by the developer of another NSIP proposal, to the satisfaction of Royal Mail and resulting in no further action by Royal Mail as a statutory consultee.

Should DS Smith Paper Ltd or DHA Planning have any queries in relation to the above then in the first instance please contact Joe Walsh ([joe.walsh@royalmail.com](mailto:joe.walsh@royalmail.com)) of Royal Mail's Legal Services Team or Daniel Parry-Jones ([daniel.parry-jones@bnpparibas.com](mailto:daniel.parry-jones@bnpparibas.com)) of BNP Paribas Real Estate.

## David Harvey

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**From:** Allana Johnston <AllanaJohnston@EnergyAssets.co.uk>  
**Sent:** 29 January 2018 16:06  
**To:** David Harvey  
**Subject:** Energy Assets Pipelines response - DHA/DCH/12321/S42

### To whom it may concern

With regards to your request for details of existing services, we can confirm that based on the details provided to us, we have no buried plant or equipment in the identified area.

Regards  
EAP

**Allana Johnston**  
Utility Network Coordinator



Tel: 01506 425378

Web: [www.energyassets.co.uk](http://www.energyassets.co.uk)



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Registered Office: Ship Canal House, 98 King Street, Manchester, M2 4WU

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## David Harvey

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**From:** ESP Utilities Group Ltd <donotreply@espug.com>  
**Sent:** 14 February 2018 14:29  
**To:** David Harvey  
**Subject:** Your Reference: DHA/DCH/12321/S42. Our Reference: PE134509. Plant Not Affected Notice from ES Pipelines

DHA Planning

14 February 2018

Reference: DHA/DCH/12321/S42

Dear Sir/Madam,

Thank you for your recent plant enquiry at (DHA/DCH/12321/S42).

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

### **Important Notice**

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: [PlantResponses@espipelines.com](mailto:PlantResponses@espipelines.com)

Yours faithfully,

Alan Slee  
**Operations Manager**



Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA

 01372 587500  01372 377996

<http://www.espug.com>

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**Land and Acquisitions**

Spencer Jefferies  
Development Liaison Officer  
Network management  
Spencer.Jefferies@nationalgrid.com  
Direct tel: +44 (0)7812 651481

SUBMITTED ELECTRONICALLY:  
[k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)

[www.nationalgrid.com](http://www.nationalgrid.com)

02 March 2018

Dear Sir/Madam

**PROPOSED APPLICATION FOR DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL (K4) CHP PLANT (known as 'the Order')**

**CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 22<sup>nd</sup> January 2018 regarding the Order. NGET and NGG have no assets in the proposed Order boundary (see attached) therefore, would not object to the Order in the future providing the boundary stays the same.

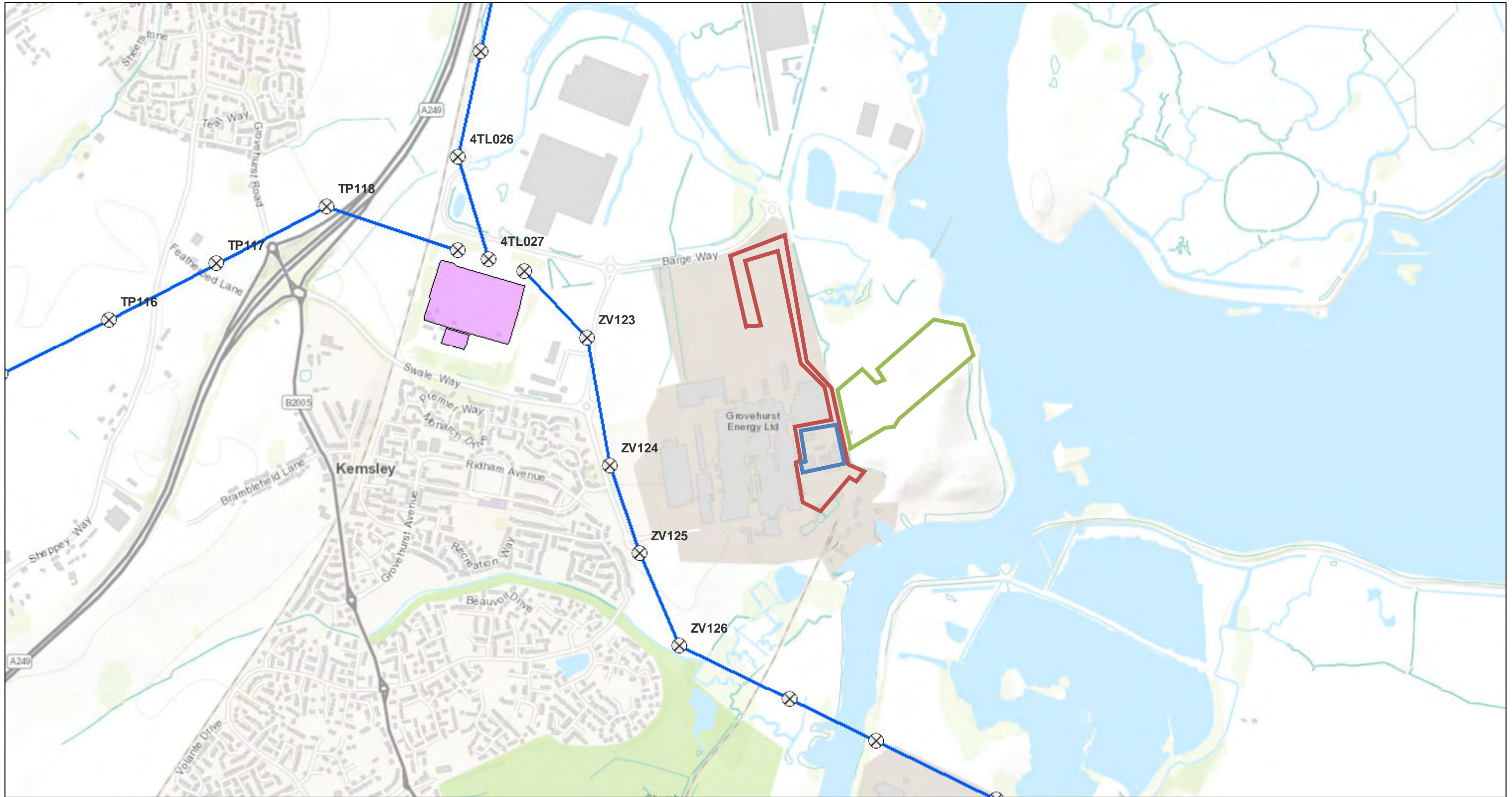
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours sincerely




**Spencer Jefferies**  
**Development Liaison Officer, Land and Acquisitions.**

# ArcGIS Web Map



September 13, 2017

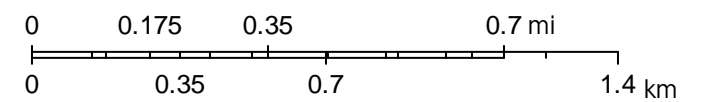
 Substation\_Site

 Towers

**OHL (Over-head Line)**

 400

1:18,056



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS

## David Harvey

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**From:** Suzann Gravenell  
**Sent:** 01 February 2018 13:55  
**To:** David Harvey  
**Subject:** FW: DS Smith Paper Ltd, Kemsley Paper Mill, Sittingbourne, Kent ME10 2TD  
**Attachments:** KEMSLEY PAPER MILL.pdf

---

**From:** Phillips, Lesley [mailto:lesley.phillips@sgn.co.uk]  
**Sent:** 01 February 2018 12:01  
**To:** Info  
**Subject:** DS Smith Paper Ltd, Kemsley Paper Mill, Sittingbourne, Kent ME10 2TD

Thank you for contacting our Safety Admin team.

Our gas pipe locations are now available online at [www.linerearchbeforeudig.co.uk](http://www.linerearchbeforeudig.co.uk). Not only can you access information about the location of our gas pipes in your proposed work area, but you can also search for information on other utility companies' assets at the same time.

All requests for maps and plant location information must now be submitted through this online service, and your email has not been processed.

Please visit [www.sgn.co.uk/Safety/Dig-safely/](http://www.sgn.co.uk/Safety/Dig-safely/) for safety information and links to [www.linerearchbeforeudig.co.uk](http://www.linerearchbeforeudig.co.uk), where you can register for our online service and view our gas pipe locations.

Our online service is not currently available in Northern Ireland. If you have emailed us about plant location or maps for Northern Ireland, we will respond to your email within 15 working days.

If you have any questions about our new plant location online service, please contact us on 0800 912 1722 or if you have any system queries contact LineSearch on 0845 437 7365

Regards

Safety Admin team

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Scotia Gas Networks Limited reg. 0495 8135  
Southern Gas Networks plc reg. 0516 7021  
SGN Commercial Services Limited reg. 0596 9465  
SGN Connections Limited reg. 0561 8886  
SGN Contracting Limited reg. 0537 2264  
SGN Natural Gas Limited reg. 0882 2715

All of the above are registered in England and Wales. Registered office: St Lawrence House, Station Approach, Horley, Surrey RH6 9HJ  
Scotland Gas Networks plc is registered in Scotland no. SC26 4065. Registered office: Axis House, 5 Lonehead Drive, Newbridge, Edinburgh EH28 8TG

## David Harvey

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**From:** Tristan Wright <tristan.wright@legal.sse.com>  
**Sent:** 12 March 2018 12:08  
**To:** David Harvey  
**Cc:** Whitlock, Steven; Easements and Wayleaves Southern/SGN  
**Subject:** Kemsley Paper Mill, Sittingbourne, Kent  
**Attachments:** Scheme Plan and SGN Infrastructure Plan.pdf

Hello David

**Kemsley Paper Mill, Sittingbourne, Kent**  
**Proposed Application for a Development Consent Order**  
**DS Smith Paper Limited and Southern Gas Networks PLC**

I attach a copy of a plan which shows:

- (1) the area of land, which shall form the subject of your client's Development Consent Order, edged in red ("the DCO Land"); and
- (2) the approximate location of an intermediate pressure gas main shown by a dashed green line ("the Gas Main").

You will note that the Gas Main encroaches into the DCO Land. As such please can you confirm the nature, and scope, of your client's development, which shall be carried out pursuant to the Development Consent Order, so that SGN can determine whether the same will adversely affect the Gas Main.

I have included my colleague – Steven Whitlock – into this email given that he is responsible for the management of intermediate pressure gas infrastructure.

Regards

Tristan

**Tristan Wright**  
**Property Solicitor**  
Mobile: 0734 202 8599  
Address: Southern Gas Networks PLC, Legal Services,  
4<sup>th</sup> Floor, 1 Forbury Place, Forbury Road, Reading, RG1 3JH







Ref: SGN/TPES/11465



David Harvey  
DHA Planning  
Eclipse House Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

St Mary's Cray  
2 Leasons Hill  
Orpington  
Kent  
BR5 2TN

stuart.cotton@sgn.co.uk

14/03/2018

**Re: DHA Planning - Development Projects(K4) - Kemsley Paper Mill, Sittingbourne**

**Works Classification: Development Projects**

**LSBUD Ref:**

Dear David Harvey,

Thank you for your enquiry dated 14/02/2018 indicating your proposed works. Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our high pressure assets will not be affected by the proposal based on the information submitted.

I would like to draw your attention to the original letter you would have received from our Scotland based plant location team with particular reference to the paragraphs detailing the potential of low / medium / intermediate pressure mains as well as other gas transporter assets being in the vicinity of your works.

For your records I enclose a copy of a plan showing the route of the High Pressure pipeline and a copy of SGNs safe working in the vicinity of pipelines and associated installations (SGN/WI/SW2). Should your proposal change please contact us immediately and we will review accordingly.

Please let me know if SGN can supply you with technical or other information that may be of assistance to you in carrying out your works.

Yours Sincerely,

Stuart Cotton  
Team Manager

**Smell Gas?  
Call 0800 111 999**

SGN is a brand name of Southern Gas Networks plc  
Registered in England & Wales No. 05167021  
Registered Office: St Lawrence House | Station Approach | Horley | Surrey RH6 9HJ

Our Ref: 12225688      Your Ref: K4

Monday, 05 March 2018

David Harvey  
Eclipse House Eclipse Park, Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

Dear David Harvey

Thank you for contacting us regarding UK Power Networks equipment at the above site. I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful.

I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works.

Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

If you have any further queries do not hesitate to contact us.

Plan Provision  
0800 056 5866





This information is made available to you on the terms set out below. If you do not accept the terms of use set out in this fact sheet please do not use the plans and return them to UK Power Networks.

1. UK Power Networks does not warrant that the information provided to you is correct. You rely upon it at your own risk.
2. UK Power Networks does not exclude or limit its liability if it causes the death of any person or causes personal injury to a person where such death or personal injury is caused by its negligence.
3. Subject to paragraph 2 UK Power Networks has no liability to you in contract, in tort (including negligence), for breach of statutory duty or otherwise how for any loss, damage, costs, claims, demands, or expenses that you or any third party may suffer or incur as a result of using the information provided whether for physical damage to property or for any economic loss (including without limitation loss of profit, loss of opportunity, loss of savings, loss of goodwill, loss of business, loss of use) or any special or consequential loss or damage whatsoever.
4. The information about UK Power Networks electrical plant and/or electric lines provided to you belongs to and remains the property of UK Power Networks. You must not alter it in any respect.
5. The information provided to you about the electrical plant and/or electric lines depicted on the plans may NOT be a complete record of such apparatus belonging to UK Power Networks. The information provided relates to electric lines and/or electrical plant belonging to UK Power Networks that it believes to be present but the plans are not definitive: other electric lines and/or electrical plant may be present and that may or may not belong to UK Power Networks.
6. Other apparatus not belonging to UK Power Networks is not shown on the plan. It is your responsibility to make your own enquiries elsewhere to discover whether apparatus belonging to others is present. It would be prudent to assume that other apparatus is present.
7. You are responsible for ensuring that the information made available to you is passed to those acting on your behalf and that all such persons are made aware of the contents of this letter.
8. Because the information provided to you may not be accurate, you are recommended to ascertain the presence of UK Power Networks electric lines and/or electrical plant by the digging of trial holes. Trial holes should be dug by hand only.

Excavations must be carried out in line with the Health and Safety Executive guidance document HSG 47. We will not undertake this work. A copy of HSG 47 can be obtained from the Health and Safety Executives website.

All electric lines discovered must be considered LIVE and DANGEROUS at all times and must not be cut, resited, suspended, bent or interfered with unless specially authorised by UK Power Networks.

The electric line and electrical plant belonging to UK Power Networks remains so even when made dead and abandoned and any such electric line and/or electrical plant exposed shall be reported to UK Power Networks.

Where your works are likely to affect our electric lines and/or electrical plant an estimate of the price of any protective /diversionary works can be prepared by UK Power Networks Branch at Metropolitan House, Darkes Lane, Potters Bar, Herts. , EN6 1AG, telephone no. 0845 2340040



- 9 Any work near to any overhead electricity lines must be carried out by you in accordance with the Health and Safety Executive guidance document GS6 and the Electricity at Work Regulations.

The GS6 Recommendations may be purchased from HSE Books or downloaded from the Energy Networks Association's website.

If given a reasonable period of prior notice UK Power Networks will attend on site without charge to advise how and where "goal posts" should be erected. If you wish to use this service, in the first instance please telephone: 0845 6014516 between 08:30 and 17:00 Monday to Friday.

10. You are responsible for the security of the information provided to you. It must not be given, sold or made available upon payment of a fee to a third party.
11. If in carrying out work on land in, on, under or over which is installed an electric line and/or electrical plant that belongs to UK Power Networks you and/or anyone working on your behalf damages (however slightly) that apparatus you must inform immediately UK Power Networks by our emergency 24 hour three digit telephone number **105** providing;
- your name, address and telephone number;
  - the date, time and place at which such damage was caused;
  - a description of the electric line and/or electrical plant to which damage was caused;
  - the name of the person whom it appears to you is responsible for that damage;
  - the nature of the damage.
12. The expression "UK Power Networks" includes UK Power Networks (EPN) plc, UK Power Networks (LPN) plc, UK Power Networks (SEPN) plc, UK Power Networks and any of their successors and predecessors in title.



Case Officer: Development Management  
Telephone: Contact Centre 01227 862178  
Email: [planning@canterbury.gov.uk](mailto:planning@canterbury.gov.uk)  
Website: [www.canterbury.gov.uk/planning](http://www.canterbury.gov.uk/planning)  
Date: 01 February 2018



DHA Planning  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN

Dear Mr Harvey

**Application No:** 18/00049  
**Proposal:** Proposed Combined Heat and Power (CHP) plant at the Kemsley Paper Mill.  
**Location:** Kemsley Paper Mill, Sittingbourne, Kent, ME10 2TD

Dear Mr Harvey,

Thank you for your consultation letter.

Canterbury City Council does not wish to comment at this stage but reserves the right to comment at a later stage of the process.

Kind regards

Planning Services

Swale House, East Street,  
Sittingbourne, Kent ME10 3HT  
DX59900 Sittingbourne 2  
Phone: 01795 424341  
Fax: 01795 417141  
www.swale.gov.uk



Mr D. Harvey  
DHA Planning  
Eclipse House  
Eclipse Park  
Maidstone  
Kent  
ME14 3EN

Our Ref: 18/500551/ENVSCR  
Date: 19 February 2018

Dear Mr Harvey,

**Re: S.42 consultation for construction of combined heat and power plant (K4);  
Kemsley Paper Mill, Ridham Avenue, Sittingbourne, Kent, ME10 2TD.**

Thank you for the details in respect of the above.

Having reviewed the submissions I can confirm that the Council has no comments to make at this stage.

Please let me know if you have any questions or would like to discuss the matter further.

Yours sincerely,

Ross M [redacted] e  
Senior Planning Officer  
t 01795 417108  
e [rossmccardle@swale.gov.uk](mailto:rossmccardle@swale.gov.uk)



Mr David Harvey  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

**BY EMAIL ONLY**

**Environment, Planning & Enforcement**

Strategic Planning and Policy  
Invicta House  
MAIDSTONE  
Kent ME14 1XQ

Phone: 03000 419618  
Ask for: Alexander Payne  
Email: [alexander.payne@kent.gov.uk](mailto:alexander.payne@kent.gov.uk)

2<sup>nd</sup> March 2018

Dear David,

**Re: Kemsley Paper Mill (K4) CHP Plant, Sittingbourne Kent - Draft Environmental Statement**

Thank you for your email dated 22 January 2018 providing Kent County Council (KCC) with the opportunity to comment on the draft Environmental Statement (ES) for the proposed Kemsley Paper Mill (K4) CHP Plant.

KCC has reviewed the draft ES and for ease of reference, comments are structured under the chapter headings used in the draft document.

**4. Traffic and Transport**

*Baseline conditions*

The junction analyses were completed on neutral dates in June 2016 and March 2017 and are considered valid.

KCC, as the Local Highway Authority, does not agree to the current extent of the road network and junctions that the ES identifies as requiring assessment. The full list should be agreed with the County Council prior to submission of the final TA.

It is noted that reference is made in the ES to an assessment on the M2 being included in the final submitted Transport Assessment (TA).

*Development proposals*

The principle of the construction access being directed to the northern access (Barge Way) and staff access via Ridham Avenue is considered appropriate. KCC agrees that only an assessment of the construction traffic (and not operational traffic generation) is appropriate. However, the final TA will be required to demonstrate a justification for the predicted number of HGV movements. It will also need to provide a clear indication as to the length of time that the peak number of staff would be expected on site. In addition, the number of remaining staff expected for the construction period should be made clear for the true impacts and parking needs to be assessed.

### *Future Year Traffic Flows*

It is agreed that 2019 is the appropriate future year for assessment, taking into account the peak traffic impact. Whilst the list of committed sites is largely agreed, consideration should also be given to the application at Wienerberger Smeed Dean Works, Church Road, Sittingbourne, ME10 3TN for the erection of a tile factory including service yard, storage yard and car parking area (17/505073/FULL), as this may have been determined by the time of final submission of the Development Consent Order (DCO). KCC agrees that the sites at north west and south west Sittingbourne are sufficiently delayed to not impact the future scenario, but consideration should be given to include the permitted Iwade developments that may not be currently generating any traffic.

### *Trip Generation*

It is noted that the assessment assumes workers will arrive between 06:00 and 07:00 and leave at 19:00 and 20:00 on a weekday, with the traffic count identifying peaks as between 08:00 and 09:00 and 17:00 and 18:00. Although the HGV movements in table 6.2 appear slightly incorrect, the principle of up to eight movements in a peak hour is unlikely to have a significant impact. As previously stated, additional counts and junction assessments are requested by KCC, with the potential need to include additional committed sites as appropriate.

### *Construction Traffic Management Plan (CTMP)*

It is noted that a full CTMP is to be agreed with the Highway Authority prior to the commencement of the development. The details proposed in paragraph 4.8.2 are considered appropriate, however, KCC would also wish to ensure that control measures are put in place to ensure the arrivals and departures of construction staff are indeed outside of the identified peak traffic. With regards to the contractor car sharing or mini bus collection, due to the high numbers of staff involved, it would be appropriate for a small-scale Travel Plan to be produced. This should include details of minibus provision and operation, along with the signposting of staff to sustainable transport options.

## **9. Water Environment**

The assessment of water resources in the draft ES is thorough. Consultation has been undertaken with the Medway Internal Drainage Boards and all matters appear to have been addressed to their satisfaction. Therefore, KCC has further no comments to make with respect to surface water management in the draft ES.

## **10. Ecology**

The information provided in the draft ES and Habitats Regulation Assessment (HRA) provides a substantial overview of the potential ecological impacts including increases in noise, light spill, air quality and disturbance from people and plant movements upon the Swale Special Protection Area (SPA), Site of Special Scientific Interest (SSSI), Ramsar Site and the Milton Creek Local Wildlife Site (LWS). KCC considers that the proposed mitigation measures are achievable and agrees that the development will not have a likely significant impact upon the aforementioned protected sites, subject to the outlined mitigation measures. KCC, therefore, agrees with the conclusion that the proposed development for the Kemsley CHP Plant can be screened out from having a likely significant effect on the designated sites.

## 11. Landscape and Visual Effects

KCC notes that the applicant has acknowledged the existence of the Public Rights of Way network and the Saxon Shore Way, and has considered the potential impacts on these routes. In addition to these paths, the applicant should be aware that KCC is currently working in partnership with Natural England to develop the England Coast Path in this region. This is a new National Trail walking route that will eventually circumnavigate the English coastline. The applicant has not highlighted the coast path in the draft ES and should be aware that the trail is scheduled for completion in 2020 and is likely to increase the number of people walking this section of the coast.

## 12. Archaeology and Cultural Heritage

The draft ES has considered the impacts of the proposed development on the setting of designated heritage assets (Listed Buildings, Scheduled Monuments, Parks and Gardens and Conservation Areas) and the historic landscape, as well as the direct physical impact on heritage assets.

Historic England and Swale Borough Council's Conservation Officer will lead on considering the impacts on designated heritage assets. KCC is aware of the Historic England advice provided to DHA Planning, dated 7 February 2018. KCC agrees with Historic England's position that there is no physical impact upon designated heritage assets and that visual impacts on the setting of Scheduled Monuments would be negligible given the massing of the present Kemsley Mill complex. KCC supports Historic England's request that a clearer assessment of the noise, lighting and traffic impacts on the Castle Rough moated site should be included to support the DCO application.

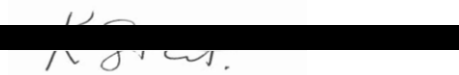
KCC has reviewed Appendix 12.1 with regards to the impacts of the development on buried archaeology, but this appears to be limited to a presentation of reports from adjacent sites, Kent Historic Environment Record data and historic maps. It is unclear if there has been a Desk-Based Assessment written to support Chapter 12 that includes consideration of direct geotechnical evidence within the site, which underpins the view that the area has been substantially affected by previous development, as stated in paragraph 12.6.3. However, KCC agrees that there is no suggestion that archaeology of such significance, that would warrant preservation in situ, is likely to be found within the site.

KCC requests that further assessment is likely to be required to understand the degree of previous disturbance on the site and how that may have affected the potential for significant archaeology to be impacted by the proposal. KCC considers that such assessment and appropriate mitigation can be addressed following determination of the DCO and secured by an appropriate requirement for a programme of archaeological works.

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If you require further information or clarification on any matter in this letter, then please do not hesitate to contact me.

Yours sincerely,



**Katie Stewart**

 and Enforcement

## Decision Notice

MC/18/0305



Mr David Harvey  
DHA Planning  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN

Planning Service  
Physical & Cultural Regeneration  
Regeneration, Culture, Environment &  
Transformation  
Civic Headquarters  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR  
Telephone: 01634 331700  
Facsimile: 01634 331195  
Email:

Applicant's Name DS Smith Paper Ltd

[planning.representations@medway.gov.uk](mailto:planning.representations@medway.gov.uk)

### TOWN & COUNTRY PLANNING ACT 1990

### Town & Country Planning (Development Management Procedure) (England) Order 2015

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Location: KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD

Proposal: Consultation under Section 42 of the Planning Act 2008 (as amended) for the construction of a Combined Heat and Power Plant

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I refer to your letter of consultation regarding the above and would inform you that the Council **RAISES NO OBJECTION** to it.

**Your attention is drawn to the following informative(s):-**

This representation relates to the covering letter, Statutory Notice and CD containing draft Environmental Statement and NTS and draft application plans received on 25 January 2018.

Signed

A black rectangular box redacts the signature of David Harris. Below the box, the name 'David Harris' is written in a cursive, handwritten style.

David Harris  
Head of Planning  
Date of Notice 1 March, 2018



Development Management  
Civic Offices, 2 Watling Street,  
Bexleyheath, Kent, DA6 7AT  
Tel: 020 8303 7777 Fax: 020 3045 5817  
DX31807 Bexleyheath www.bexley.gov.uk



m/r 18/00196/ALA  
y/r DHA/DCH/12321/S42

tel 0203 045 5840  
date 12 FEB 2018

The person dealing with this matter is Helen Acton  
Helen.acton@bexley.gov.uk

DS Smith Paper Limited  
C/O DHA Planning,  
Eclipse House,  
Eclipse Park,  
Sittingbourne Road,  
Maidstone,  
Kent. ME14 3EN


Dear David Harvey,

**Application by DS Smith Paper Ltd. Sittingbourne, Kent. ME10 2TD**  
**Proposed application for an Order Granting Development Consent for**  
**the Kemsley Paper Mill (K4) CHP Plant.**  
**Consultation under Section 42 of the Planning Act 2008 (as amended)**

I write in response to your letter dated 22<sup>nd</sup> January 2018 which provided a copy of the draft Environmental Statement for the project, supported by a Non-Technical Summary and a location plan.

Having considered the information available, the London Borough of Bexley has no comments.

Yours sincerely

 Robert Lancaster  
Head of Development Management



16 FEB 2018



**LONDON BOROUGH OF BROMLEY**  
**TOWN PLANNING**  
**RENEWAL AND RECREATION DEPARTMENT**

**DELEGATED DECISION on 15th September 2017**

17/03890/ADJ      **Kemsley Mill Ridham Avenue**  
Hannah Owens      **Sittingbourne Kent ME10 2DT**  
                                 **Swale Borough Council**

**Description of Development**

A Combined Heat and Power Plant comprising a gas turbine (52MW), Waste Heat Recovery Boilers (105MWth steam) and Steam Turbine (16MW) CONSULATATION BY THE PLANNING INSPECTORATE NSIP APPLICATION

**Proposal**

This is a consultation by the Planning Inspectorate on behalf of the Secretary of State concerning its opinion on the information to be provided in an Environmental Statement relating to a Combined Heat and Power Plant comprising a gas turbine (52MW), Waste Heat Recovery Boilers (105MWth steam) and Steam Turbine (16MW). The Planning Inspectorate has identified the London Borough of Bromley as a consultation body who must be consulted before adopting is Scoping Opinion.

The Council is required to inform the Planning Inspectorate of the information they consider should be provided in the Environmental Statement; or confirm that they do not have any comments.

The site is located within Sittingbourne, Kent and falls within the administrative boundaries of Swale Borough Council.

**Consultations**

The Council's Highway Development Engineers:

The Scoping Report identifies the potential issues with construction traffic during the decommissioning / construction phases. The site is some distance from Bromley and the effect on any highway within the Borough is likely to be negligible. I would have no comments on the Scoping Report.

Environmental Health Pollution -

Due to the distance and the prevailing wind carrying any airborne discharge in the opposite direction, I have no objections

**Planning Considerations**

The application falls to be determined in accordance with the National Planning Policy Framework.

## **Conclusions**

The main issues relating to the application are the potential impact to the surrounding area and local residents, including highways impacts within the London Borough of Bromley.

The proposed development constitutes a project falling within the definition of a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 by virtue of building, commission and operating an onshore generating station with an energy generating capacity of greater than 50MW and therefore requires a Development Consent Order (DCO) granting permission. It is anticipated that subject to obtaining the Order granting Development Consent the new gas-fired Combined Heat and Power (CHP) plant will become fully operational in 2020.

Whilst no highways impacts are considered, it is acknowledged that the resultant air quality may have some undue impacts upon LBB residents. It is noted within the submission that the operation of the gas fired turbine will result in emissions to air of combustion related gases including nitrogen dioxide. Whilst at this stage it is anticipated that due to subsequent advances in technology since the previous facility was installed in 1995 that emission levels will fall, the subsequent design and operation of the plant is not yet determined and cannot be confirmed. Officers request that the Inspectorate request further details of this within the Environmental Statement, however it is acknowledged that given the distances to the Bromley Boundaries, and the likelihood of the drop in emissions, no adverse impacts are anticipated.

The application site is located a significant distance from the Borough boundary (over 38 miles) and is unlikely to impact directly upon residents within Bromley or generate significant levels of traffic movement to and from the London Borough of Bromley to give rise to any significant transport/highways effects in the Borough.

Having had regard to the above it is not considered that the raising of objections in this case would be warranted.

## **Decision**

Decision - No Objection

**For conditions or grounds of refusal please refer to the Decision Notice**



**Document 3.1- ES Volume 2**

**Appendix 3.5 Response to**

**S42 Consultation**

**The Kemsley Mill K4 Combined Heat and  
Power Generating Station Development  
Consent Order**

**April 2018 - Submission Version**

**PINS Ref: EN010090**

## Response to the S42 Consultation & S48 Publication

### Introduction

The approach taken by the applicant to pre-application consultation and publicity is explained in full in the Consultation Report [Document 5.1] which forms part of the DCO application.

Section 42 of the Planning Act 2008 requires the applicant to consult various prescribed bodies, directly affected and adjoining local authorities, the Greater London Authority where relevant and any parties identified under S44, such as owner, lessees, tenants or occupiers and others.

Section 48 of the same Act requires the applicant to publicise the proposed application in the prescribed manner.

Section 42 consultation packs were sent to the required parties on 24<sup>th</sup> January 2018. A further Section 42 consultation in respect of additional Section 44 parties was undertaken on the 5<sup>th</sup> March 2018.

A draft ES was produced pursuant to the EIA Scoping process and formed the basis on which the S42 Consultation was undertaken. A copy of the consultation letter with a link to the relevant documents on DS Smith's website is provided in **Technical Appendix 3.4** (a CD containing all consultation documents was also sent to all consultees) as well as any consultation responses received. In accordance with the EIA Regulations a copy of the Section 48 notice was included within the S42 consultation packs.

Statutory notices under Section 48 were placed in locally circulating newspapers on the 24<sup>th</sup> and 31<sup>st</sup> January 2018, the London Gazette on the 31<sup>st</sup> January 2018 and the Daily Telegraph on the 30<sup>th</sup> January 2018.

Responses were received from 22 of the organisations consulted under Section 42. No responses were received as a result of the Section 48 notices. Full consultation responses are provided as **Appendix 3.4**.

The following table presents the key issues raised by consultees and provides responses to each of the relevant comments i.e. where a suggested amendment to the proposed scope of the ES is made. Comments that do not suggest an amendment to the scope of the draft ES pursuant to the S42 consultation have been excluded for ease of reference.

Where applicable, cross-references are made to where the issues have been addressed in the Environmental Statement. Please note, where comments received from consultees are quite lengthy, only the main points have been extracted and noted in the comments column below.

Statutory and non-statutory consultee scoping response/ comments	Response to comments made / cross references to where issues have been addressed
<b>Environment Agency</b>	
<p><b>Groundwater and Contaminated Land</b></p> <p>The DCO application documents will need to set out how the ground conditions will be investigated, assessed, and if necessary remediated as part of the development. Details of any piling for foundations will also need to be agreed through the DCO process to ensure protection of the underlying aquifer.</p>	
<p>A full desk based phase I survey has been undertaken and is provided as appendix 8.1 to the ES in addition to the main ES chapter (Chapter 8). This sets out how the ground will be investigated, assessed and if necessary remediated as part of the development including necessary precautions related to piling.</p>	<p><b>Historic England</b></p> <p>“We think that the assessment of the development’s impact upon the setting of the closest scheduled monument (Castle Rough) is inadequate in some respects. The assessment discusses only the visual impact of the development upon the setting of the monument, i.e. it fails to assess the impact that changes in ambient lighting, noise and traffic might also have. We would expect an assessment of these aspects of setting to have been undertaken, especially considering the proximity of the monument to the proposed development. This would also have been in line with Historic England’s guidance on setting (‘The Setting of Heritage Assets’), and advice we gave in August 2017 regarding the scope of the ES.</p> <p>Although we think the assessment is in some aspects inadequate, we do - following our own site visit - agree that the visual impact of the development on the setting of Castle Rough will be negligible. This is because views to, from and around the monument have already been considerably compromised by the existing industrial complex. As the new development will sit comfortably within the massing of the existing complex, the additional visual impact it will cause should therefore indeed be</p>
<p>The assessment of the impact of the development on Castle Rough has been reviewed to ensure it completely aligns with the identified Historic England guidance. This includes additional consideration of the effects of noise, traffic and lighting on the setting of the monument.</p> <p>The Heritage Chapter (12) of the ES has been amended in accordance with the above.</p>	

negligible.

It may be that the impact of additional noise, lighting and traffic associated with the development will also be negligible for the same reasons. However, we note that this has not been formally assessed and thus we cannot determine this aspect of the development's impact. We understand that a noise assessment has been carried out and was used to assess impacts upon residential areas and ecology; therefore we believe that sufficient raw data should be available to allow the impact of additional noise upon the setting of Castle Rough to be assessed also.

We agree that the development's impact upon the setting of the Castle Rough scheduled monument will be negligible as regards visual impact. Although this may also be true of the development's impact upon other aspects of the monument's setting (e.g. noise, lighting levels), we note that this has not yet been clearly assessed or demonstrated within the ES.

We recommend that any application for a Development Consent Order is accompanied by a refined assessment of the development's impact upon the setting of the Castle Rough scheduled monument, i.e. one which also addresses the impact of increased noise, lighting and traffic. This is in accordance with paragraph 128 of the NPPF.

If the application cannot demonstrate that the impact of these aspects upon the setting of the Castle Rough scheduled monument will also be negligible, the applicant should seek to improve the proposal so that harm is avoided, minimised or mitigated. This is in accordance with paragraph 8 of the NPPF."

### Natural England

“Based on the information provided, there are a number of areas where Natural England recommends further clarity is provided in relation to potential impacts to designated nature conservation sites and the associated mitigation measures that may be required.

Natural England considers that impacts to these sites are likely to result through a number of pathways including lighting, noise, water quality, changes to water temperature within The Swale, air quality and disturbance to species associated with the above sites. These are discussed in more detail below.

#### Noise

The Environmental Statement and accompanying Information to Inform the Habitats Regulations Assessment (Appendix 10.1) discounts impacts on the basis that noise levels within the designated sites will not exceed 80dB LAmax. Natural England’s advice is that it is generally accepted that noise levels below 55dB are unlikely to result in disturbance to coastal bird species. Above 55dB, disturbance can occur and the significance of the impact is both species and site specific. Consequently, we recommend that further assessment of the potential impacts from noise impacts during construction and operation to species associated with The Swale SSSI, SPA and Ramsar Site and The Swale MCZ is provided along with details of any avoidance and mitigation measures that may be required. It would also be helpful if a noise contour plan detailing existing noise levels is provided to supplement those provided for construction and operation levels within the Environmental Statement.

#### Air Quality

Natural England notes that the Ecology section of the Environmental Statement (Chapter 10) and the Information to Inform the Habitats Regulations Assessment (Appendix 10.1) in general defer consideration of the air quality impacts and mitigation measures to Chapter 5 of the Environmental Statement. Chapter 5, the Air Quality section of the Environmental Statement appears to relate primarily to human health rather than ecological impacts. As such, we would recommend that further

The effects of the development resulting from lighting, noise, water quality and changes to water temperature were presented in draft ES pursuant to S42 consultation albeit it is acknowledged that the No Significant Effect HRA Report (Appendix 10.2) did not perhaps reference them sufficiently for the ease of the reader.

The HRA has been reviewed on this basis to ensure it cross references appropriately to other locations in the ES where detailed information is presented which support the conclusions set out in the HRA.

It is noted that while 80dB LAmax is adopted as the threshold at which significant effects will occur, it is evident from the noise contour plan that accompanies the Ecology Chapter that no noise at or above 80dB LAmax is predicted. Indeed, a noise level greater than 65dB LAmax is not predicted anywhere within the SPA and the area over which a level up to 65dB LAmax could occur is limited to 20.8ha which represents approximately 0.32 % of the entire SPA.

RPS and DHA Environment have sought to hold a meeting with Natural England subsequent to their S42 response to discuss their concerns and agree a way forward but at the time of writing have not had a response.

Appendix 5.4 of the Environmental Statement contains the results of the air quality assessment looking at nutrient nitrogen and acid deposition on the Swale SPA. These indicate that no likely significant effect on the Swale SPA is likely. Clarification in the HRA and Chapter 10 has been provided to cross reference accordingly and further explanation provided as deemed necessary.



detailed consideration of the potential for air quality impacts, which should include information on the specific avoidance and mitigation measures to be implemented in relation to designated sites is provided.

We also note that section 5.29 of Appendix 10.1 states that 'redevelopment is not anticipated to increased traffic on the A249, nor on local service roads'. Natural England recommends that further clarity is provided within the assessment to confirm that there will be no increase in traffic which could result in air quality impacts to the designated sites. Natural England notes that the Air Quality 'in-combination' assessment within Appendix 10.1 has yet to be completed and as such we are unable to provide detailed advice on this at present.

#### **Water quality**

The Environmental Statement highlights that the scheme could result in a number of impacts to the designated sites in close proximity to the application site (The Swale SSSI, SPA and Ramsar Site and The Swale MCZ). These include impacts from contaminated run-off, construction materials and altered water flow for example. Whilst the Environmental Statement provides general principles of the measures that are to be developed to ensure impacts to the designated sites do not occur, we recommend that greater clarity is provided at this stage on the prevention and control measures that are to be implemented. The final detail of which can of course be agreed post consent but there needs to be sufficient certainty at this stage that impacts can be avoided or fully mitigated to allow Natural England to provide detailed advice on the proposal.

#### **Water temperature**

Mention is made of warm water discharges to The Swale within the Environmental Statement but no assessment of the potential impacts that could result to the designated sites from this appears to have been provided. It would be helpful if clarity were provided on whether this will result in any additional impacts to those from the existing consented CHP which this proposal will replace; if so the potential ecological impacts should be fully detailed along with the avoidance and mitigation measures.

The Proposed Development will result in a de Minimis impact on traffic movements once operational and therefore the only potential impact result from the construction traffic movements as set out in Chapter 4 Traffic and Transport. As set out in Chapter 5 Air Quality the volume on traffic and the roads in question are such that any potential impact can be ruled out as not significant without necessitating detailed assessment in accordance with Institute of Air Quality Management guidance. Appropriate cross-referencing has been provided to aid the reader and the 'in-combination' assessment completed.

It is considered that sufficient detail is provided in Chapter 9 (Water Environment) of the ES at the application stage and to the satisfaction of the EA and KCC. The reader is directed to this chapter of the ES and specific detailed cross referencing has been added to aid the reader.

As set out in Chapter 2 and 9 of the ES:

"In order to safeguard the quality of all water discharged from K4 all process drains along with any waste water are collected via a dedicated drains network and flow into a dedicated sump for neutralisation by the addition of acid (if required). From here any excess water will be conveyed to the Mills existing waste water treatment facility (WWTF) and discharged under DS Smith's existing discharge permit (permit no. EPR BJ74681C-V009) into the Swale as currently occurs for K1. The volume of water

discharged from K4, by virtue of being a smaller more efficient plant than K1, will be less and will not therefore exceed the existing WWTF permit limit. The permit for the WWTF contains discharge limits for both water pH and temperature which will remain in place for K4 and subject to periodic monitoring. Both water quality and temperature from K4 is therefore safeguarded before being discharged into the Swale.”

It is therefore considered that any potential effect can be screened out on this basis.

### Lighting

Sections 10.6.4 and 10.6.5 of the Environmental Statement detail that light impacts during construction and operation are unlikely to result in significant impacts to the designated sites. It would however be helpful if light contour plans detailing the current and likely lux levels within the designated sites during construction and operation of the scheme are provided.”

The Proposed Development is not at the detailed design stage whereby lighting plans are feasible. However notwithstanding this Lighting will be minimal and implemented using BS EN 12464-2:2007 *Lighting of work places. Outdoor work places. Part 1 & 2*. Contemporary lighting schemes minimise light spill and reduce lateral and vertical light spill from the source. Given the Site lies over 280m from the nearest part of the SPA and the existing lit context in which the development will sit not significant effect is likely.

Kent County Council

### **“Traffic and Transport**

KCC, as the Local Highway Authority, does not agree to the current extent of the road network and junctions that the ES identifies as requiring assessment. The full list should be agreed with the County Council prior to submission of the final TA.

Following receipt of KCC's S42 comments the RPS Transport consultant has been in direct correspondence with KCC with agree the spatial context of the road network and junctions to be assessment.

It is noted that reference is made in the ES to an assessment on the M2 being included in the final submitted Transport Assessment (TA).

Chapter 4 of the ES now includes an assessment of the development on the M2.

### **Development proposals**

The principle of the construction access being directed to the northern access (Barge Way) and staff access via Ridham Avenue is considered appropriate. KCC agrees that only an assessment of the construction traffic (and not operational traffic generation) is appropriate. However, the final TA will be required to demonstrate a justification for the predicted number of HGV movements. It will also need to provide a clear indication as to the length of time that the peak number of staff would be expected on site. In addition, the number of remaining staff expected for the construction period should be made clear for the true impacts and parking needs to be assessed.

Chapter 4 of the ES has been amended to provide justification of the length of time that peak numbers of staff would be expected and other periods during the construction.

### **Future Year Traffic Flows**

It is agreed that 2019 is the appropriate future year for assessment, taking into account the peak traffic impact. Whilst the list of committed sites is largely agreed, consideration should also be given to the application at Wienerberger Smeed Dean Works, Church Road, Sittingbourne, ME10 3TN for the erection of a tile factory including service yard, storage yard and car parking area (17/505073/FULL), as this may have been determined by the time of final submission of the Development Consent Order (DCO). KCC agrees that the sites at north west and south west Sittingbourne are sufficiently delayed to not impact the future scenario, but consideration should be given to include the permitted lwyade developments that may not be currently generating any traffic.

The scope of the cumulative impact assessment of the development with other local permitted or planned developments has been increased to include 17/505073/FULL and others.

### **Trip Generation**

It is noted that the assessment assumes workers will arrive between 06:00 and 07:00 and leave at 19:00 and 20:00 on a weekday, with the traffic count identifying peaks as between 08:00 and 09:00 and 17:00 and 18:00. Although the HGV movements in table 6.2 appear slightly incorrect, the principle of up to eight movements in a peak hour is unlikely to have a significant impact. As previously stated, additional counts and junction assessments are requested by KCC, with the potential need to include additional committed sites as appropriate.

The RPS Transport consultant has been in direct correspondence with KCC to agree the spatial context of the road network and junctions to be assessment (see Chapter 4).

### **Construction Traffic Management Plan (CTMP)**

It is noted that a full CTMP is to be agreed with the Highway Authority prior to the commencement of the development. The details proposed in paragraph 4.8.2 are considered appropriate, however, KCC would also wish to ensure that control measures are put in place to ensure the arrivals and departures of construction staff are indeed outside of the identified peak traffic. With regards to the contractor car sharing or mini bus collection, due to the high numbers of staff involved, it would be appropriate for a small-scale Travel Plan to be produced. This should include details of minibus provision and operation, along with the signposting of staff to sustainable transport options.

The proposed scope of the CTMP has been amended to reflect the request of KCC and a commitment to a small scale travel plan identified.

### **Landscape and Visual Effects**

KCC notes that the applicant has acknowledged the existence of the Public Rights of Way network and the Saxon Shore Way, and has considered the potential impacts on these routes. In addition to these paths, the applicant should be aware that KCC is currently working in partnership with Natural England to develop the England Coast Path in this region. This is a new National Trail walking route that will eventually circumnavigate the English coastline. The applicant has not highlighted the coast path in the draft ES and should be aware that the trail is scheduled for completion in 2020 and is likely to increase the number of people walking this section of the coast."

Chapter 11 of the ES has been amended to reflect the future change in status of the Saxon Shore Way and the increase it its use.

Health and Safety Executive	
<b>HSE's land use planning advice</b>	
<p>"Will the proposed development fall within any of HSE's consultation distances?</p> <p>The redline boundary of the development does not fall within the consultation zones of any major accident hazard site with Hazardous Substances Consent (HSC).</p> <p>There are currently no major accident hazard pipelines within the development. If in the intervening period we are notified of a change to this situation, the developer would need to seek advice from us.</p> <p>The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015. Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.</p>	
<p>The Proposed Development does not fall within the remit of the Regulations identified.</p>	
Royal Mail	
<p>"Royal Mail has operational facilities in Sittingbourne, Rainham, Medway and Sheerness. Royal Mail's Delivery Office in Sittingbourne (Central Avenue. Sittingbourne MEID 4AA) is only 3 miles from the proposal site.</p> <p>In exercising its statutory duties, Royal Mail uses all of the main roads in the vicinity of the proposed K4 CHP Plant at Kemsley Paper MILL on a daily basis. The adjacent Wheelabrator Kemsley Generating Station (K3) Power Upgrade planning permission and DCO proposal together with other nearby planned major developments creates potential for cumulative traffic impact during the construction and operation phases.</p>	
<p>It is not considered that the level of traffic generated during construction is likely to materially impact on Royal Mail's daily operations and therefore such a requirement is not deemed necessary.</p>	

Therefore Royal Mail is concerned that its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations may be adversely affected by the construction of this new Power Station.

Royal Mail's consultant BN Paribas Real Estate has reviewed the section 42 consultation documents including ES Chapter 04- Transport. It is noted that a CTMP will be prepared and agreed with the Local Highways Authority Officers prior to commencement of construction works. However, the documents do not appear to formally acknowledge the need to ensure that major road users such as Royal Mail are not disrupted though full advance consultation by the applicant at the appropriate time in the development process.

In order to address this. Royal Mail requests that

1. The forthcoming DCO application offers a requirement that Royal Mail is pre-consulted by DS Smith Paper Ltd on any proposed road closures/ diversions/ alternative access arrangements, hours of working and the content of the final CTMP
2. The forthcoming DCO application offers a requirement that the final CTMP includes provision for a mechanism to inform major road users about works affecting the Local network (with particular regard to Royal Mails distribution facilities in the vicinity of the DCO application site)."

## **APPENDIX 4**

### **S46 NOTIFICATION AND ACCEPTANCE**

Ms E Sherman  
Major Applications and Plans  
The Planning Inspectorate,  
Temple Quay House,  
Temple Quay,  
Bristol,  
BS1 6PN

Our Ref: DHA/DCH/12321/S46

23<sup>rd</sup> January 2018

Dear Ms Sherman

**DS SMITH PAPER LTD, KEMSLEY PAPER MILL, SITTINGBOURNE, KENT, ME10 2TD  
PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER: THE KEMSLEY PAPER MILL (K4) CHP  
PLANT**

**NOTIFICATION OF PROPOSED APPLICATION IN ACCORDANCE WITH SECTION 46 OF THE PLANNING  
ACT 2008 (as amended)**

I write pursuant to Section 46 of The Planning Act 2008 ("The Act") and hereby give notice that DS Smith Paper Ltd. intend to submit an application for a Development Consent Order to construct a Combined Heat and Power Plant, called K4, at the Kemsley Paper Mill to the north of Sittingbourne in Kent.

**Consultation under Section 42 of The Act**

Letters to prescribed bodies, relevant statutory undertakers and specified Local Authorities under Section 42 of The Act are being sent on the 24<sup>th</sup> January 2018 by Royal Mail Recorded Delivery. We therefore expect S42 consultees to have received those letters by Friday 26<sup>th</sup> at the latest, meaning that the S42 consultation period would commence on the 27<sup>th</sup> January 2018. The deadline provided for responses to the S42 consultation is the 2<sup>nd</sup> March 2018, which therefore provides a 35 day period, in excess of the required minimum of 28 days.

S42 consultees have been provided with a covering letter, a copy of the S48 notice (as the proposed scheme is a development for which Environmental Impact Assessment is required), and a CD containing a draft Environmental Statement and Non-Technical Summary (by way of Preliminary Environmental Information) and a set of draft application plans.

\\DHA-DC01\ david hicken associates\Clients\12321 DS SMITH K4 DCO Project, Kemsley Mill, Sittingbourne (P)\DRAFT DOCS\id - S46 Notification\S46 Letter PINS 22-05-14.docx

**dha planning**

Eclipse House, Eclipse Park, Sittingbourne Road  
Maidstone, Kent ME14 3EN

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DHA Planning Ltd. Registered in England. Registration No, 2683290







### **Section 46 of The Act**

In accordance with Section 46(1) of The Act please find enclosed with this letter the documents provided to the consultation bodies under Section 42. I have also included for reference the list of those prescribed bodies, statutory undertakers and local authorities who have been consulted.

### **Consultation under Section 47 of The Act**

As you are aware the developer has agreed a Statement of Community Consultation with Swale Borough Council and Kent County Council and undertook consultation with the local community at the end of 2017. We will shortly be submitting an early version of our Consultation Report for review which will document that consultation with the local community. It is considered that the requirements of Section 47 of The Act have been addressed.

### **Publicity under Section 48 of The Act**

The notice prepared to address Section 48 of The Act has been published in the Sittingbourne News Extra and Sheerness Times Guardian on the 24<sup>th</sup> January 2018 and will be published again in those papers on the 31<sup>st</sup> January 2018. The same notice will be placed in the London Gazette and a nationally circulating paper by the 31<sup>st</sup> January 2018.

The S48 notice provides the same deadline for responses, the 2<sup>nd</sup> March 2018, as defined for the purposes of the S42 consultation. That provides a period of 31 days starting on the date of the second consecutive notice being placed in the locally circulating newspapers.

I trust this letter is sufficient to discharge Section 46 of The Act but please do not hesitate to contact me should you have any queries or require anything further at this stage.

Yours sincerely

A black rectangular box redacting the signature of David Harvey.

David Harvey  
Director

Enc.

Covering letter to S.42 consultees

Section 42 Mailing List

CD provided to S.42 consultees, containing the draft Environmental Statement, NTS and application plans

Notice publicised under S.48 of The Act



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [K4KemsleyCHP@pins.gsi.gov.uk](mailto:K4KemsleyCHP@pins.gsi.gov.uk)

---

David Harvey  
DS Smith Plc  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN

Your Ref: DHA/DCH/12321/S46

Our Ref: EN010090

Date: 5 February 2018

---

Dear Mr Harvey,

**Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulation 6**

**Proposed application by DS Smith Plc for an Order Granting Development Consent for the Kemsley Paper Mill (K4) CHP Plant**

**Acknowledgement of receipt of information concerning proposed application**

Thank you for your letter of 23 January 2018 and the following documentation:

- Section 46 notification covering letter,
- Covering letter to s42 consultees,
- Section 42 mailing list,
- Notice publicised under s48 of the PA2008, and
- A copy of the CD provided to s42 consultees, containing the draft Environmental Statement, the Non-Technical Summary (NTS) and application plans.

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an order granting development consent for the purposes of section 46 of the PA2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

**EN010090**

I also acknowledge notification in accordance with Regulation 6 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) that you propose to provide an environmental statement in respect of the proposed development.



I will be your point of contact for this application – my contact details are at the end of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the new regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other interested parties on our website and, if relevant, direct parties to you as the applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the pre-application stage.

Once you have prepared draft documents we are able to provide technical advice, in particular on the draft development consent order, explanatory memorandum, the consultation report and any draft HRA. You may therefore wish to build this into your timetables.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the Data Protection Act 1998 to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

*Emre Williams*

**Emre Williams**  
**Case Manager**  
**0303 444 5069**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the National Infrastructure Planning website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.



## **APPENDIX 5**

# **COMMUNITY CONSULTATION STRATEGY**



**DS Smith Ltd  
Kemsley Paper Mill  
K4 CHP Plant**

**Community  
Consultation  
Strategy**

**DRAFT** - October 2017  
Our Ref: DCH/12321

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# 1 Introduction

## 1.1 Purpose of this Document

- 1.1.1 DS Smith Paper Ltd (DS Smith) intend to apply for a Development Consent Order for the construction and operation of K4 – a gas fired Combined Heat and Power plant at their Paper Mill in Kemsley, to the north of Sittingbourne.
- 1.1.2 The proposed CHP will comprise an onshore generating station with a capacity greater than 50MW. The proposal is therefore a Nationally Significant Infrastructure Project, under Section 14 (1) (a) of the Planning Act 2008 (as amended by the Localism Act 2011), for which a Development Consent Order from the Secretary of State for Business, Energy and Industrial Strategy will be required.
- 1.1.3 The NSIP process requires consultation with various groups, including prescribed persons, local authorities and the local community to be undertaken at an early stage, so that when submitted schemes have already taken into account any significant issues likely to be raised during the examination of the DCO application.
- 1.1.4 The Planning Act 2008 requires an applicant to prepare a Statement setting out how they propose to consult people in the vicinity of the land about the proposed application. This Consultation Strategy explains the approach and methodology taken within the 'Statement of Community Consultation' (SoCC).
- 1.1.5 This Consultation Strategy and the draft SoCC have been submitted to Swale Borough Council and Kent County Council for review prior to the SoCC being published and the community consultation being carried out. An early version of the SoCC was presented to Swale Borough Council on an informal basis and was discussed, together with the broad approach being taken to consultation, in a meeting on 14<sup>th</sup> September 2017.

## 1.2 Current Project Status

- 1.2.1 This document has been prepared at an early stage of the process towards seeking a Development Consent Order for the proposed CHP.
- 1.2.2 The applicant submitted an Environmental Impact Assessment Scoping Request to the Planning Inspectorate on 17<sup>th</sup> August 2017. The Planning Inspectorate provided their Scoping Opinion on 27<sup>th</sup> September 2017.
- 1.2.3 DS Smith's intention is to undertake the consultation required by the Act during the remainder of 2017, with a view to lodging the DCO application with the Planning Inspectorate during the first quarter of 2018. Should that application be accepted by the Inspectorate it would then be subject to an examination process lasting up to 9 months.
- 1.2.4 Once the application is submitted the Local Authority will have the opportunity to produce a Local Impact Report, to be considered by the Inspectorate in determining the application, which will set out what they perceive to be the positive and negative local impacts of the proposed development.



## 2 Legislative Requirements

### 2.1 The need for a DCO

2.1.1 The proposed K4 plant is an onshore generating station in England with a capacity of more than 50 megawatts, and therefore is a 'Nationally Significant Infrastructure Project' under Section 15 of the Planning Act 2008 (as amended) ('The Act'). DS Smith are therefore required to apply to the Secretary of State for Business, Energy and Industrial Strategy for a Development Consent Order to seek consent for the proposed development.

### 2.2 Local Community Consultation

- 2.2.1 Section 47 of The Act places a duty on the applicant to consult the local community.
- 2.2.2 Section 47(1) states that the applicant must prepare a statement (the SoCC) setting out how the applicant proposes to consult people living in the vicinity of the land about the proposed application. Part 47(2) states that the applicant must consult each authority within part 43(1) of the Act about what is to be in the statement.
- 2.2.3 For the purposes of Section 43(1), a local authority (as defined within the Act) is one where the development falls within the local authority area. In this case the Section 43(1) authorities are therefore Swale Borough Council and Kent County Council.
- 2.2.4 Part 47(3) of the Act provides the local authorities with a 28 day period in which to comment on the SoCC, starting on the day after the day on which the authority receives the consultation documents. Part 47(5) requires the applicant to have regard to comments received by that deadline.
- 2.2.5 Part 47(6), as amended by the Localism Act 2011, requires the applicant to make the SoCC available for inspection by the public in a way reasonably convenient for people living in the vicinity of the land. The applicant must publish a notice stating where and when the SoCC can be inspected.
- 2.2.6 Part 47(7) requires the applicant to then carry out the consultation in accordance with the SoCC.

### 2.3 Other Consultation to be undertaken

- 2.3.1 Section 42 of the Act requires an applicant to consult:
- (a) Such persons as may be prescribed;
  - (b) Each local authority within Section 43;
  - (c) The Greater London Authority if the land is within Greater London;
  - (d) Each person who is within one or more of the categories set out in Section 44.

- 2.3.2 The application will contain a Consultation Report which will document how the various elements of Section 42, together with the requirements under S47, have been addressed.

## 2.4 Other Documents

- 2.4.1 A number of documents have been produced which provide information and guidance of the pre-application consultation process. Particular sections of these documents of relevance to the strategy proposed within this Statement are referred to below.

### ***DCLG- Planning Act 2008 – Guidance on Pre-Application Consultation***

- 2.4.2 This document provides guidance on all aspects of the process and this Consultation Strategy and the draft SoCC has regard to this guidance. In particular the document notes, in Paragraph 11 that projects and the communities and environment in which they are located will vary considerably and that this should be reflected within the particular methods and approach to consultation which is chosen. Paragraph 13 recognises that consultation, whilst being thorough and effective, will need to be proportionate.

### ***Planning Inspectorate Advice Note 8.1***

- 2.4.3 Advice Note 8.1: 'How the process works' states that 'the length of time taken to prepare and consult on the project will vary depending upon its scale and complexity.'

## 3 Proposed Development

### 3.1 Proposed CHP

- 3.1.1 The draft SoCC provides an overview of the proposed development together with illustrative plans and images to show the proposed location and scale of the K4 plant.
- 3.1.2 In summary, the Kemsley Paper mill is currently supplied with electricity and steam from a range of sources. Those include K1; an existing CHP plant which supplies both electricity and steam to the mill and which is now nearing the end of its operational life.
- 3.1.3 It is proposed to construct K4, a new CHP plant to replace K1. K4 would be located within the main Kemsley Paper mill complex and would contain a gas turbine, producing in the region of 54-57MW of electrical power, a Heat Recovery Steam Generator producing in the region of 105-110 MWth steam and a steam turbine producing in the region of 16MW of electrical power.
- 3.1.4 Figure 3.1 shows the location of the K4 project and Figure 3.2 provides an illustration of the scale/design of the proposed plant.



Figure 3.1 – Location of K4 project (red line indicates expected DCO boundary)

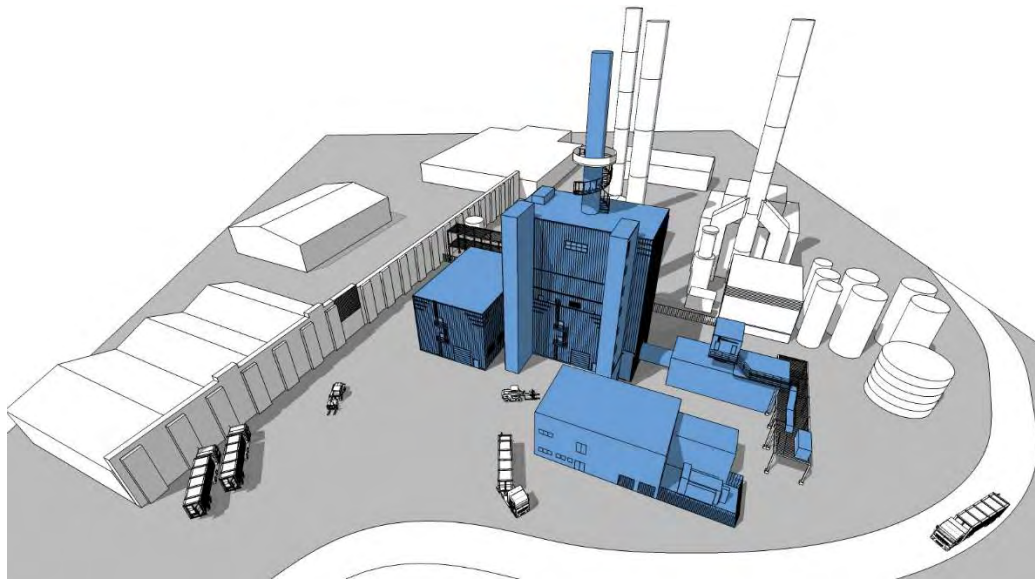


Figure 3.2 – Illustrative plan showing K4 design/layout

## 3.2 Anticipated Environmental Impacts

3.2.1 The following are considered to be the key potential environmental impacts arising from the proposed development and will be used to define a zone of influence around the proposal site:

- (1) **Traffic and Transportation:** the construction process is expected to last some 20 months and would generate staff, abnormal loads and HGV movements. There would be similar movements during the eventual decommissioning phase. An average of 40 two way HGV movements would be generated per day during the construction phase. During the operational phase there would be no additional staff or delivery movements, only ad-hoc maintenance vehicle movements. The ES will therefore provide a full assessment of the traffic and transportation impacts and their likely effect on the surrounding road network.
- (2) **Air Quality/Climate change:** the key potential impact on air quality at the construction stage arises from dust being created from construction activities, together with any emissions associated with the commissioning of the K4 plant. At the operational stage it is anticipated that the level of emissions will reduce compared to the existing situation, given the K4 plant will be smaller and more efficient than the existing K1 plant, and as such it is not expected that air quality will impact on the extent of the zone of influence.
- (3) **Noise:** the ES will assess noise and vibration generated by construction plant at the site, against the current baseline. Operational noise and vibration will also then be considered, albeit operational vibration will be controlled at source and is not expected to have any impacts on the surrounding population. Given the context of the existing mill operations and the distance to nearby businesses/residences it

is not expected that noise will be a factor which will impact on the zone of influence.

- (4) **Landscape and Visual Impacts:** the proposed K4 plant will be viewed against the context of the established and substantial Kemsley Paper mill. Whilst it is therefore expected that landscape and visual impacts will be minimised, there are likely to be some visual impacts on users and residents within the surrounding area. The zone of influence has therefore been drawn to reflect the potential for visual impacts to occur.
- (5) **Ecology and Nature Conservation:** the site has limited direct ecological value due to its location within the wider paper mill complex. However the assessment within the ES will also consider the impact of the proposals on surrounding designated sites. The issue of nature conservation is not one which is expected to alter the zone of influence which has been defined.
- (6) **Water resources:** the ES will consider the impacts of the proposed development on surface water, coastal water and groundwater quality. Given the context of the site and the ability to employ appropriate preventative measures this is not an issue expected to impact on the zone of influence.
- (7) **Archaeology and Cultural Heritage:** the ES will assess the potential for archaeological remains to exist within the site, together with any impacts on the setting of nearby heritage assets. There are not anticipated to be any impacts which will arise beyond the zone of influence identified in respect of issues such as traffic and transport/landscape and visual impact.
- (8) **Accidents and disasters** – the proposal site is not in a location considered to be vulnerable to hazards, other than river/estuarine flooding. The operation of the proposal K4 plant and the wider paper mill are therefore controlled by a range of legislative instruments which are intended to minimise the risk of accidents and their impact should they occur. This is not an issue which is expected to extend the zone of influence beyond that defined based on other issues, such as traffic and transportation.
- (9) **Land use/Land condition:** the ES will assess ground conditions and any contamination present within the construction site, in order to address any potential impacts on human health, such as construction workers, ground contamination and controlled waters and ground gas. Land use/land condition is not a factor which is expected to alter the zone of influence.

3.2.2 As demonstrated by the above summary the main anticipated environmental impact which will have the potential to impact those living in the vicinity of the site is construction traffic. The remaining environmental impacts, in terms of their potential impact on the surrounding population, are minimised or mitigated by the context of the application site within the wider Kemsley mill complex and the fact that K4 will replace the older and less efficient K1.

3.2.3 The zone of influence which has been defined takes into account the above and is discussed in further detail in Section 6 of this Statement.

### 3.3 The K3 Context

3.3.1 Consent exists for an energy from waste plant just to the east of the Kemsley Paper Mill, called 'K3'. That plant is being constructed by Wheelabrator and will supply steam to the Kemsley Paper mill.

3.3.2 K3 will be the subject of a DCO application to increase its operational capacity to 79MW. That application, the '*Wheelabrator Kemsley Generating Station (K3) – Power Upgrade*' has been registered with the Planning Inspectorate but it is understood that an application will not be submitted until 2018. The Wheelabrator team conducted their public consultation work under S47 around mid 2017.

3.3.3 There is potential, given the naming structure and the proximity of the projects for local confusion to occur. The consultation strategy proposed will address this issue by making clear within any documentation the differences between the two projects. The potential for consultee confusion to occur is limited by the fact that the public consultation exercises on the K3 and K4 projects do not overlap.



## 4 Swale Borough Council – Shaping Spaces and Places

4.1.1 The Swale Borough Council's Statement of Community Consultation document 'Shaping Spaces and Places' was produced in 2008 to set out the principles and strategy for the Council to consult the community on planning applications and planning policies. A number of those principles have relevance for the consultation of the community as part of the DCO application and have therefore been taken into account when formulating this Consultation Strategy. The relevant elements of the document are summarised below.

### 4.2 The Swale Community

4.2.1 The Council's Statement of Community Involvement identifies several groups considered to form the Swale Community, which therefore need to be consulted on development proposals:

- (1) **Local Communities** – the document notes that the interests of local communities can be represented by parish councils or voluntary groups, but that harder to reach groups can also exist whose involvement can be limited by age, ability or pressure of time. It also notes that too many consultations can wear local communities down.
- (2) **Specific Consultation bodies** – includes Natural England, Parish Councils etc. For the purposes of the DCO these bodies will be consulted under S.42.
- (3) **Service providers** – includes Health Trusts, schools/colleges, emergency services. A number of these service providers will be covered by the S.42 consultation, whilst the community consultation strategy then has regard to any specific local providers, particularly those within the zone of influence.
- (4) **Other agencies** – the examples given comprise the RSPB and local societies. Some agencies will be addressed by the S.42 consultation, but efforts will then also be made to identify further specific local agencies who should also be consulted.
- (5) **Developers and landowners** – efforts will be made to identify any local landowners/developers, particularly those within the zone of influence.
- (6) **Businesses** – local businesses, particularly those within the zone of influence, will be identified and consulted.

### 4.3 Improving participation and representation

4.3.1 The Statement of Community Involvement focuses on how to improve participation and representation.

#### **Removing barriers**

4.3.2 The Statement identifies apathy and disinterest, time of meetings and activities, mistrust and cynicism, access to or lack of information as barriers to involvement.



4.3.3 The strategy proposed reflects and addresses those issues. A range of methods of consultation have been proposed including the use of a project website, to provide a source of information and a method of providing feedback which is easily accessible for most people. Similarly two exhibitions, during a weekday afternoon and at the weekend, have been proposed to provide the opportunity for a wide range of people to attend. The deposit of key documents at local venues and the opportunity to respond by post also widens the methods by which people can understand and comment on the proposed scheme.

4.3.4 The consultation strategy focuses on providing information on the proposed scheme which is understandable for those with no technical or working knowledge of the paper mill or the DCO process, as well as explaining the DCO process itself so that the local community understands the role they play.

***The right information to the right people***

4.3.5 The Council's Statement of Community Involvement reflects the need for people to understand the wider planning system and to ensure that opportunities are being provided for relevant people to understand what is going on and how they can get involved. As reflected above the varying methods of publicity and methods aim to ensure that relevant elements of the community are being provided with the appropriate level of information and are being given a range of opportunities to respond.

***Getting more active***

4.3.6 The Statement notes that Swale Borough Council will be more active in going into communities. The Consultation Strategy set out within this document takes a similar approach with the exhibitions intended to engage the public in a location convenient to them.

4.3.7 The Council's Statement notes that a large part of the Borough comprises rural areas where parish and town Councils will help create appropriate levels of involvement. The zone of influence identified around K4 encompasses some rural areas and a similar approach will therefore be taken, including identifying networks such as the National Farmers Union who can assist with engagement in rural areas.

***Giving everyone a voice***

4.3.8 In accordance with the approach taken in the Consultation Involvement document the proposed consultation strategy aims to remove any barriers created to involvement by race and disability. Specifically:

- Documents will be made available if necessary in different formats, such as large print and other languages;
- Accessibility will be considered when booking/setting out exhibition venues;
- **Young people** – specific local groups will be identified to help engage with young people. Schools falling within the zone of influence will be targeted specifically.

- **Working community** – local businesses will be identified and consulted, in order to target people who work but do not live within the vicinity. Likewise local press releases and articles will be used to target a wider range of the community who use the local area;
- **Minority ethnic and cultural groups** – local action groups will be identified and contacted in order to act as a gateway to potentially hard to reach groups. The range of press releases, local flyers and targeted mailings- together with the offer of documents in alternative formats, will also help target this group.
- **People with low literacy** – groups such as the local community empowerment network will be used as a gateway to these groups. The local exhibitions will provide an opportunity to discuss the proposals and any concerns first hand with the project team.
- **Disabled people** – as noted above documents will be provided in alternative formats where requested and regard will be had to accessibility when booking and arranging exhibition venues. Local societies and groups will be used as gateway organisations to target this hard to reach group.

4.3.9 Section 1.27 of the Statement of Community Involvement notes that the local community have indicated a willingness to use the internet and email for communications. The proposed consultation strategy takes a similar approach, in using the internet and email but in also then using traditional methods of hard copy documents and postal responses to ensure all preferences are catered for.

#### 4.4 Involvement

4.4.1 Section 3 of the Statement of Community Involvement discusses the ways that the Council will involve people in the Local Development Framework and reviews the benefits of a number of different methods of consultation, which have therefore been assessed below in terms of their relevance to the DCO process:

- **Local media** – the consultation strategy includes press releases at appropriate times;
- **Website/email/online consultation** – this is included in the consultation strategy;
- **Publicity in local community centres** – flyers will be posted in local public places such as shops and the GP's surgery;
- **Documents available for inspection** – the SoCC and key documents will be made available at convenient local locations such as the mill and Council offices;
- **Area/Town forums and Parish Council meetings** – organisations such as Parish Councils will be contacted directly and meetings etc discussed;

- **Informal consultation/one to one** – this has not been included from the outset within the consultation strategy but can be added should a need for one to one sessions be identified;
- **Qualitative research** – those attending the exhibitions will have the opportunity to fill in a questionnaire which may provide some qualitative data, if appropriate;
- **Public exhibitions** – these will be carried out as part of the consultation strategy;
- **Participation workshops** – not included as part of the current consultation strategy but can be included if requested;
- **Working groups/select committees** – not included as part of the consultation strategy but can be included if requested;

#### 4.5 Communicating effectively

- 4.5.1 The outcome of the consultation exercise will be reported in the Consultation Statement which will form part of the DCO application.

#### 4.6 Summary

- 4.6.1 The Swale Borough Council Statement of Community Involvement identifies the methods by which the Borough Council intend to consult the local community on planning applications and the local plan, and sets out a number of factors considered in arriving at that strategy. As such it provides a useful guide to formulating the consultation strategy to be undertaken in respect of the K4 DCO application.
- 4.6.2 As demonstrated above the proposed consultation strategy aligns closely with the methods and approach to public engagement used by the Borough Council.

## 5 Public Consultation Strategy

### 5.1 Aims and Objectives

5.1.1 The following aims and objectives have been formulated to guide the pre-application public consultation strategy to be undertaken:

- (i) To make stakeholders aware of the proposed development at an early stage in the process and to inform them about the context, function and expected impacts of the proposed CHP plant;
- (ii) To provide clarification regarding K4, to ensure the distinction with K3 is understood locally;
- (iii) To inform stakeholders about the process which will be followed in order to seek a Development Consent Order from the Planning Inspectorate and to highlight how they can be continue involved in this process;
- (iv) To provide an early opportunity for stakeholders to provide their comments on the proposed development and to have any queries answered;
- (v) To allow the project team the opportunity at an early stage in the process to reflect the comments made within the scheme being proposed and to feedback to interested parties.

## 6 Who should be consulted?

6.1.1 Section 47(1) of the Planning Act 2008 requires an application to consult people living 'in the vicinity of the land' about the proposed development.

### 6.2 What is the zone of influence?

6.2.1 No set definition is provided by the Act of what constitutes the 'vicinity' of the land which is the subject of a DCO application, which reflects the broad scale and range of projects which qualify as NSIP's.

6.2.2 Chapter 3 of this report summarises the anticipated environmental impacts of the proposed CHP. Due to the position of the CHP within the wider DS Smith Kemsley paper mill and the fact that it would be replacing an existing and less efficient CHP plant, the environmental impacts in terms of issues such as air quality are expected to be negligible.

6.2.3 There are anticipated to be some impacts on the local area arising from vehicle movements at the construction and decommissioning stage, albeit no continued impact arising from vehicle movements at the operational stage. Despite the context of the proposal site there are also expected to be some landscape and visual impacts on surrounding areas. Those two factors have therefore been used to help define a zone of influence.

#### **Direct zone of influence**

6.2.4 Appendix A to this Statement contains a plan which identifies a broad area around the Kemsley paper mill, which where possible has been defined using natural boundaries such as roads and which encompasses the residential properties, business and areas of land closest to the mill. That area represents a direct zone of influence, particularly where occupants or users of the area may be able to view the proposed development or be impacted by vehicle movements during the construction stage. The Consultation Strategy therefore focuses on ensuring that the community within that direct zone of influence have been contacted directly regarding the proposals.

6.2.5 The western extent of the zone of influence uses the B2005 as a natural boundary line, given that is one of the main routes into Sittingbourne from the Kemsley junction of the A249, with some allowance made for properties to the west of the B2005 which are also close to the A249. The A249 continues to form the western boundary, before the zone of influence follows a farm track running through Elmley and southern Sheppey, which provides access to the properties closest to the mill on the eastern side of the Swale. The Swale Way has then been used as a boundary to encompass some of the businesses closest to the mill within the Sittingbourne industrial estate, before then encompassing the residential areas of Kemsley which lie closest to the mill and connecting with the B2005.

#### **Wider community**

6.2.6 DS Smith plc is a well known local employer and the Kemsley Paper mill is a longstanding and substantial industrial site within the local area. The proximity of the project to the wider Kemsley and Sittingbourne areas means there is potential for occupants within a

wider zone to be interested in or to have concerns regarding the impact of the proposals. The Consultation Strategy therefore also ensures that wider methods of publicity are being used to ensure that interested residents within Kemsley and Sittingbourne will be made aware of the proposals and have the opportunity to comment.

### 6.3 What is the make-up of the local community?

- 6.3.1 At the time of the 2011 census there were 5,156 people aged 16 to 64 recorded as living within the Kemsley ward, which covers the paper mill and the residential areas to the west. Some 4,120 (80%) of those people were economically active in either full or part time employment. Around 84% of the population had qualifications of some description.
- 6.3.2 Within the wider Kemsley Mill postcode area around 77% of people identified themselves as being White in terms of ethnic group. Other larger ethnic groups in the area comprised Black African (15%) and Indian (2.7%).
- 6.3.3 The Kemsley mill itself lies within the Swale 007D Lower Super Output Area in Census terms, with the immediate surrounding community also falling within the Swale 007B and 007E areas.
- 6.3.4 According to DCLG mapping Swale 007D is within the 40% least deprived neighbourhoods in the country, based on indices of multiple deprivation. The level of deprivation is similar in Swale 007B and slightly higher in Swale 007E.

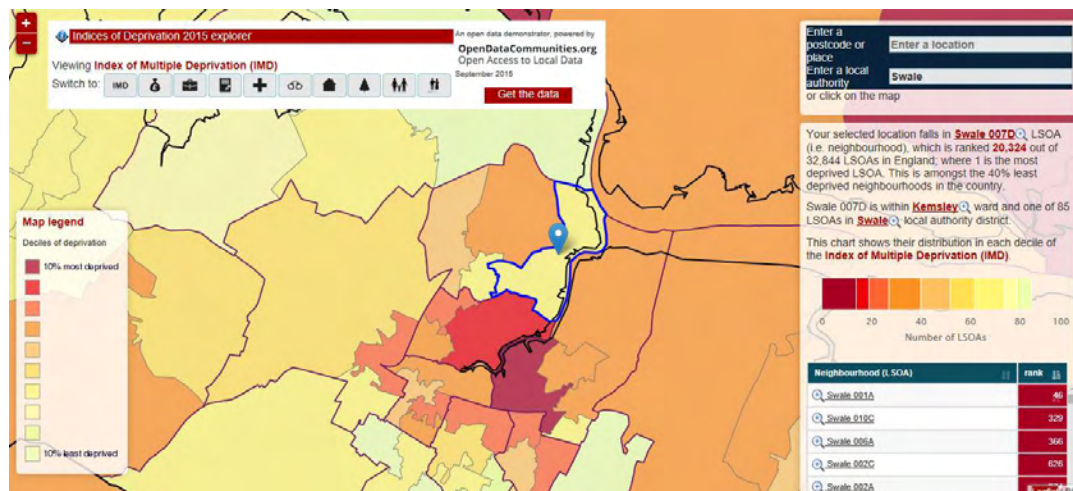


Figure 6.1 – Indices of Multiple Deprivation (source DCLG)

- 6.3.5 Based on Census information the community in the area closest to the mill is primarily White, employed and qualified to some standard, with a relatively low level of deprivation. As demonstrated by Figure 6.1 levels of deprivation do then vary within the wider area.
- 6.3.6 As such it appears that a typical range of communication methods will be sufficient to ensure that the most immediate community around the mill are being informed regarding the project and that similarly typical methods of response will provide sufficient

opportunity for that community to respond. However the increased levels of deprivation in the surrounding area could be an indicator of, for example, lower levels of qualifications, so an appropriately wide range of communication methods and options for engaging with the DCO process will need to be provided.

- 6.3.7 The Swale 'Shaping Spaces and Places' document, reviewed in Section 4 of this Strategy, identifies the presence within Swale of Hard to Reach Groups, and Section 4 identifies how the various groups identified have been addressed by the consultation strategy taken. The list of intended consultees in Appendix B includes a number of gateway organisations which will be used to access some specific hard to reach groups.

## 6.4 Summary

- 6.4.1 The consultation strategy will therefore focus on those people living or working permanently within the zone of influence.
- 6.4.2 In addition, it will need to ensure that three further elements of the local community are addressed:
- (1) Those people who temporarily move into or through the zone of influence;
  - (2) Local politicians, Ward Members and Parish Councils;
  - (3) The wider community throughout Kemsley, Sittingbourne and Iwade.
- 6.4.3 Within these groups, the consultation strategy must also ensure that a sufficiently wide and appropriate range of methods are used, to ensure that hard to reach groups become aware of the proposed scheme and have the opportunity to comment.



## 7 How should they be consulted?

### 7.1 Stage 1: Informing people of the proposals

- 7.1.1 The strategy taken reflects the wide access now available to the Internet, as a means of providing information to local stakeholders and as a medium to allow them to comment on the application or to raise queries with the project team. However the consultation strategy also addresses those who may not have easy access to the Internet, by ensuring that post or telephone can also be used to access the same level of information and to have the same opportunity to make comments or raise queries.

#### **Direct Mailing to residents**

- 7.1.2 Those business and residential properties which lie within the identified zone of influence will be contacted directly by mail to inform them about the proposed development and the consultation and application process which will be undertaken.

#### **Direct contact with other stakeholders**

- 7.1.3 In addition to local residents, it is proposed that a number of local bodies, organisations and politicians be contacted, including gateway organisations who can provide access to hard to reach groups within the community. A proposed list of these bodies is included in Appendix B of this Strategy.

#### **Project Website**

- 7.1.4 A project website has been created (<http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>) and at present provides basic information regarding the project, together with a link to the Planning Inspectorate project webpage.

- 7.1.5 The website will be updated regularly to publicise events such as the public exhibitions and to update regarding the progress of the application. It provides a project email address which allows interested parties to contact the project team and will in due course allow for key documents relating to the project to be reviewed and downloaded.

#### **Media Releases**

- 7.1.6 Media releases will be used to ensure that local news publications can provide information on the project and the ongoing consultation process. The publication of the SoCC notice in local papers will also be used to publicise the exhibitions.

#### **Posters/leaflets**

- 7.1.7 Posters and leaflets will be used locally to publicise the exhibitions and to provide details of the project website.

## **7.2 Stage 2: Public Consultation events**

- 7.2.1 Two public exhibitions are to be held, on Thursday 9<sup>th</sup> November, between 12:30 and 5:30pm and on Saturday 11<sup>th</sup> November between 9:30am and 3pm, in the Kemsley village hall.
- 7.2.2 The holding of exhibitions on a weekday afternoon and on a Saturday is intending to provide as many people as possible to attend to view the exhibition material and to discuss any issues or raise queries with the project team. The Kemsley village hall is located centrally within Kemsley is a logical local venue for those exhibitions.
- 7.2.3 The exhibition will be publicised via the SoCC notice, direct letters to local residents, a press release and posters in key locations. The website will be updated to refer to the exhibitions and any party who has contacted the project team requesting to be kept informed regarding the project will be contacted direct.
- 7.2.4 The exhibition will be used to present information regarding the proposals and will be staffed by project team members able to discuss the proposals with attendees and to answer questions. Those attending will be able to register their interest in the project, as well as make comments via a questionnaire.

## **7.3 Stage 3 – Consultee led involvement**

- 7.3.1 The project team will review responses received from local consultees and will consider and action any requests for additional forms of engagement where appropriate, for instance attending Parish Council meetings or holding more focused drop in sessions for particular groups. That will ensure the consultation strategy remains flexible and able to engage with any groups or parties which have not been identified.

## **7.4 What Information will be provided?**

- 7.4.1 The public consultation events will be supported by exhibition boards which will summarise the context to the Kemsley Paper mill and the proposed K4 scheme and which will explain the DCO process and the anticipated environmental impacts of the proposed development. The direct mailings will be accompanied by a summary leaflet providing similar information to the exhibition boards.
- 7.4.2 A separate Preliminary Environmental Information Report (PEIR) will be produced for the purposes of the S47 consultation, which will provide a summary of the intended environmental impacts of the proposed development in accessible language, free from technical jargon wherever possible. More detailed environmental information can then be provided if requested by individual residents or groups.

## **7.5 Timing of Consultation**

- 7.5.1 There will be a specific time limited consultation period to meet the formal requirements of Section 47 of the Planning Act. That period will commence shortly before the public exhibitions, at the start of November 2017, at the point at which the SoCC is published. At

the same time targeted mailings will be undertaken and other stakeholders contacted directly.

- 7.5.2 Responses to the consultation will be required by 5pm on the 17<sup>th</sup> December 2017, thereby providing a sufficient period of one and a half months for interested parties to respond.
- 7.5.3 Other consultation elements, such as the website, have been made live prior to the formal consultation period commencing and will continue to operate subsequent to the formal time limited consultation period to continue to update the local community on the progress of the application. There will still be the opportunity to contact the project team generally with queries outside of the specified period for representations on the proposed scheme.

## 8 What will the outcomes be?

### 8.1 A range of data will emerge from the consultation process:

- (a) A contact list of interested parties (post, email or both);
- (b) A set of comments made on the proposed scheme, either through the questionnaires provided at the exhibition or via the website;
- (c) A set of queries raised by interested stakeholders, either at the exhibition or through the website.

### 8.2 Processing consultation data

8.2.1 A Consultation Report will be produced to accompany the DCO application which will analyse and summarise the comments received within the specified timescale. This report will be published via the project website and will then be made publicly available alongside the wider application documents.

8.2.2 Any individual queries raised will be responded to directly as appropriate.

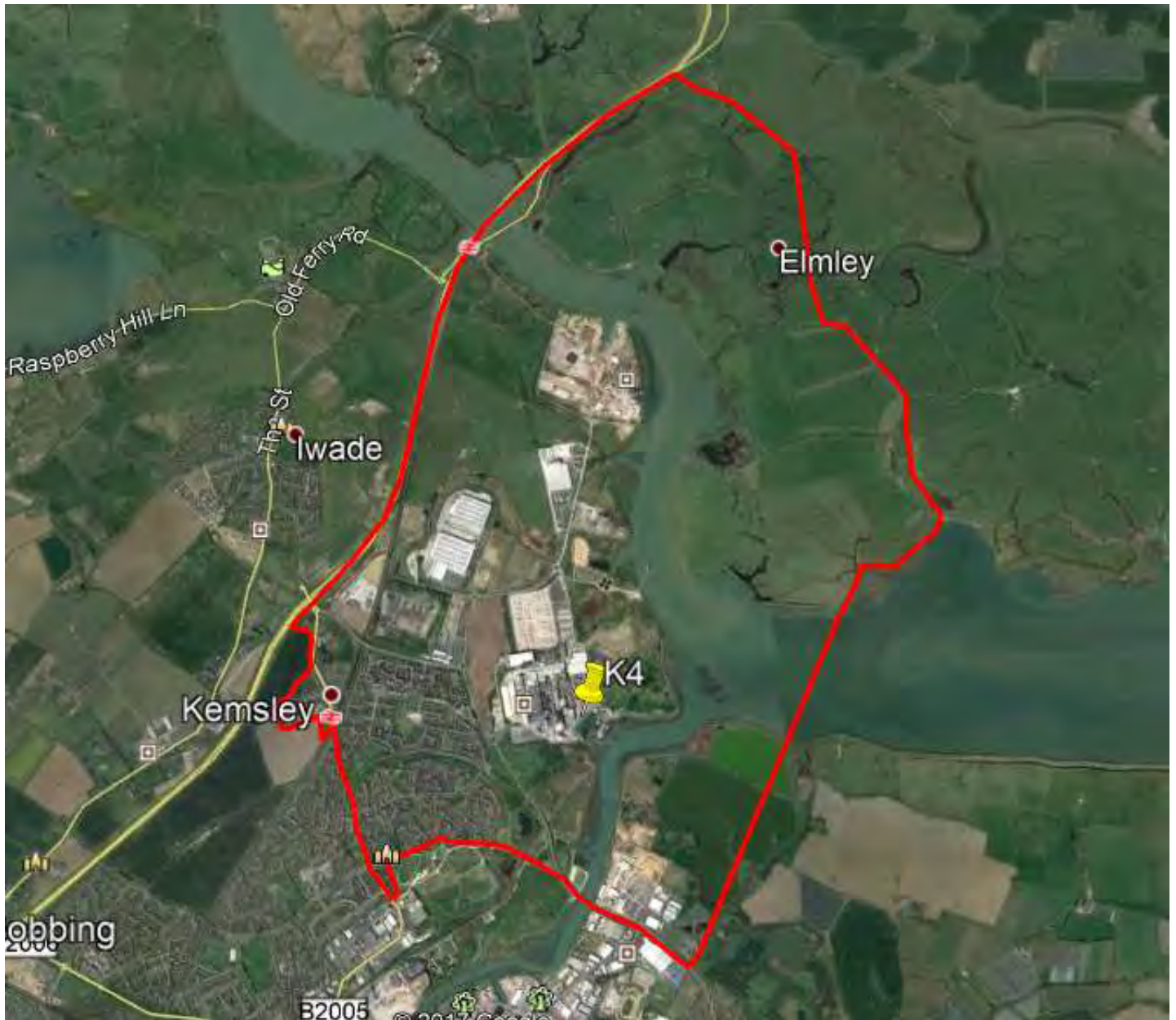
### 8.3 Further Steps

8.3.1 The consultation strategy described until this point is considered to be appropriate to meet the requirements of the relevant legislation, whilst being directly related to the scale and nature of the proposed scheme and the context of the local area. However depending on the response to the consultation it may be necessary to engage further with the local community in general, or specific areas or parts of it. At this point the need for any further consultation work will therefore be assessed and further steps put in place if necessary.

## 9 Summary

- 9.1.1 DS Smith Ltd will be submitting an application to seek a Development Consent Order from the Secretary of State for the K4 CHP plant at the Kemsley Paper Mill, Sittingbourne.
- 9.1.2 Prior to submitting the application DS Smith are required to consult with people in the vicinity of the land regarding the proposals. They must then first set out within a Statement of Community Consultation (SoCC) how they intend to carry out that consultation, and to consult with Swale Borough Council and Kent County Council regarding the content of the SoCC prior to that being made public.
- 9.1.3 This Consultation Strategy has been submitted to Swale Borough Council and Kent County Council alongside the draft SoCC to explain the rationale taken to public consultation by DS Smith.
- 9.1.4 Swale BC and Kent CC have a statutory 28 day period in which to comment on the draft SoCC, beginning on the day after they receive the SoCC and this Consultation Strategy. The DS Smith project team look forward to receiving the responses within that period and would be pleased to discuss the SoCC and this Consultation Strategy document during that time if that would be helpful.

## 10 Appendix A – Zone of Influence



Zone of Influence – Overall Boundary





Zone of Influence – Zoomed view around Kemsley Mill

## 11 Appendix B – Proposed Local Consultees

- (1) Swale Borough Council;
- (2) Kent County Council;
- (3) MP for Sittingbourne and Sheppey
- (4) Kent County Members representing:
  - (a) Sittingbourne North
- (5) Swale Borough Council Members representing:
  - (a) Kemsley
  - (b) Murston
  - (c) Milton Regis
  - (d) The Meads
  - (e) Bobbing, Iwade and Lower Halstow
  - (f) Sheppey Central.
- (6) Parish Councils
  - (a) Bobbing
  - (b) Iwade
  - (c) Queenborough
  - (d) Minster-on-Sea
  - (e) Tonge
- (7) Other organisations
  - (a) The Sittingbourne Society
  - (b) The Swale Locality Board
  - (c) Swale Community Empowerment Network

**APPENDIX 6**

**KCC AND SBC CORRESPONDENCE RE SOCC/COMMUNITY  
CONSULTATION**

## David Harvey

---

**From:** David Harvey  
**Sent:** 05 October 2017 16:39  
**To:** sharon.thompson@kent.gov.uk  
**Cc:** 'Jim.Wooldridge@kent.gov.uk'  
**Subject:** Kemsley Paper Mill (K4) CHP Plant - Statement of Community Consultation  
**Attachments:** K4 CHP Plant - Consultation Strategy.pdf; K4 CHP Plant - SoCC.PDF

Dear Sharon,

As you will be aware from our correspondence with Jim Wooldridge, we are working on behalf of DS Smith Paper Ltd regarding the Kemsley Paper Mill (K4) CHP project and will be seeking a Development Consent Order from the Secretary of State as the project is a Nationally Significant Infrastructure Project under the Planning Act 2008.

In that respect Section 47 (1) of the Planning Act 2008 requires the applicant to prepare a statement (The Statement of Community Consultation) setting out how they propose to consult people living in the vicinity of the land about the proposed application. Section 47(2) requires the applicant to consult on the SoCC each local authority which the application land lies within, with local authorities provided under 47(3) with a deadline of 28 days from the day after they receive the consultation documents to provide their response.

Please find attached the draft SoCC for the K4 project, together with a Consultation Strategy document which provides the rationale to the approach taken by the SoCC to public consultation. I would welcome KCC's comments on the SoCC as soon as possible, and in accordance with S47(3) no later than the 2<sup>nd</sup> November 2017. I confirm that we have separately sent the SoCC to Swale Borough Council, care of Ross McCardle.

If you do have any queries regarding the project in general or the SoCC then I would be happy to meet to discuss.

Regards

David

**David Harvey**  
Director

☎ Office: 01622 776226  
☎ Mobile: 07939 853872  
☎ Fax: 01622 776227  
✉ [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk)



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## David Harvey

---

**From:** David Harvey  
**Sent:** 05 October 2017 16:38  
**To:** 'Ross McCardle'  
**Subject:** Kemsley Paper Mill (K4) CHP Plant - Statement of Community Consultation  
**Attachments:** K4 CHP Plant - SoCC.PDF; K4 CHP Plant - Consultation Strategy.pdf

Dear Ross

Further to our recent meeting please find attached a draft Statement of Community Consultation and an accompanying Consultation Strategy, which provides the rationale for the approach taken by the SoCC.

As you are aware Section 47 (1) of the Planning Act 2008 requires the applicant to prepare a statement (The Statement of Community Consultation) setting out how they propose to consult people living in the vicinity of the land about the proposed application. Section 47(2) requires the applicant to consult each local authority which the application land lies within on the SoCC, with local authorities provided under 47(3) with a deadline of 28 days from the day after they receive the consultation documents to provide their response.

We would therefore welcome the Council's views on the attached SoCC as soon as possible, and no later than the 2<sup>nd</sup> November 2017. I confirm we have separately sent the SoCC to Kent County Council, care of Sharon Thompson.

Please let me know if it would help to discuss any element of the attached.

Regards

David

**David Harvey**  
Director

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✉ [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk)



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Sittingbourne, Kent ME10 3HT  
DX59900 Sittingbourne 2  
Phone: 01795 424341  
Fax: 01795 417141  
www.swale.gov.uk



Mr D. Harvey

Our Ref: 17/505269/NOAPTP  
Date: 30 October 2017

By email

Dear Mr Harvey,



**Re: Statement of Community Consultation; Kemsley Paper Mill CHP plant (K4);  
Sittingbourne.**

Thank you for the details in regards to the above.

The Council considers the measures and methods set out within the Statement of Community Consultation to be reasonable and appropriate, and would not suggest any amendments to the document at this stage.

Please let me know if you have any questions.

You

  
  
James Freeman  
Head of Planning  
t 01795 417309  
e [jamesfreeman@swale.gov.uk](mailto:jamesfreeman@swale.gov.uk)



Mr David Harvey  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN

**BY EMAIL ONLY**

**Environment, Planning & Enforcement**

Strategic Planning and Policy  
Invicta House  
MAIDSTONE  
Kent ME14 1XQ

Phone: 03000 415673  
Ask for: Francesca Potter  
Email: [Francesca.Potter@kent.gov.uk](mailto:Francesca.Potter@kent.gov.uk)

2<sup>nd</sup> November 2017

Dear David,

**Re: Kemsley Paper Mill (K4) CHP Plant, Sittingbourne Kent - Draft Statement of Community Consultation**

Thank you for your email dated 5<sup>th</sup> October 2017 providing Kent County Council (KCC) with the opportunity to comment on the draft Statement of Community Consultation (SoCC) and Consultation Strategy relating to the Kemsley Paper Mill (K4) CHP Plant.

KCC Officers have reviewed the documents and are generally satisfied with the proposed consultation. The comments below are set out in relation to the headings included in the draft SoCC.

The County Council welcomes feedback on how the results of the draft SoCC consultation will be reviewed and which suggestions will be taken forward.

*4. Public Consultation [4.4 How to find out more and get involved]*

Consultation respondents should not be required to provide their names and addresses when responding with comments as this may discourage submission. The applicant could instead encourage respondents to provide these personal details, but it should not be mandatory.

The data protection policy should be very clear, with the purpose of the collection evident, if the applicant is collecting personal information.

*Public Exhibitions*

KCC is concerned that there is limited opportunity for stakeholders to engage through the exhibition events as they are scheduled within a narrow timeframe and would prevent attendance for anyone on holiday, for instance. It is suggested that additional public exhibition dates should be considered.



### *Target Mailings*

In order to evidence sufficient coverage, a map should be provided within the SoCC to show which homes and businesses would fall within the core consultation boundary. The consultation list should include the local educational facilities.

KCC would also recommend that the applicant consults with KCC's Community Liaison Officer for the district Bill Ronan, [Bill.Ronan@kent.gov.uk] to ensure that all of the local community groups have been identified, particularly from the voluntary and community sector.

### *Website*

The SoCC should set out clearly that the website will include the same level of information that is to be displayed at the exhibitions. This is to ensure that all interested parties, whether or not they are able to attend the exhibition, are well informed on the proposals.



KCC also suggests that a 'Frequently Asked Questions' page should be available on the website which can be updated throughout the consultation period.

### *4. Public Consultation [4.5 Keeping Updated]*

For respondents who would like to receive updates on the proposals, KCC suggests that the feedback form should include a question asking people if they would like to be added to the register without them having to contact DHA separately.

If you require any further information or clarification on any matter in this letter then please do not hesitate to contact me.

Yours sincerely,

**Katie Stewart**  
Director of Environment, Planning and Enforcement

## David Harvey

---

**From:** David Harvey  
**Sent:** 07 November 2017 15:50  
**To:** 'Ross McCardle'; 'Francesca.Potter@kent.gov.uk'  
**Subject:** Kemsley Paper Mill (K4) CHP Plant  
**Attachments:** K4 SoCC FINAL.PDF; KCC Response to Kemsley Paper Mill (K4) CHP Plant.pdf

Dear both,

Thanks for your comments on the draft SoCC; I have attached the final version for your information and records, and Ross, for reference I have attached the KCC comments.

We have amended the document to ensure the wording requests personal details but does not read that those are mandatory. We have made clear that any personal details supplied will not be made public and I have clarified that summaries of comments provided would potentially be published.

I do recognise that there is a relatively short window for the exhibitions; I will come back with an update of how many people attend the meetings on Thursday and Saturday and perhaps we can then review whether an additional public exhibition would be worthwhile. We have made provision for the exhibition boards, questionnaire and PEIR to be available on the website or on request from DHA, to ensure there are no barriers to people making representations.

As requested the attached SoCC now includes a map showing the zone of influence. Thank you for providing Bill's details- I am contacting him separately. I have then noted and addressed the points regarding the website providing the same level of information and enabling those attending the exhibitions to register for updates via the questionnaire.

Please let me know if you do have any queries or concerns arising from the above.

Regards

David

**David Harvey**

Director

☎ Office: 01622 776226

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## David Harvey

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**Sent:** 07 November 2017 15:50  
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Regards

David

**David Harvey**

Director

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## David Harvey

---

**From:** Bill.Ronan@kent.gov.uk  
**Sent:** 13 November 2017 09:25  
**To:** David Harvey  
**Subject:** RE: DS Smith Paper - Kemsley Paper Mill (K4) CHP Plant

David, thank you for this update. I cannot see at this point any additional organisations at this stage you might contact. I do though note the comments previously made by Katie Stewart in terms of the two public events held and enquire whether any further opportunities might be found for interested parties attend an event and engage in this consultation. You will be aware of Part 47(6), as amended by the Localism Act 2011, requires the applicant to make the SoCC available for inspection by the public in a way reasonably convenient for people living in the vicinity of the land; and I simply ask if you might consider this in any decision you make.

I am grateful for the information and I will raise the consultation at strategic meetings across Swale through my work, I will also discuss with community leaders in Kemsley to ensure residents are informed.

I would welcome being kept informed, and I will do whatever I can to support the ongoing consultation process.

With regards,

Bill

Bill Ronan | Community Liaison Officer | Communications & Engagement | Kent County Council | Room G54  
Sessions House, Maidstone, ME14 1XQ | Internal: 417803 | External: 03000 417803 | [www.kent.gov.uk](http://www.kent.gov.uk) | Mobile:  
07710339894

---

**From:** David Harvey [mailto:david.harvey@dhaplanning.co.uk]  
**Sent:** 07 November 2017 15:55  
**To:** Ronan, Bill - ST EODD <Bill.Ronan@kent.gov.uk>  
**Cc:** Potter, Francesca - GT EPE <Francesca.Potter@kent.gov.uk>  
**Subject:** DS Smith Paper - Kemsley Paper Mill (K4) CHP Plant

Dear Bill,

I have been provided with your details by Francesca Potter. As you will see from her letter, attached, KCC have just provided comments on a Statement of Community Consultation we have produced to set out how we intend to consult the local community on an application we will be submitting for a Development Consent Order for a new Combined Heat and Power Plant at the DS Smith Kemsley Paper mill.

Appendix B (p27) of the attached Consultation Strategy identifies some local community groups who we have contacted directly regarding the proposals; specifically the Sittingbourne Society and the Swale Community Empowerment Network. In your role are you aware of any other similar organisations in Sittingbourne/Kemsley who it would be worthwhile us contacting at this stage?

Many thanks,

David

**David Harvey**  
Director

☎ Office: 01622 776226  
☎ Mobile: 07939 853872  
☎ Fax: 01622 776227  
✉ [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk)



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**dha** transport

**dha** urban design

**dha** environment

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## David Harvey

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**From:** David Harvey  
**Sent:** 21 November 2017 10:56  
**To:** 'Bill.Ronan@kent.gov.uk'; 'Francesca.Potter@kent.gov.uk'  
**Cc:** 'Ross McCardle'  
**Subject:** RE: DS Smith Paper - Kemsley Paper Mill (K4) CHP Plant  
**Attachments:** K4 PEI.PDF

Dear Bill and Francesca

Bill, thanks very much for the email; we welcome the continued support and if anything does arise in terms of queries or opportunities for further discussion from your strategic meetings or discussions with community leaders then please let me know. In terms of the SoCC, to confirm we have made that available at the Kemsley Mill, the Swale offices, the Sittingbourne library, at the exhibitions (all in hard copy) and then for download via the project website.

Francesca – further to your email and for general information please find attached the PEIR which has supported the community consultation. We are separately preparing a draft Environmental Statement which will comprise PEIR for the purposes of the formal consultation of statutory bodies and consultees under Section 42 and expect to issue that around the middle of December.

By way of an update we distributed some 2,800 leaflets to residential properties and 70 letters to businesses within the zone of influence. As noted in the SoCC we published notices in the local paper in the week prior to and during the week of the exhibitions and had coverage by way of an article in the paper itself, as well as publicising the exhibitions online via the project website. However levels of turnout were extremely low; we had three local Members and ten members of the public at the Thursday exhibition and one Councillor and four Members of the public at the Saturday exhibition. Thus far we have had five questionnaires returned.

It therefore appears that public interest in the project, at least to date, is very limited and on that basis I see little merit in holding a further public exhibition at this stage. Any interested party has the ability to contact the project team and/or to submit comments via various methods until the 17<sup>th</sup> December and clearly we will continue to review any requests for further engagement as the project moves forward. However in the meantime I would welcome your views as to whether you agree regarding a further exhibition, on the basis of the above.

Regards

David

### David Harvey

Director

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☎ Mobile: 07939 853872

☎ Fax: 01622 776227

✉ [david.harvey@dhaplanning.co.uk](mailto:david.harvey@dhaplanning.co.uk)



---

**From:** Bill.Ronan@kent.gov.uk [mailto:Bill.Ronan@kent.gov.uk]  
**Sent:** 13 November 2017 09:25  
**To:** David Harvey <david.harvey@dhaplanning.co.uk>  
**Subject:** RE: DS Smith Paper - Kemsley Paper Mill (K4) CHP Plant

David, thank you for this update. I cannot see at this point any additional organisations at this stage you might contact. I do though note the comments previously made by Katie Stewart in terms of the two public events held and enquire whether any further opportunities might be found for interested parties attend an event and engage in this consultation. You will be aware of Part 47(6), as amended by the Localism Act 2011, requires the applicant to make the SoCC available for inspection by the public in a way reasonably convenient for people living in the vicinity of the land; and I simply ask if you might consider this in any decision you make.

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**To:** Ronan, Bill - ST EODD <Bill.Ronan@kent.gov.uk>  
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**Subject:** DS Smith Paper - Kemsley Paper Mill (K4) CHP Plant

Dear Bill,

I have been provided with your details by Francesca Potter. As you will see from her letter, attached, KCC have just provided comments on a Statement of Community Consultation we have produced to set out how we intend to consult the local community on an application we will be submitting for a Development Consent Order for a new Combined Heat and Power Plant at the DS Smith Kemsley Paper mill.

Appendix B (p27) of the attached Consultation Strategy identifies some local community groups who we have contacted directly regarding the proposals; specifically the Sittingbourne Society and the Swale Community Empowerment Network. In your role are you aware of any other similar organisations in Sittingbourne/Kemsley who it would be worthwhile us contacting at this stage?



Many thanks,

David

**David Harvey**

Director

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## David Harvey

---

**From:** Alexander.Payne@kent.gov.uk  
**Sent:** 11 January 2018 14:47  
**To:** David Harvey  
**Cc:** RossMcCardle@swale.gov.uk  
**Subject:** RE: DS Smith - K4 DCO Project

Good afternoon David,

In reference to your email sent on the 9<sup>th</sup> January 2018, it is the view of KCC that there is not a need for any further consultation events at this stage of the process. However, any significant changes to the proposal may warrant a further consultation event.

Regarding your email below, it would be grateful to receive the draft Environmental Statement as soon as it is finalised in order to give KCC and Swale BC more time to review prior to the end of February deadline. The guidance does state that Local Authorities should be given at least 28 days to respond to there is scope for this. This will ensure there are no unnecessary delays should there be anything untoward (although this is unlikely).

I would welcome a meeting to discuss the PPA and to get an update on the proposal. The only thing I would like to add to your list of tasks is the likelihood of requirements issued as part of the DCO which will need to be discharged by the relevant Local Authorities or by the Secretary of State follow consultation with the relevant authorities.

If you have any questions please do not hesitate to contact me.

Kind regards,

**Alexander Payne** | Graduate Planning Officer | Strategic Planning and Infrastructure | Environment, Planning and Enforcement | Growth, Environment and Transport | Invicta House, Maidstone, Kent, ME14 1XX | Internal: 419618 | External: 03000 419618

[www.kent.gov.uk/planning](http://www.kent.gov.uk/planning)

---

**From:** David Harvey [<mailto:david.harvey@dhaplanning.co.uk>]

**Sent:** 11 January 2018 13:23

**To:** Ross McCardle; Potter, Francesca - GT EPE

**Subject:** DS Smith - K4 DCO Project

Dear Ross and Francesca

By way of an update on the K4 DCO project, we are currently finalising a draft Environmental Statement which will form the Preliminary Environmental Information for the purposes of our S42 consultation and S48 publicity. Our intention is to issue our S42 consultation and the S48 notices around the end of January so that the 28 day statutory period concludes around the end of February 2018. We then intend to finalise the application itself, with the aim being to submit to the Inspectorate by the end of March 2018.

I am conscious you have both indicated a willingness to enter into a Planning Performance Agreement and I would like to start those discussions as soon as possible. I expect the main tasks from your points of view to be as set out below, although clearly there are a number of elements within those that are optional.

Would it be easiest to arrange a joint meeting to both provide an update on the application/scheme and to discuss the matter of a PPA?

Regards

David

- **S42 consultation** – a period of 28 days in which to comment on the draft proposals and Environmental Statement (February 2018)
- **Statements of Common Ground** – to be drafted and agreed following submission, during acceptance period (April 2018)
- **Acceptance period** – a 14 day period to submit an adequacy of consultation response (April 2018)
- **Pre-examination (May, June, July 2018)**
  - Attendance at preliminary meeting (if necessary)
  - Comments on draft examination timetable (if necessary)
  - Prepare Local Impact Report
  - Submit relevant representation (if necessary)
- **Examination (August 2018 – January 2019)**
  - Submission of Local Impact Report, Statement of Common Ground and written representation
  - Attend and participate in hearings
  - Submit signed planning obligation (if necessary)
  - Respond to any written questions/requests for further information as directed by the Inspector
  - Comment on other interested parties representations and submissions (if necessary)
- **Post decision (Aug 2019 onwards)**

**David Harvey**

Director

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Mobile: 07939 853872

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**APPENDIX 7**  
**FINAL SOCC**

**KEMSLEY PAPER MILL (K4) CHP PLANT,  
SITTINGBOURNE, KENT**



**Statement of  
Community  
Consultation**



## Context

This Statement of Community Consultation (SoCC) has been produced to explain the proposal by DS Smith Ltd (DS Smith) to build 'K4' - a Combined Heat and Power (CHP) Plant at their Paper Mill in Kemsley, to the north of Sittingbourne. DS Smith will be making an application to the Secretary of State, via the Planning Inspectorate, for a Development Consent Order (DCO) to secure consent to build the CHP plant. The CHP plant would be constructed and operated on behalf of DS Smith by E.ON.

This SoCC describes the proposed scheme and sets out how interested stakeholders and the community can review the proposed development and engage with the application process. Swale Borough Council and Kent County Council have had the opportunity to review and comment on a draft of the SoCC prior to it being finalised and made public.

DS Smith look forward to discussing their proposals with you during this consultation process. Please do not hesitate to contact the project team, using the details provided within this SoCC, if you have any queries regarding the K4 CHP or the DCO process.

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## Terminology

- **CHP** – a Combined Heat and Power Plant
- **DCO** – a Development Consent Order, which provides a consent for building and operating an NSIP;
- **EIA** – Environmental Impact Assessment;
- **ES** – Environmental Statement
- **MW** – Megawatt – the measure of electrical power produced;
- **MWth** – Megawatt Thermal – the measure of thermal power produced;
- **NSIP** – a Nationally Significant Infrastructure Project, for which a Development Consent Order needs to be sought;
- **PEIR** – Preliminary Environmental Information Report, summarising the likely environmental impacts of the proposed development;
- **SoCC** – Statement of Community Consultation. Sets out how a developer will consult the local community about a proposed NSIP.



# 1 Introduction

## 1.1 The Kemsley Paper Mill

1.1.1 DS Smith Paper Ltd (DS Smith) is a leading European manufacturer of recycled corrugated case materials and speciality papers. The company operate nine paper mills across Europe, with Kemsley their only mill within the UK. The Kemsley mill was built in 1924 to produce newsprint and by 1970 had diversified to produce corrugated case material. The entire site is owned by DS Smith, who have invested heavily in modernising the facility, which now employs around 400 people and has an annual production capacity of up to 800,000 tonnes.

## 1.2 Existing Energy Supply

1.2.1 The paper production process is energy intensive and requires a substantial amount of electricity and steam. The energy and steam requirements of the Kemsley mill are provided by a range of sources, operated by either DS Smith or partner companies. The current power sources are:

- **K1** – a gas turbine CHP plant located within the mill site which provides electricity and steam to the mill;
- **K2** – a steam generator located within the mill site which uses waste plastic and sludge as a source to provide steam to the mill;
- **K3** – an energy from waste plant operated by Wheelabrator to the east of the main mill complex which from 2019 will provide steam to the mill.

1.2.2 K3 is currently being constructed, with the original design having a capacity of less than 50MW. A separate DCO application is being prepared, the 'Wheelabrator Kemsley Generating Station (K3) – Power Upgrade', to increase the capacity of the K3 plant to 75MW. That is an entirely separate proposal from the K4 scheme which forms the subject of this DCO.

## 2 K4 - The proposed Combined Heat and Power Plant

### 2.1 Context

- 2.1.1 The electricity and steam provided by the existing onsite K1 gas turbine is key to the operation of the mill. However K1 was built in 1995 and does now require significant investment to extend its operational life. In addition K1 was designed to serve the Sittingbourne Paper mill (which no longer exists) as well as the Kemsley mill, so has an inefficient surplus potential capacity.
- 2.1.2 DS Smith is therefore seeking consent to replace K1 with a new CHP plant, called K4. The new plant would be located on land within the existing paper mill complex, adjacent to the existing K1 plant. It is intended to be a smaller, more efficient replacement of K1 which is designed to serve the specific needs of the Kemsley Paper mill and to complement the energy and steam provided by K2 and K3.
- 2.1.3 K4 would be powered by natural gas. The design of the CHP is still being finalised, but it would comprise the following:
- A gas turbine producing in the region of 52 to 57MW of electrical power;
  - A Heat Recovery Steam Generator, producing in the region of 105 to 110 MWth steam;
  - A steam turbine, producing in the region of 16MW of electrical power.
- 2.1.4 Gas would be used to fire the gas turbine to produce electricity. The heat created by that process would be used to create high pressure steam, which would also be fed through a second turbine to produce further electricity. The resulting low pressure steam would be sent to the mill for use within the production process.
- 2.1.5 The DCO will also cover the decommissioning of K1, though some elements of K1 will be retained for use in connection with K4, including the water treatment facilities and the grid connection.

### 2.2 Project Location

- 2.2.1 K4 would be built within the south-eastern corner of the main mill complex, which is located to the east of Kemsley.

### 2.3 K4 Layout and Design

- 2.3.1 The design of the CHP plant is still being finalised. However it is expected that it would comprise two main buildings and would utilise existing infrastructure and connections already present within the mill site. The building will have one stack, with the height of that stack still to be determined.

2.3.2 The red line boundary shown on Figures 1 and 2 includes the current footprint of K1, the proposed location for K4, together with land needed for construction, lay down and access. All the land involved is owned by DS Smith.

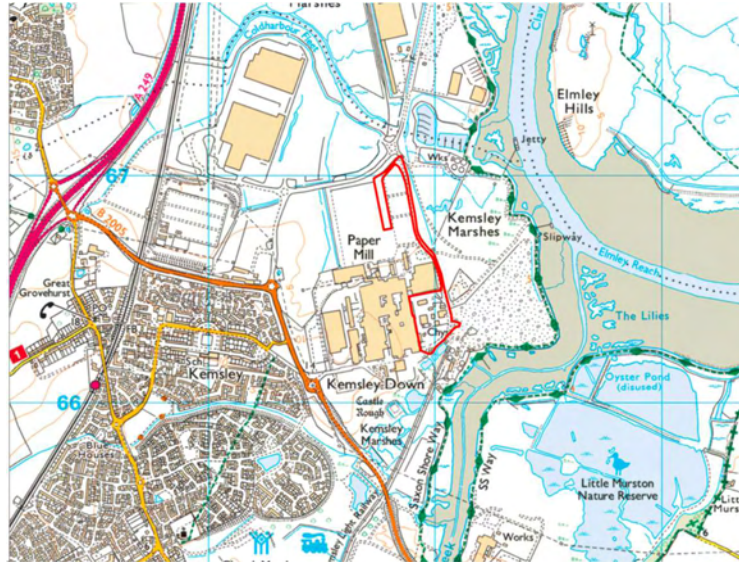


Figure 1 – Site Location Context Plan (red line shows the indicative boundary for the DCO application)



Figure 2 – Indicative DCO boundary

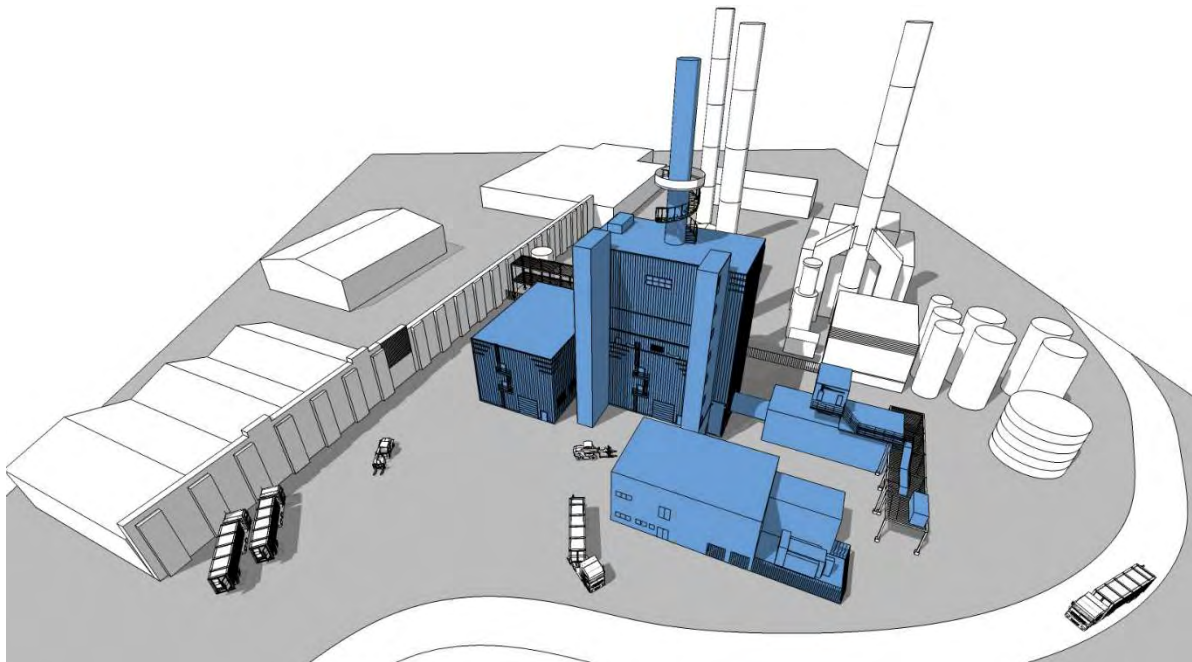


Figure 3 – Illustrative CHP design (proposed buildings in blue- indicative design only)

## 3 The Application Process

### 3.1 Nationally Significant Infrastructure Projects

- 3.1.1 The Planning Act 2008, as amended by the Localism Act 2011, is intended to make the process of seeking planning permission for 'nationally significant infrastructure projects' faster and fairer.
- 3.1.2 The Planning Act 2008 states that the construction or extension of a generating station of more than 50MW is considered within Section 14(1) (a) of the Act to be a 'nationally significant infrastructure project'. As such an application for a **Development Consent Order** must be made to the Planning Inspectorate. The Inspectorate will examine the proposal and environmental information submitted by the applicant and make a recommendation to the Secretary of State, who will then be responsible for determining the application.
- 3.1.3 The Government prepared National Policy Statements which provide an Overarching National Policy Statement for Energy (EN-1) and a National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2). Within these documents the Government encourages the use of good quality CHP projects and discuss the potential impacts of this type of development and how these can be properly addressed and mitigated.

### 3.2 Environmental Impact Assessment

- 3.2.1 The DCO application will be accompanied by an Environmental Statement (ES) which will provide a detailed assessment of any significant environmental impacts and benefits which are expected to arise from the proposed development and which will identify any mitigation measures to be proposed to control or reduce environmental impacts.
- 3.2.2 An EIA Scoping Opinion has been obtained from the Planning Inspectorate. The Scoping Opinion identifies those environmental issues expected to be relevant to the proposed development, which will be assessed in the Environmental Statement. The Planning Inspectorate have sought the views of statutory consultees before setting out what the scope of the Environmental Statement should be.
- 3.2.3 The public consultation will be accompanied by a Preliminary Environmental Information Report, which will summarise the likely environmental impacts of the proposed development.

### 3.3 Early Construction Works

- 3.3.1 If the K4 DCO is granted then due to changing environmental regulations DS Smith Ltd would need to construct the K4 plant as soon as possible. DS Smith are considering seeking planning permission from Swale Borough Council for various early construction works which are likely to include site preparation, groundworks and other elements, so that work on those elements could commence ahead of any DCO being obtained.



- 3.3.2 A planning application of that nature would be completely separate to the DCO process and would not preclude or influence the outcome of the DCO application. The planning application would be publicised and assessed in the normal manner by Swale Borough Council on its own merits, against the policies of the Local Plan and any other material considerations.

## 4 Public Consultation

### 4.1 Context

4.1.1 The Planning Act 2008 (Section 47), and associated Government guidance, requires an appropriate amount of public consultation to be completed prior to the submission of an application for development consent. Swale Borough Council and Kent County Council have been given the opportunity to review and comment on this SoCC prior to it being made public.

### 4.2 Scope and circulation of the SoCC

4.2.1 Notices relating to the availability of this SoCC have been published in the Sittingbourne Messenger newspaper.

4.2.2 Copies of the SoCC have been made available at the following locations, with typical opening hours shown:

The Site Office, DS Smith Kemsley Paper Mill, ME10 2TD	9am to 5pm Monday to Friday
Swale Borough Council Offices, East Street, Sittingbourne, ME10 3HT	8:45am to 5pm Monday to Thursday, 8:45am to 4:30pm Friday
Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday, 9am to 5pm Saturdays

4.2.3 The final version of this SoCC has been sent directly to Swale Borough Council and Kent County Council. It has also been provided to all neighbouring authorities; Canterbury City Council, Ashford Borough Council, Maidstone Borough Council, East Sussex County Council, Surrey County Council, Medway Council and the London Boroughs of Bexley and Bromley.

4.2.4 The final SoCC has also been sent directly to local MPs, Ward Members, Parish Councils and selected local interest groups and local forums.

### 4.3 Project Contact Details

4.3.1 DHA Planning Ltd are managing the public consultation process on behalf of DS Smith Ltd. The project contact details are as follows:

- Email: [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)
- Project Website:

<http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>



- Telephone: 01622 776 226 (DHA Planning)
- Post: DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN, FAO: Mr D Harvey

#### 4.4 How to find out more and get involved

- **Public Exhibitions** - DS Smith will be holding public exhibitions to present their proposals on the **9<sup>th</sup> November 2017 (12:30pm to 5:30pm)** and **11<sup>th</sup> November 2017 (9:30am to 2pm)** at the **Kemsley Village Hall**. Members of the project team will be present to discuss the information provided about the proposed K4 CHP and copies of the Preliminary Environmental Information Report will also be available. Feedback forms will be available at the public exhibitions in order for you to comment on the proposals.
- **Targeted mailings** – we have defined a direct Zone of Influence around the paper mill, which is illustrated in Appendix A. We will be writing directly to the following residents, politicians and organisations to provide information on our proposals:
  - (1) All homes, businesses and premises within the Zone of Influence;
  - (2) Local MP's, Borough and Kent County Councillors and Parish Councils;
  - (3) Local interest/action groups (i.e. the Sittingbourne Society, the Swale Locality Board, Swale Community Empowerment Network and the Swale Seniors Forum).
- **Website** - The project website will provide copies of the exhibition boards, the feedback form and the Preliminary Environmental Information Report for download, as well as providing information on Frequently Asked Questions. It will be updated regularly as the project progresses.

4.4.2 We ask that all comments and representations made regarding the proposed scheme be submitted via email or by post by **5pm on 17<sup>th</sup> December 2017**. The comments and views received during the consultation process will support and assist the EIA process and project design

4.4.3 Please provide a name and address when sending your representation to help us register responses. Any comments provided will be summarised in documents which will be made public as part of the DCO application, but all personal information will be kept confidential and will not be used for any other purpose.

4.4.4 **Alternative formats** - Please contact DHA Planning with requests for the documents relating to the project to be made available in alternative languages or formats (such as audio or Braille).

#### 4.5 Keeping updated

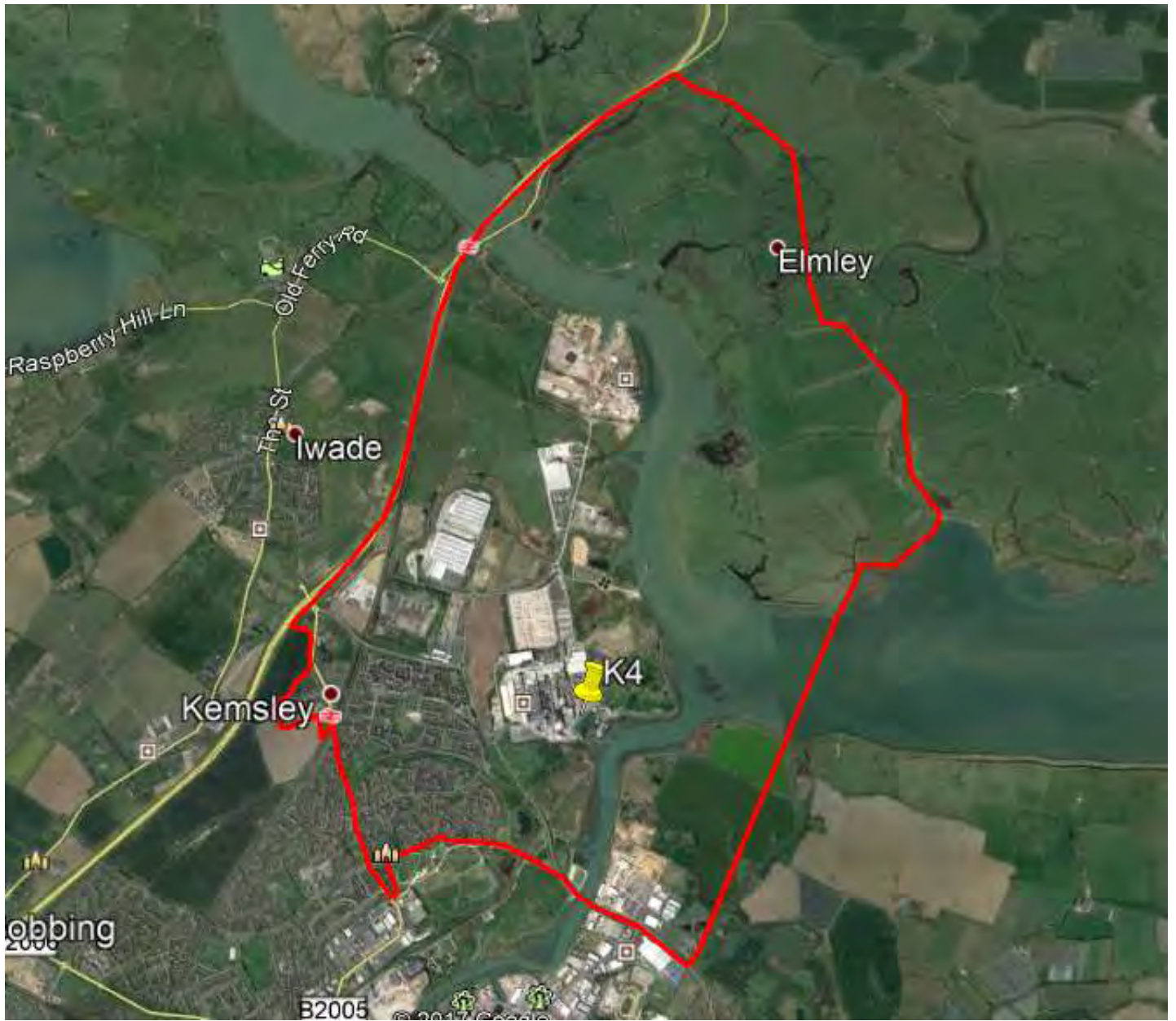
- **Register of Stakeholders** - DS Smith will be compiling a Register of Interested Stakeholders, who will be contacted directly with updates as the process moves forward. Interested Stakeholders can be added to the Register by contacting DHA Planning by post or email, or by ticking the appropriate box on the questionnaire.
- **Local Press** – DS Smith will be making press releases at appropriate points to publicise events such as public exhibitions or the progress of the application.
- **Website** – the project website will be updated regularly as the project moves forward, with key documents uploaded when appropriate.

#### 4.6 Future Programme of Events

- 4.6.1 Once the consultation period has closed the DS Smith project team will review all of the comments submitted and consider how any concerns can be addressed within the proposed scheme. Any further consultation exercises will be publicised via the project contact list, the project website and local press.
- 4.6.2 A Consultation Report will be produced and submitted with the application to the Planning Inspectorate. This document will summarise the consultation strategy undertaken and the representations received and how DS Smith has had regard to them. It will be available to view on the Planning Inspectorate website and the project website.
- 4.6.3 It is currently anticipated that the application will be submitted to the Inspectorate early in 2018. Further updates on the progress of the application will be provided by the Planning Inspectorate and project websites and all the application documents, when submitted, will be available to view on the Planning Inspectorate website, or in alternative form on request.

# APPENDIX A

## Zone of Influence



Zone of Influence – Overall Boundary





Zone of Influence – Zoomed view around Kemsley Mill

## **APPENDIX 8**

# **CONSULTATION EVENT INFORMATION BOARDS**



# DS Smith Paper Ltd

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

**Welcome to this exhibition by DS Smith Paper Ltd regarding the Kemsley Paper Mill (K4) CHP Plant project.**

**We will be applying to the Secretary of State for permission to build a new Combined Heat and Power plant at the Kemsley Mill, to maintain continuity of supply to the mill of electricity and steam.**

**This exhibition explains the proposed scheme and the application process. Representatives from our project team are available to discuss the proposals.**

## **Who is DS Smith Paper Ltd?**

We are a leading European packaging company producing corrugated case materials and specialist papers for a range of customers, including construction, food manufacturing, stationary and education industries. Some of our products include transit, consumer, display and promotional, protective and industrial packaging.

DS Smith have a network of mills, sales offices and logistics depots across Europe. In total we employ around 2,500 people and produce around 2.7 million tonnes of product annually.

Sustainability is key to our business and we endeavour to produce packaging that is fully recyclable, as well as minimising our impact on the environment from design to production and from supply to recycling.







# Kemsley Paper Mill

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

The Kemsley Paper Mill sits to the east of Kemsley, to the north of Sittingbourne, beside the Swale Estuary. It was built in 1924 to produce newsprint and by 1970 had diversified to produce corrugated case material.

DS Smith own the entire Kemsley Mill- it is one of the nine paper mills we operate throughout Europe and our only mill in the UK.

We have invested heavily to modernise the facility and we now employ 400 people and use 100% recycled paper fibres to produce up to 800,000 tonnes of case material and papers every year. The Kemsley Mill is the second biggest recovered fibre based paper operation in Europe.



The Kemsley Paper Mill, viewed from the north



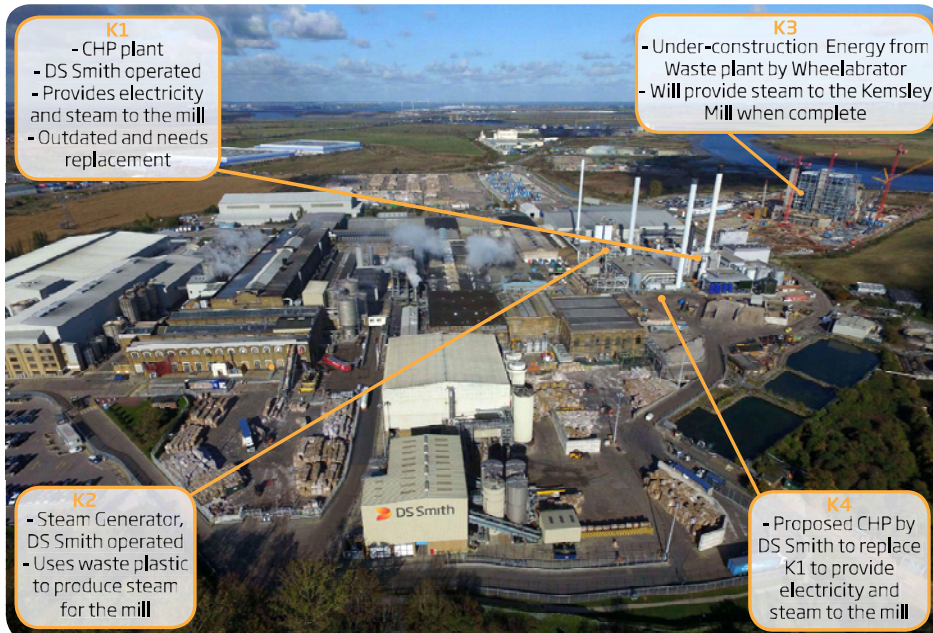
# Kemsley Paper Mill Energy Sources

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

The Kemsley Paper Mill needs a considerable amount of electricity and steam to operate, which is currently provided by various on-site sources operated both by DS Smith and by other companies.

K1 is an existing Combined Heat and Power Plant located within the main mill complex which provides both electricity and steam to the mill. It was built in 1995 and now requires significant investment to replace outdated parts and to ensure it complies with tightening European environmental regulations which will be imposed nationally by the Environment Agency from 2020.

K1 was originally designed to serve both the Kemsley Mill and the Sittingbourne Paper Mill- the Sittingbourne mill has now closed so K1 has a design capacity which exceeds the needs of the Kemsley Mill and is therefore inefficient.





# The Proposed CHP (K4)

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

K4 is a Combined Heat and Power plant which would replace K1. K4 would have a smaller capacity than K1 of between 52 to 57 Megawatts and would use efficient modern CHP technology.

The Combined Heat and Power process is very efficient. K4 would operate using natural gas supplied by an existing pipeline which would be used to fire a gas turbine, producing electricity to be fed into the mill, with any excess exported to the national grid. The heat created by that process is used to create high pressure steam which is then fed through a second turbine, creating further electricity. The resulting low pressure steam is then sent to the mill, to be used within the production process.

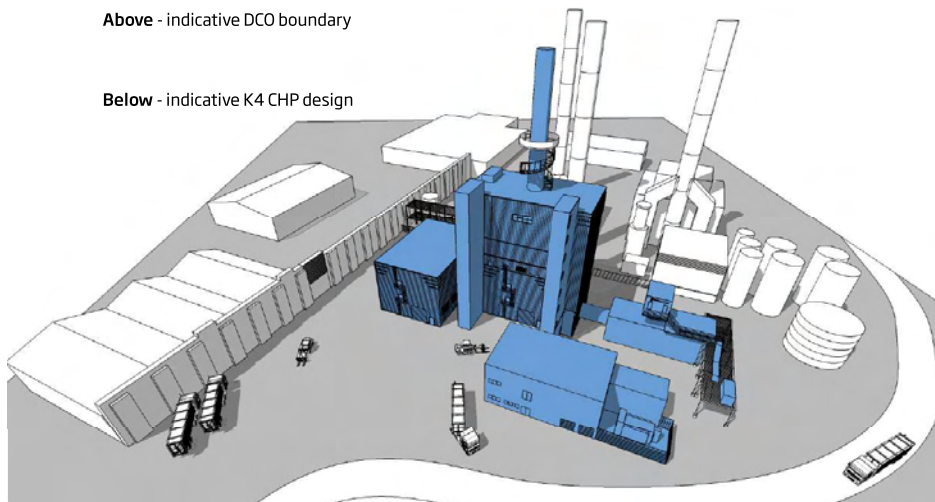
The K4 CHP would be built on land within the main mill complex. It would comprise a complex of buildings and structures, with a single chimney located on the largest of those buildings.

It is expected that the construction of K4 would take around 20 months. K4 would then operate continuously to supply the mill, apart from regular maintenance periods.



Above - indicative DCO boundary

Below - indicative K4 CHP design







# Environmental Effects

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

Our application will be accompanied by a full Environmental Statement (ES) which will identify any significant environmental effects anticipated to arise from the proposed K4 development, both on its own and when combined with other planned or approved projects in the surrounding area.

We have produced a **Preliminary Environmental Information Report (PEIR)** which provides more detail on the project and the likely environmental effects of the development. Copies of the PEIR are available at this exhibition or can be downloaded from the project website.



## Air Quality

We expect K4 to generate reduced levels of emissions compared to the current operation, as it will be a smaller and more efficient replacement of the existing K1 CHP plant.

An assessment will be undertaken to identify the actual impacts of emissions from K4 on human health and sensitive nature conservation sites in the local area, including the Swale Special Protection Area, Medway Estuary and Marshes Special Protection Area, Thames Estuary and Marshes Special Protection Area and Queendown Warren Special Area of Conservation.

## Traffic and Transport

We estimate that the construction of K4 will generate an average of 25 to 30 HGV deliveries per day throughout the 20 month construction period. These vehicles would access the site via the A249, Swale Way and Barge Way. Because K4 would operate using natural gas, there will be no regular deliveries when it is operational, except for occasional maintenance vehicles.

There are currently approximately 20,000 vehicle movements per day along Swale Way, 2,000 of which are HGV's. The construction vehicles therefore represent only a small proportion of current traffic flows on the surrounding highway network and the relative change in traffic flows would be difficult to perceive.

## Climate Change

Greenhouse gas emissions from K4 will be studied in the ES, balanced against the reduction in emissions when K1 is closed. Changing climate risks such as flooding will also be assessed. Since the new development would be replacing a similar but older gas-fired CHP plant, which has its own greenhouse gas emissions, the net change is likely to be quite small and may be a reduction overall.



# Environmental Effects

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

## Noise

Noise and vibration during construction will be controlled by adherence to an appropriate Construction Environmental Management Plan (CEMP). Noise emissions during operation of the facility will be controlled to acceptable levels, by selection of appropriate plant and by design.

Noise levels are not anticipated to be any greater than those arising from the infrastructure being replaced, and will be minimised as far as is reasonably practicable. Vibration during operation of the facility will be controlled at source, and off-site vibration would be negligible.

## Flood Risk and Drainage

The K4 site lies within Flood Zone 1, where there is a low probability of flooding of less than 1 in 1000 years, although parts of the wider mill site lie within Flood Zone 3 where there is a higher probability of tidal flooding.

The nearby Swale and Milton Creek are both sensitive receptors both in terms of surface water quality and as nature conservation areas. It is anticipated that through the implementation of industry best practice methodologies and appropriate drainage measures during construction, operation and the later decommissioning phase, impacts on flooding and surface water, and interrelated sensitive ecological receptors are likely to be minimal.

## Heritage

There are no designated heritage assets within the site itself. Castle Rough, a Scheduled Monument, is located some 230 metres southwest of the site and the closest listed building is Great Grovehurst Farmhouse which is 1.3km away to the west. The nature of the 20th century land-use within the proposal site and the associated ground disturbance means it is unlikely that any archaeological deposits which might have existed still survive.

The ES will contain the results of a desk based assessment, field visit and walkover survey to assess the presence of any unrecorded heritage assets and the suitability of further survey techniques.



# Environmental Effects

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

## Ecology

The K4 footprint within the Paper Mill is an area of existing concrete meaning there is no potential for on-site ecology effects from the new CHP plant. The nearby Swale and Milton Creek are both important sites, designated for the number of birds that they support. Therefore, the assessment of ecological effects will primarily focus on these areas from the point of view of dust and noise generation.

The assessment will also consider the impacts on other designated sites in the area from changes to air quality as a result of the operation of the CHP. However, given that the K4 project replaces the much older K1, it is not anticipated that it will give rise to any adverse impacts on designated sites from emissions created by the proposed plant.

## Landscape, Townscape and Visual Resources

There are no direct effects expected on the wider rural landscapes around the Swale and the Isle of Sheppey, either during construction or operation. The site is currently not visible in views from the majority of Sittingbourne, but more open longer distance views exist from the south east due to the Swale estuary channel and the low lying nature of the Isle of Sheppey.

However the proposed buildings and structures would be set against a backdrop of existing large industrial buildings, with the chimney the only element visible from many locations. Further assessment work will be undertaken to establish the scale of the impact of the development on the Saxon Shore Way long distance path, which runs close to the Kemsley Mill.

## Ground Conditions

The K4 footprint has historically formed part of the wider Paper Mill development since 1930s and was primarily used for agricultural purposes prior to development of the Paper Mill. Due to the historical development of the Paper Mill there is potential for contamination to be present within the soil and groundwater underlying the K4 site, although any contamination is anticipated to be limited in extent.

We will be undertaking an assessment of ground conditions which will focus on identifying what contamination might exist and ensuring that impacts on human health, local groundwater and surface water resources and on the local sensitive ecological receptors are controlled.



# Application Process

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

The K4 project is a 'Nationally Significant Infrastructure Project' (NSIP) because it is an onshore power generating station with a capacity of over 50 megawatts. We must therefore apply to the Secretary of State for a Development Consent Order (DCO) to give us permission to build K4. The Planning Inspectorate process applications for DCO's on behalf of the Secretary of State. Swale Borough Council and Kent County Council will be statutory consultees during the DCO process.

Before being able to submit the K4 DCO application we are required to consult with the local community, statutory consultees and Borough and County Councils regarding the project.

## The DCO Application Process

<b>Pre-Application</b>	October 2017 to January 2018	We will consult the local community, statutory consultees and District and County Councils regarding our K4 proposals
<b>Submission</b>	First Quarter 2018	We intend to submit our DCO application to the Planning Inspectorate
<b>Acceptance</b>	Up to 28 days	The Planning Inspectorate check our application to see whether it meets the required standards to proceed to examination.
<b>Pre-Examination</b>	Up to 3 months	The Inspectorate will hold a Preliminary Meeting to set out the timetable for the examination. Those wishing to be involved in the examination should register to be an interested party.
<b>Examination</b>	Up to 6 months	Interested parties can send in their comments in writing and can request to speak at a public hearing. The Inspectorate will issue written questions to clarify any queries regarding the proposal and there will be public hearings into specific matters.
<b>Recommendation</b>	Up to 3 months	The Planning Inspectorate consider the application and make their recommendation to the Secretary of State.
<b>Decision</b>	Up to 3 months	The Secretary of State considers the Inspectorate's recommendation and issues their decision on the application. There is the opportunity for legal challenge once the decision is issued.





# Early Site Infrastructure Works

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

On some other NSIP projects applicants have chosen to submit a separate planning application to the local planning authority to seek permission to undertake early site preparation works, ahead of receiving a Development Consent Order.

In order to meet Environment Agency regulations for industrial emissions, which will tighten from 2020, we would intend to build K4 as soon as possible should we obtain a Development Consent Order.

We are therefore reviewing the possibility of making a similar application for early site preparation works on the K4 site. Those works could include site clearance, breaking up of the existing concrete slab, creating laydown and working areas and other preparation activities.

We would need to make a planning application to Swale Borough Council for those works. Swale Borough Council would publicise and consult on that application in accordance with their standard procedures and we would provide updates on that application via the project website.





## Next Steps

KEMSLEY PAPER MILL (K4) CHP PLANT  
DEVELOPMENT CONSENT ORDER

### Making your views known

Thank you for taking the time to visit this exhibition. Please do not hesitate to speak with a member of our project team if you have any queries about the project or the planning process.

We would then be grateful if you can fill in the questionnaire available and place it in the box provided before you leave.

There are a number of other ways to make your views known- please provide a name and address to help us register your response:

**By email:**

[K4@dhaplanning.co.uk](mailto:K4@dhaplanning.co.uk)

**Via an online form at the project website:**

[www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation](http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation)

**By Post:**

Mr David Harvey, DHA Planning, Eclipse House, Eclipse Park,  
Sittingbourne Road, Maidstone, Kent, ME14 3EN

**By phone:**

Mr David Harvey, DHA Planning, 01622 776 226

**Please remember that all representations must be received by  
5pm on the 17th December 2017.**

### Staying updated

Please contact the project team with your details if you would like to be added to our contact list. As the project proceeds we will update the website regularly and will be placing newspaper notices when the application is accepted.

For further information on the DCO process and to view the dedicated project page on the Planning Inspectorate's website please visit:

<https://infrastructure.planninginspectorate.gov.uk/>

## **APPENDIX 9**

# **PRELIMINARY ENVIRONMENTAL INFORMATION DOCUMENT**

# KEMSLEY PAPER MILL (K4) CHP PLANT, SITTINGBOURNE, KENT



**Preliminary  
Environmental  
Information**

**November 2017**

**RPS**

**dha** environment



# Introduction

DS Smith Paper Limited (“the Applicant”) proposes to seek permission to decommission an existing gas fired Combined Heat and Power (“CHP”) Plant and build a new gas-fired CHP plant (“K4”) with a nominal power output of 52-57 Mega Watts (the “Proposed Development”) to be operated by DS Smith and other companies to supply steam and power to their existing Kemsley Paper Mill, in Sittingbourne, Kent.

The Planning Act 2008 states that the construction or extension of a generating station of more than 50MW is considered within Section 14(1) (a) of the Act to be a ‘nationally significant infrastructure project’ and as such requires an application for a Development Consent Order (DCO) to be made to the Planning Inspectorate and approved by the Secretary of State for Business, Energy and Industrial Strategy. Such an application is therefore being prepared by DS Smith Paper Ltd. As part of this an Environmental Impact Assessment (EIA) is being carried out in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to identify the potential significant environmental effects of the scheme. The results of this assessment will be reported in an Environmental Statement (ES) submitted with the application to the SoS.

This document provides a summary of the Proposed Development and the preliminary results of the EIA undertaken to date. Members of the public can comment on this ‘Preliminary Environmental Information’ (“PEI”) through a dedicated page on DS Smith’s website, via email, letter or using the feedback forms at the forthcoming public exhibitions. Details on how to do so are provided at the end of this document. Members of the public who register themselves as interested parties with the Planning Inspectorate (PINS) by the relevant deadline after the acceptance of the formal application will also be able to make comments on the final ES (details provided at the end of this document).

## What is the purpose of EIA?

The purpose of Environmental Impact Assessment (EIA) is to identify the likely **significant** effects of a Proposed Development, positive or negative, to some aspect of the environment whether natural or man made. Both the sensitivity of the environmental receptors being affected and the magnitude of the impact inform the significance of the effect.

The findings of the EIA are then presented in a document known as an Environmental Statement (ES).

The significant environmental effects of the Proposed Development during decommissioning of K1, and construction, operation and future decommissioning of K4 requires assessment in the ES by appropriate technical experts.

Where feasible, mitigation measures have been proposed to avoid/reduce an adverse effect identified. A reassessment of an effect with this mitigation in place is then undertaken to determine its significance post mitigation.

Any significant environmental effects remaining after mitigation are reported and represent the likely residual effects of the Proposed Development on the environment (if any).

Where identified, significant effects are required to be taken into account in the application decision making process by the SoS. If consent is granted mitigation measures are secured by requirements within the DCO to ensure they are implemented.

## What issues have been assessed?

A formal scoping opinion request was made to PINS in July 2017 to agree the scope of the issues to be included in the EIA in consultation with the relevant consultees i.e. Kent County Council (KCC) Highways, the Environment Agency, Natural England etc. A copy of the formal scoping opinion is publicly available on PINS website: <https://infrastructure.planninginspectorate.gov.uk/> at the Kemsley Paper Mill (K4) CHP Plant project page.

Consequently it was agreed that the following topic areas need to be assessed within the EIA, a summary of the preliminary results of which is provided within this document:

- Traffic and transport
- Air Quality (including human health)
- Greenhouse Gases and Climate Change
- Noise and Vibration
- Ground contamination
- Water Environment
- Ecology
- Landscape and Visual Effects
- Cultural Heritage
- Cumulative effects

Where a particular environmental feature, or component of it, has not been included within an EIA, this is not to suggest that there will be no associated effects; rather that these are not considered to be among the potentially significant effects.

# The Proposal Site

The proposed site lies in the south east corner of the existing Kemsley Paper Mill site approximately 600m west of the Swale Estuary and north of Milton Creek in the Borough of Swale, Kent. The site is roughly triangular in shape and consists almost entirely of existing concrete hardstanding.

The site is accessed from the A249 via Swale Way. An internal access road provides access to the proposal site.

The site lies immediately east of the Kemsley residential suburb of Sittingbourne with the town centre some 2.5km south of the site.

D S Smith bought the whole site in 2008, investing over £100m to upgrade facilities to make lightweight corrugated case material (CCM). This is the first recycled lightweight paper manufactured in the UK. Kemsley Mill has an annual production capacity of around 800,000 tonnes made from 100% recycled waste paper and is the second biggest recovered fibre-based paper operation in Europe.

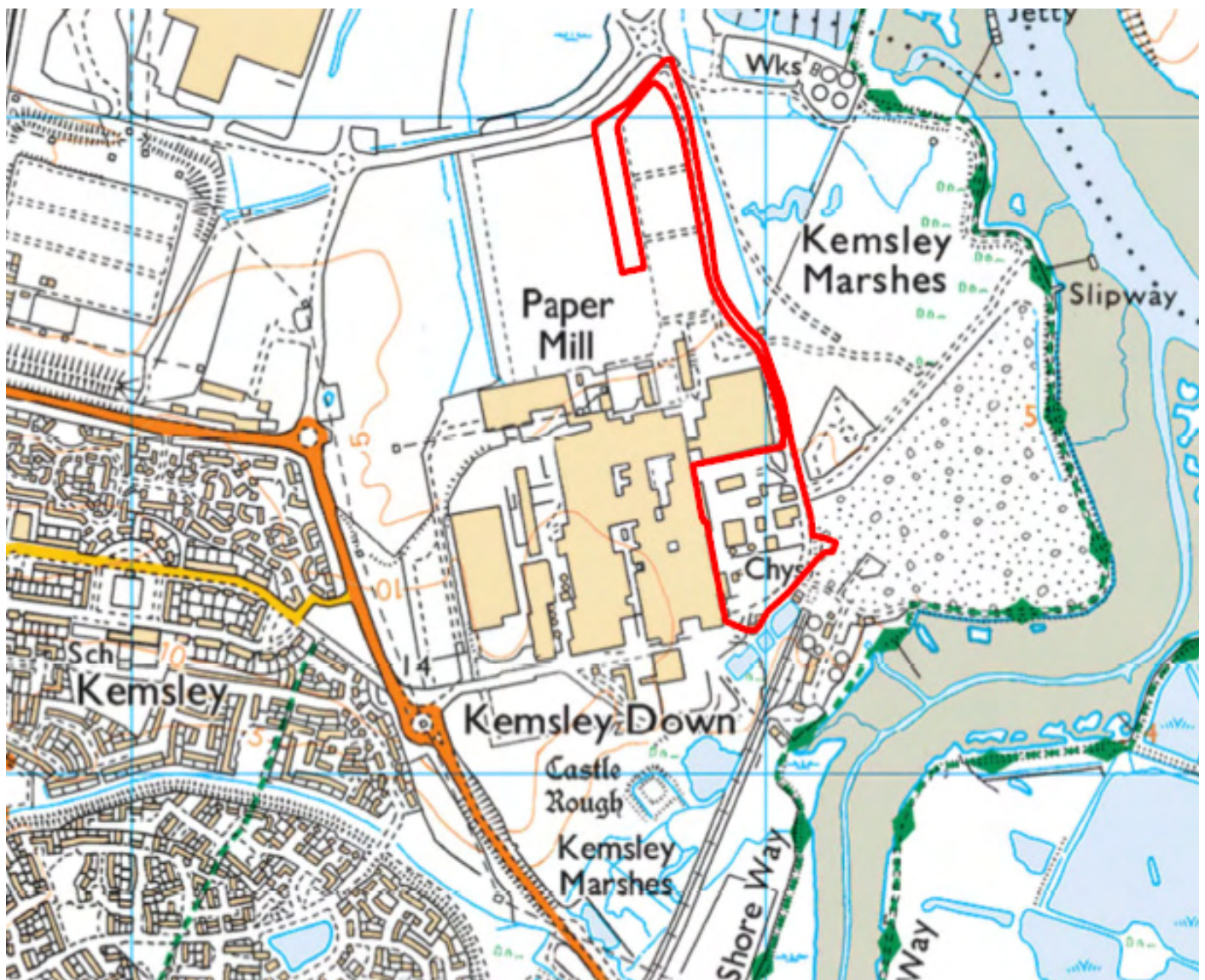


Figure 1: Site location plan showing indicative red line boundary of the DCO application.



The site lies in proximity to a number of sensitive areas and sites which could be potentially affected by the Proposed Development which will be assessed within the EIA. The main sensitive sites/areas are listed below and their location illustrated in Figure 2:

- The Swale Special Protection Area, Special Site of Scientific Interest and Ramsar site designated for its grazing marshes and estuarine habitats and the assemblage of breeding and overwintering birds it supports
- ‘Castle Rough’ a Medieval moated site (Scheduled Monument)
- Local residents in the Kemsley area of Sittingbourne
- The A249 and local highways network
- The River Swale
- The Saxon Shore Way Public Right of Way

It should be noted that this is not an exhaustive list but identifies the main sensitive sites/areas only.

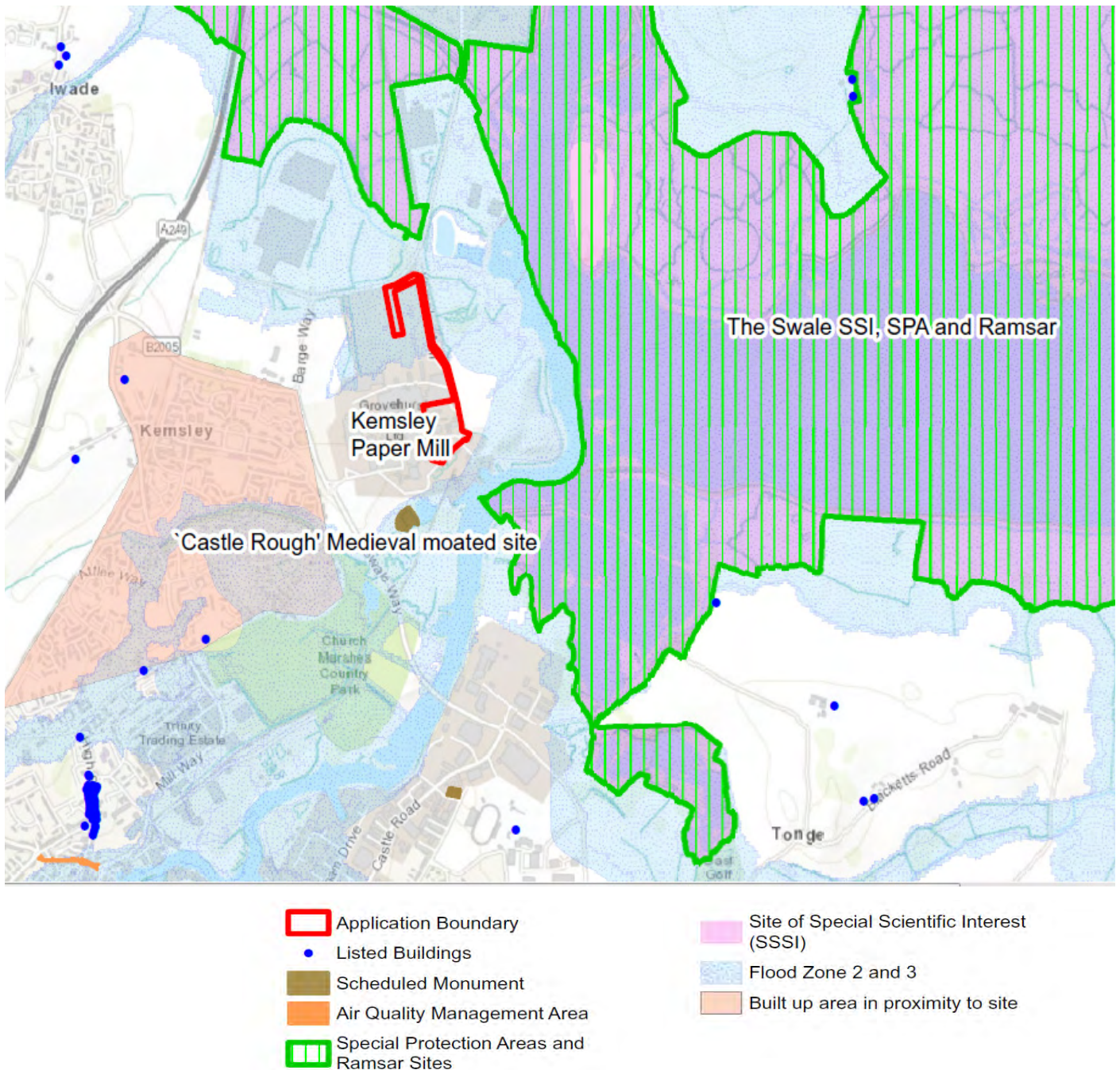


Figure 2: Sensitive sites/areas/receptors in proximity to the site.



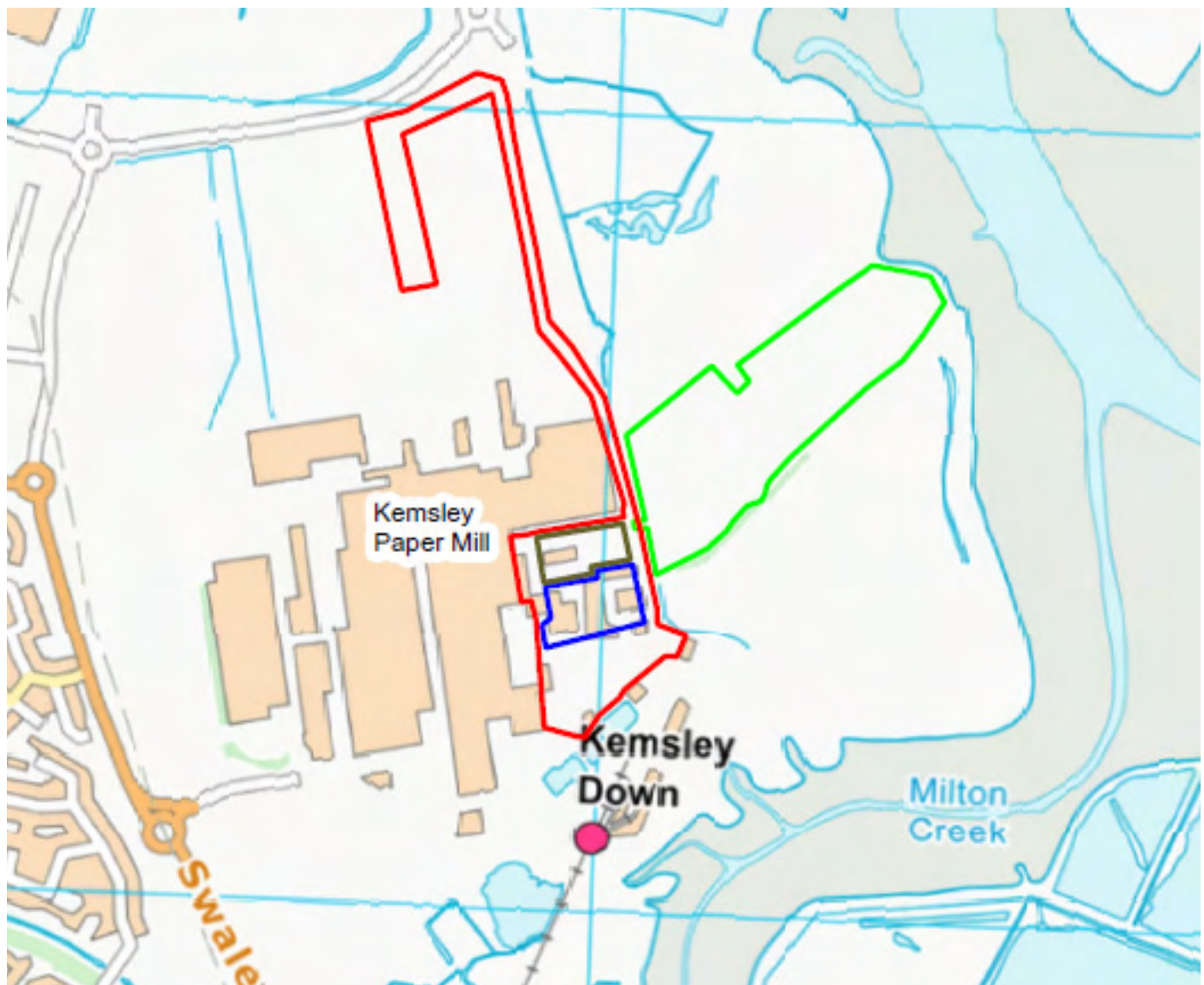
# Existing Energy Sources at Kemsley

The paper production process is energy intensive and requires a substantial amount of electricity and steam. The energy and steam requirements of the Kemsley Mill are provided by a range of sources, operated by either DS Smith or partner companies.

The current power sources are:

- K1 – a gas turbine CHP plant located within the mill site which provides electricity and steam to the mill;
- K2 – a steam generator located within the mill site which uses waste plastic and sludge as a source to provide steam to the mill;
- K3 – an energy from waste plant operated by Wheelabrator to the east of the main mill complex which from 2019 will provide steam to the mill.

K3 is currently being constructed, with the original design having a capacity of less than 50MW. A separate DCO application is being prepared, the 'Wheelabrator Kemsley Generating Station (K3) – Power Upgrade', to increase the capacity of the K3 plant to 75MW. That is an entirely separate proposal from the K4 scheme which forms the subject of this DCO application.







-  Application Boundary
-  Existing K1 Facility
-  Existing K2 Facility
-  K3 Permitted Wheelabrator Facility

Figure 3: Location of existing energy sources at Kemsley Paper Mill.

# The Proposed Scheme

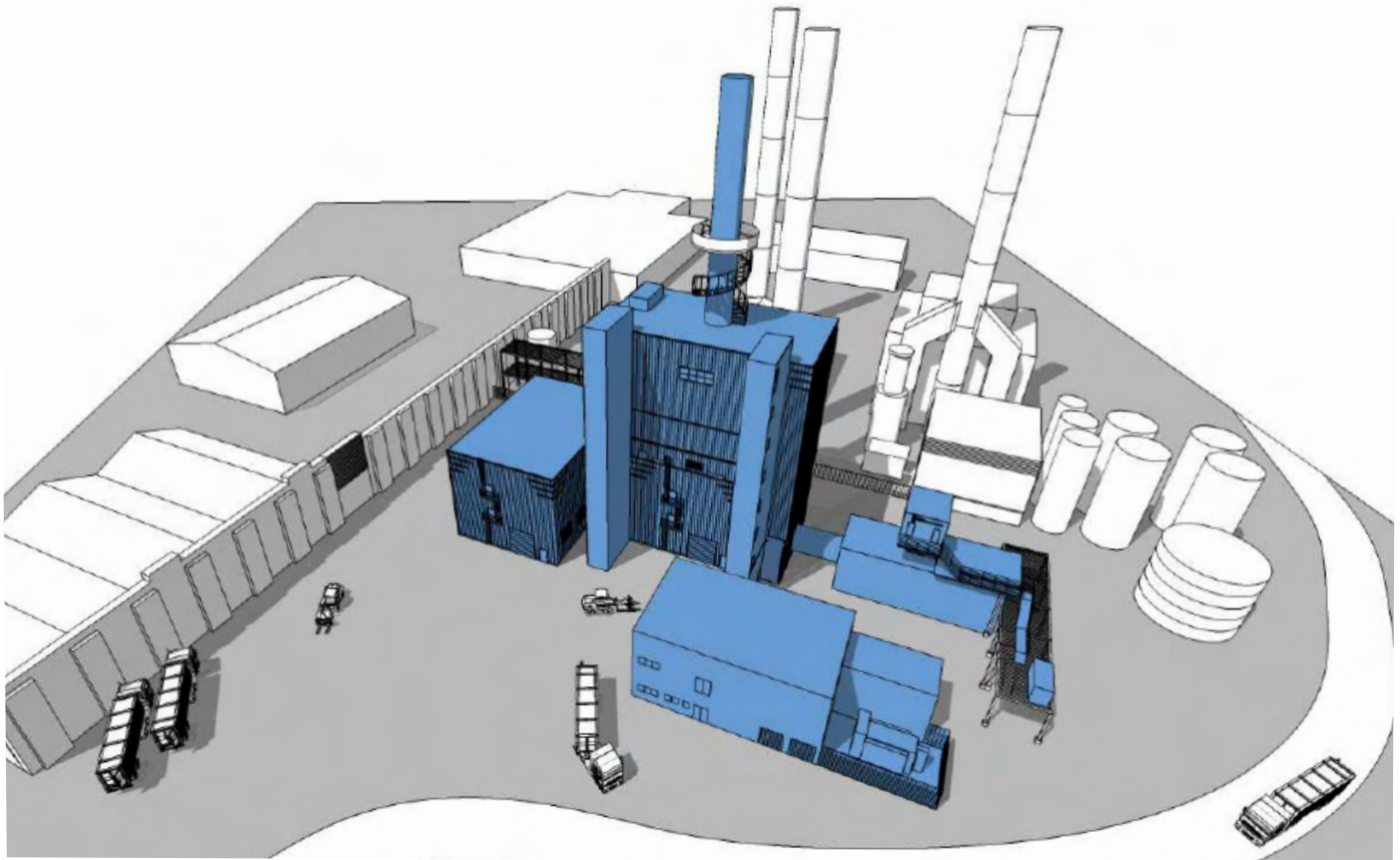


Figure 4: Illustrative 3D visual showing how the Site is likely to look post-construction.

The electricity and steam provided by the existing onsite K1 gas turbine is key to the operation of the mill. However K1 was built in 1995 and does now require significant investment to extend its operational life. In addition K1 was designed to serve the Sittingbourne Paper mill (which no longer exists) as well as the Kemsley mill, so has an inefficient surplus potential capacity.

DS Smith is therefore seeking consent to replace K1 with a new CHP plant, called K4. The new plant would be located on land within the existing paper mill complex, adjacent to the existing K1 plant as illustrated in Figure 4 above. It is intended to be a smaller, more efficient replacement of K1 which is designed to serve the specific needs of the Kemsley Paper mill and to complement the energy and steam provided by K2 and K3.

K4 would be powered by natural gas. The design of the CHP is still being finalised, but it will comprise the following:

- A gas turbine producing in the region of 52 to 57MW of electrical power;
- A Heat Recovery Steam Generator, producing in the region of 105 to 110 MWt of steam;
- A steam turbine, producing in the region of 16MW of electrical power.

Gas would be used to fire the gas turbine to produce electricity. The heat created by that process would be used to create high pressure steam, which would also be fed through a second turbine to produce further electricity. The resulting low pressure steam would be sent to the mill for use within the production process.

The DCO application will also cover the decommissioning of K1, though some elements of K1 will be retained for use in connection with K4, including existing water treatment facilities and the grid connection.

# Impacts to be Assessed

The EIA will assess a range of potentially significant environmental effects utilising the professional experience of a range of competent experts and the Scoping Opinion of the SoS and relevant consultees. The findings of the EIA will be presented in the final ES. The summary below provides a commentary on the assessments undertaken to date including the likely significant environmental effects envisaged (where possible at this stage), any mitigation measures proposed to reduce or offset these effects and the likely residual effects of the development on the environment. Members of the public are advised that this information is preliminary at this stage pending the full results of the assessments which will be provided in the final ES submitted with the application to the SoS. Please see the end of this document for information on how you can comment on this Preliminary Environmental Information and the final ES once submitted to the SoS.

## What has been assessed?

A scoping checklist of environmental features and their components has been utilised to identify those aspects of the environment or components of them that have the potential to be subjected to likely significant environmental effects and therefore should be included in the EIA.

A formal Scoping Opinion request, which included the results of the checklist assessment, was made to the SoS in July 2017 to agree the scope of the EIA in consultation with the relevant consultees i.e. KCC, the Environment Agency, Natural England etc.

The EIA will be produced in accordance with the SoS's formal Scoping Opinion. A copy of this document is publicly available on PINS website: <https://infrastructure.planninginspectorate.gov.uk/>

## Method of assessment

The specialist assessments will follow generally similar methodologies. Desk and/or field studies will be undertaken to establish the existing situation at the Site and surrounding area. The effects of the Proposed Development are then established using a method that compares the sensitivity /importance of an aspect of the environment with the likely size of the predicted change to establish the degree of effect (negligible, slight, moderate, substantial, very substantial). Typically if an effect is determined

to be of moderate significance or above then it is deemed to be a significant effect for the purpose of the EIA Regulations.

The degree of an effect determines the resources that should be put in place to avoid or reduce an adverse effect.

Where appropriate mitigation measures have been proposed to avoid/reduce a significant adverse effect. The significance of an effect with this mitigation in place is then re-assessed to determine its significance post mitigation.

Any significant environmental effects remaining after mitigation are reported and represent the likely residual effects of the proposed development on the environment.

All methodologies are undertaken in accordance with current guidance and best practice.

A summary of the preliminary assessments of the specialist environmental topics is provided below:

## Traffic and Transport

The construction of K4 is estimated to generate an average of 25 to 30 HGV deliveries per day throughout the 20 month construction period. These vehicles would access the site via the A249, Swale Way and Barge Way. Highway capacity assessments are being undertaken to determine the effect of these construction vehicle movements along the adjacent highway network.

There are currently approximately 20,000 vehicle movements per day along Swale Way, 2,000 of which are HGVs. Thus, the construction vehicles represent only a small proportion of current traffic flows on the adjacent highway network and the relative change in traffic flows as a result of the construction vehicles would be difficult to perceive. The sensitivity of receptors along the adjacent highway network are deemed to be low / negligible and initial assessments indicate that the effect of the construction vehicles would be negligible.

Because K4 would operate using natural gas, there will be no regular deliveries when it is operational, except for occasional maintenance vehicles. Thus, there would be no regular transport demand associated with K4 once operational.

## Air Quality

The impacts of emissions from K4 on human health and sensitive nature conservation sites in the local area will be assessed using an atmospheric dispersion model. The model will be run for five years of hourly meteorological data to allow the impacts to be assessed for a wide range of conditions. The cumulative impacts of K4 with K2 and K3 will be assessed by their inclusion within the model.

Contributions of nitrogen oxides and carbon monoxide will be predicted. The predicted contributions will be added to existing baseline concentrations and the total pollutant concentration will then be compared with the relevant EU limit values and



UK Air Quality Strategy objectives set for the protection of human-health.

Concentrations of nitrogen oxides, nutrient nitrogen deposition rates and acid deposition rates at the Swale Special Protection Area, Medway Estuary and Marshes Special Protection Area, Thames Estuary and Marshes Special Protection Area and Queendown Warren Special Area of Conservation will also be predicted and compared with the relevant critical levels and loads.

Whilst still subject to the final assessment it is likely that emissions from K4 will be at worst equal to if not less than existing K1. The air quality benefits of replacing K1 with K4 will be quantified within the assessment report.

### Greenhouse Gases and Climate Change

The main impact on climate change from the Proposed Development would be its direct greenhouse gas emissions when operational from combustion of natural gas fuel.

Indirectly, constructing and operating the facility would also cause greenhouse gas emissions through the supply chain for its fuel and for construction materials and activities. These emissions will be quantified in the Environmental Statement and set into the context of the UK's energy and climate change policies. Since the new development would be replacing a similar but older gas-fired combined heat and power plant, which has its own greenhouse gas emissions, the net change is likely to be quite small and may be a reduction overall.

Over the course of the new development's lifetime, changes in climate could also pose risks to it or could increase the vulnerability of other parts of the environment it affects, such as local ecosystems. The main risk is from flooding, and the assessment of this in the ES is to be included in the Water Environment Chapter and will include a suitable precautionary allowance for increased rainfall in the future, following the

Government's guidance on flood risk.

### Noise and Vibration

Work on the Noise and Vibration assessment is underway. Survey data to establish baseline noise levels has been gathered from previous projects at the Site.

Noise and vibration during construction will be controlled by adherence to an appropriate Construction Environmental Management Plan (CEMP) which will stipulate appropriate construction methods to minimise construction noise. There will be no construction working outside of normal working hours without the express written permission of the local planning authority (Swale Borough Council).

Noise emissions during operation of the facility will be controlled to acceptable levels in accordance with industry guidelines and World Health Organisation guidance, by selection of appropriate plant and by design. Noise levels are not anticipated to be any greater than that from the infrastructure being replaced, and will be minimised as far as is reasonably practicable.

Vibration during operation of the facility will be controlled at source, and off-site vibration is likely to be negligible.

### Ground Conditions

The effect of the proposed K4 development will be assessed following UK best practice, principally based around the Environment Agency and DEFRA document 'Model Procedures for the Management of Land Contamination'. It is anticipated that, although the K4 site has formed part of the wider Paper Mill site since the 1930s, any contamination associated with its industrial history will be limited in extent. The Ground Conditions Chapter of the EIA will primarily focus on the potential for contamination to be present within the K4 development area and to determine potential effects of contamination, if present, to impact on human health, local groundwater

and surface water resources and on the local sensitive ecological receptors.

The shallow geological stratum underlying the site is generally of a low sensitivity with regard to groundwater contamination, however the study will include an assessment of the potential effects during the construction and operation of the CHP might have on groundwater quality.

The nearby Swale and Milton Creek are both sensitive receptors both in terms of surface water quality and as nature conservation areas and the study will therefore include an assessment of potential effects the construction and operation of the CHP might have on these receptors.

It is anticipated that through the implementation of industry best practice methodologies during and post construction, impacts on human health groundwater, surface water and sensitive ecological receptors are likely to be minimal.

### Ecology

The effect of the proposed K4 development on ecology will be assessed following good-practice guidelines (Chartered Institute of Ecology and Environmental Management 2016). The K4 footprint within the Paper Mill is an area of existing concrete hard standing meaning there is no potential for on-site ecology effects from the new CHP plant; a Phase 1 Habitat Survey of the redline boundary in October 2017 has confirmed this. Therefore, the majority of the ecology chapter of the EIA will describe effects on off-site nature conservation interest.

The nearby Swale and Milton Creek are both important sites for nature conservation due to the number of birds that they support as well as the plant and invertebrate assemblages present. Therefore, since these sites are 100+ metres from the development boundary, the assessment of ecological effects during construction arising from K4 will primarily focus on the potential for the disturbance

of birds using the intertidal habitats as a result of noise generated during construction activities such as piling. The noise levels from various activities will be modelled and compared to a threshold of disturbance derived from an up-to-date literature review.

The assessment of operational effects will focus primarily on the effects of emissions to air from the operation of the CHP on designated sites within 10 km. The assessment will consider the effects of changes in ambient concentrations of nitrogen dioxide and ammonia along with deposition of nitrogen and acid into the habitats for which the sites are designated. The assessment would also be cumulative with both K2 and K3. However, given that the K4 project replaces the much older K1, there may be an overall improvement in air quality and a subsequent enhancement with respect to local biodiversity.

### Landscape and Visual Effects

A preliminary Zone of Theoretical Visibility (ZTV) of the Proposed Development has been generated to establish the study area based on preliminary scheme information.

Information on landscape, townscape and visual resources within the relevant study area has been collected through a detailed desktop review of existing studies and datasets and field based surveys and analysis.

The application site currently comprises concrete hardstanding and forms part of the operational land within the DS Smith site. Large scale industrial buildings and chimneys at the DS Smith Paper Mill form the northern and western site boundaries, separating the location from the residential districts of Sittingbourne. This urban area is defined as the Sittingbourne Industrial Commercial townscape character area. The Industrial/commercial character area has a poor quality and condition due to the extensive industrial buildings and infrastructure and the presence of disused and derelict land resulting in a low value.

There are no designated landscapes which lie within the site area.

The site is currently not visible in views from the majority of the settlement of Sittingbourne due to industrial development on the edge of the town and the restored landfill mound. To the south-east of the site the channel of the Swale and low-lying landscape of the Isle of Sheppey allow more open, longer distance views. Key views of potentially high sensitivity and susceptibility to change in view as a result of the proposals include walkers using the Saxon Shore Way long distance footpath (ZU1/2) beside the Swale and Milton Creek. The greatest number of visual receptors with views towards the site would be the occupants of vehicles travelling on Swale Way.

Twelve candidate viewpoint locations have been defined and photography undertaken to inform the visual impact assessment. Viewpoints will be agreed through consultation with Kent County Council/Swale Borough Council.

The new buildings and infrastructure which form the proposed K4 CHP, although large in scale, would form an extension of the existing character of neighbouring development at DS Smith. The townscape character of the site would be of low sensitivity to change through redevelopment. Significant adverse effects on townscape character during construction or operation during the day or at night, would be unlikely.

The surrounding landscape character areas of the Swale and Isle of Sheppey are generally in good condition and have an intrinsically high value. There would be no direct effects on these rural and wild landscape and their sensitivity to change through the indirect influence of the new CHP would be medium or low. Significant adverse effects on these landscape character areas during construction or operation during the day or at night would also be unlikely due to the similar nature of the proposals to the established industrial context.

There are unlikely to be any significant adverse effects during construction and operation on views gained by visual receptors at individual locations within the study area as a result of the proposals. The proposed buildings and structures would generally be visible in the backdrop of existing large scale industrial buildings at the paper mill. The tops of the flue stacks would be the only visible element, beside other stacks in views from the north and west. There will be no locations where new industrial buildings or structures at the proposal site would be seen in a view that does not already contain views of large areas of existing industry.

There is the potential for significant sequential effects on walkers using the Saxon Shore Way long distance path which follows the coastline and estuary landform within a valued and designated landscape, passing relatively close to the proposed CHP. Receptors would have the opportunity to gain a series of views of the development for a distance of several kilometres as part of a walk, leading to the potential for an accumulation of effects which may be significant. Further assessment work will be undertaken to establish the potential for these significant effects.

## Cultural Heritage

A desk assessment undertaken in connection with the proposal has revealed that there are no statutorily designated heritage assets (e.g. Scheduled Monuments, Listed Buildings) within the application site.

The closest designated asset is Castle Rough, a Scheduled Monument (HER number TQ96NW10, list entry number 1013368). The SM is located some 230 metres southwest of the proposal site. It is low lying and not visible from any distance away. The closest listed building to the proposed development is Great Grovehurst Farmhouse, located some 1.3 kilometres west of the laydown area part of the proposal site and listed at Grade II (list entry number 1057685). The closest listed building to the built part of the proposed development is Little Murston Farmhouse, located some 1.4 kilometres southeast of the proposal site and listed at Grade II (list entry number 1061035). There are a number of other designated assets within the study area. There is no evidence that the Proposed Development would have a significant effect on any of them.

Recent archaeological work in the area, including on the Sittingbourne Northern Relief Road has indicated that the higher ground of the Kemsley Ridge has the potential to contain remains from the prehistoric through to the medieval periods, with further activity taking place in the lower lying marshlands now represented by areas of alluvium. There is also the potential for remains from later periods. No archaeological remains were observed on the surface within the proposal site.

The nature of the 20th century land-use within the proposal site and the associated ground disturbance suggest 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. It is likely that any archaeological deposits within the proposed construction footprint, have

been damaged, possibly removed, and that the potential for the survival of archaeological remains is low.

## Water Environment

The effect of the proposed K4 development will be assessed following UK best practice, Institute of Environmental Management and Assessment (IEMA) Guidelines for Environmental Impact Assessment (2004) and the Design Manual for Roads and Bridges (DMRB), Volume 11, Part 10, (November 2009). Whilst the DMRB is not specific to the assessment of hydrology and flood risk, it provides an accepted approach to the assessment of development impacts. In addition, the assessment has been undertaken in line with National, Regional and Local planning policy requirements.

Determination of the baseline conditions at the application site has been established through a review of literature and data from publicly available sources including; the EA, British Geological Survey (BGS) and Kent County Council (KCC).

The Water Environment Chapter of the EIA will primarily focus on flood risk and the potential impacts on water quality and quantity as a consequence of the Proposed Development during the construction, operation and decommissioning phases.

The tidally dominated Swale is approximately 300 m to the south at closest orientation to the Proposed Development and has been classified by the EA as the main risk of flooding.

The EA flood map for planners and Swale Borough Council SFRA (2010) indicate that the entire Proposed Development lies within Flood Zone 1 (FZ1), with low probability of flooding (assessed as Land having a less than 1 in 1,000 annual probability of river or sea flooding). The construction access road is located within Flood Zone 3 (FZ3), and has a 'high' probability of tidal flooding. The southern extent of the access road development is located within Flood Zone 1 (FZ1) with less than 1 in 1,000 annual probability

of flooding from river or sea in any year.

The nearby Swale and Milton Creek are both sensitive receptors both in terms of surface water quality and as nature conservation areas, therefore the study will include an assessment of potential effects construction and operation of the CHP might have on these receptors.

It is anticipated that through the implementation of industry best practice methodologies and appropriate drainage measures during construction, operation and later decommissioning phase, impacts on flooding and surface water, and interrelated sensitive ecological receptors are likely to be slight and not significant.

## Cumulative Effects

Schedule 4 of the EIA Regulations states that an ES should provide a description of the likely significant effects of the development on the environment resulting from inter alia -

- 5(e) The cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to area of particular environmental importance likely to be affected or the use of natural resources.

The ES for the Proposed Development will therefore consider the potential cumulative effects of the Proposed Development in combination with other developments within the local area. Cumulative effects can occur where more than one individual impact may lead to a more significant effect when considered in combination.

The following developments listed below and shown on Figure 5 have been considered in combination with the Proposed Development with regard to significant cumulative effects and agreed with PINS and statutory consultees:

1. 16/501484/COUNTY - The construction and operation of a gypsum recycling building
2. 16/501228/FULL - Construction of new baling plant building
3. 16/507687 - The construction and operation of an Incinerator Bottom Ash (IBA) recycling facility
4. SW/10/444 - Development of a sustainable energy plant
5. END10085 - DCO scoping opinion for power upgrade project (K3)
6. 15/510/589/OUT - Construction of Business Park
7. SW/11/1291 - Anaerobic digester and associated ground profiling and landscaping
8. 14/500327/OUT - Up to 8000m<sup>2</sup> of class B1 and B2 floor space and country park
9. SW/12/0816 - Relocation of Nicholls Transport depot from Lydbrook Close
10. 16/506935/COUNTY - Application for steam pipeline connecting the Ridham Dock Biomass Facility to the DS Smith Paper Mill
11. SW/14/0224 - Application for solar farm.
12. 14/502737/EIA - Scoping opinion for combined heat and power plant.
13. SW/12/1211 - Construction of materials recycling facilities and waste transfer station





Legend

- Application Boundary
- Cumulative Sites

ID	Name
1.	16/501484/COUNTY - The construction and operation of a gypsum recycling building
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13.	SW/12/1211 - Construction of materials recycling facilities and waste transfer station

TITLE  
**Cumulative Sites considered in the EIA**

CLIENT  
**DS SMITH PAPER LIMITED**

PROJECT  
**K4 DCO PROJECT, KEMSLEY MILL, SITTINGBOURNE.**

SCALE AT A3: **1:30,000**      DATE: **July 2017**      JOB NO.: **12321**



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Figure 5: sites included in the assessment of cumulative effects with the Proposed Development.

## Further Information

Members of the public can comment on the 'Preliminary Environmental Information' presented in this report via:

- A dedicated page on DS Smith's website: <http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-projectpublic-consultation>
- Via email to: [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)
- Via letter addressed to:  
DHA Planning Ltd  
Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
Kent  
ME14 3EN
- By attending one of the public exhibitions at Kemsley Village Hall on the 9th November 2017 (12:30pm to 5:30pm) and 11th November 2017 (9:30am to 2pm) and completing one of the feed forms provided.

We ask that all comments and representations made regarding the proposed scheme be submitted via email or by post **by 5pm on 17th December 2017**. The comments and views received during the consultation process will support and assist the EIA process and project design.

It is currently anticipated that the formal application will be submitted to PINS early in 2018. Further updates on the progress of the application will be provided via the Project website and press notices. All the application documents, when submitted, will be available to view on the Planning Inspectorate website <https://infrastructure.planninginspectorate.gov.uk/>, or in alternative form on request. Once the application is accepted by PINS as valid members of the public will be able to register as interested parties with PINS by a deadline which will be publicised in accordance with the relevant Application Regulations. You can provide comment on the final ES, and the full set of application documents, at that stage. Details on when this will occur will be publicised in the Local Press and will regularly be updated on the dedicated project web page.



## **APPENDIX 10**

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#### Public Notices

#### Goods Vehicle Operator's Licence

**JRL Plant & Logistics Ltd** of 4 Elstree Way, Borehamwood, WD6 1RN is applying to change an existing Operator's Licence as follows. To add an operating centre to keep 8 goods vehicles and 14 trailers at Unit A, Argent Business Park, Argent Road, Queenborough, Kent, ME11 5JP. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use of enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

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**Selwood Group** trading as **Selwood Ltd** of 32-36 Bournemouth Road, Chandlers Ford, Eastleigh SO53 3ZL is applying to change an existing licence as follows: To keep an extra 4 goods vehicles and 2 trailers at the operating centre at Plot D9, Symmonds Drive, Sittingbourne, Kent ME10 3SY. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

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### Goods Vehicle Operator's Licence

JRL Plant & Logistics Ltd of 4 Eistree Way, Borehamwood, WD6 1RN is applying to change an existing Operator's Licence as follows. To add an operating centre to keep 8 goods vehicles and 14 trailers at Unit A, Argent Business Park, Argent Road, Queenborough, Kent, ME11 5JP. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

### Goods Vehicle Operator's Licence

Selwood Group trading as Selwood Ltd of 32-36 Bournemouth Road, Chancellors Ford, Eastleigh SO53 3ZL is applying to change an existing licence as follows: To keep an extra 4 goods vehicles and 2 trailers at the operating centre at Plot D9, Symmonds Drive, Sittingbourne, Kent ME10 3SY. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

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**HOME TENT, 2 PERSON,** Hardly used. Inner tent with ground sheet size 2m x 2m, outer fly sheet £30 01795 872461

## Family

### Menswear

**GENTLEMAN'S RAINCOAT.** Beige 100% cotton. 44" chest, full length. £50 ono 01795 478533

**GENT'S M&S NAVY BLUE BLAZER.** Single breasted. Chest 44" short. £40 ono 01795 478533

### Nursery Equipment / Services

**ACTIVITY MAT ELC** Pudding Club travel activity mat, in excellent clean condition, like new. £5.00 01795 430283

### Prams / Pushchairs

**MOTHECARE** Delux all weather cosytoe and liner, fleece lined and padded, washable £10 01795 430283

### Toys / Games

**ANIMAL HOSPITAL** Outback mobile rescue set, in excellent condition £4 01795 430283

**ROLLER SKATES** Quad skates, No Fear, pink/black, adjustable size 10-13 £8.00

**STAR WARS DUELING LIGHTSABER** Motion detector sound effects, Boxed, unwanted present £30.00 07880 937748

**SYLVANIAN FAMILIES** Caravan & Family Car Set, excellent condition, in original box £45 01795 430283

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Free Initial Surveys  
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07840 644403

### DIY Tools and Materials

**TIMBER 4 SALE** 6ft 3x3 posts £1 each 8ft 3x2 £1.50 also bundle of firewood call for info 01795 661647 or 07484 662262

**TOWER 3-CORE FLEX ORANGE** 1.5 sq mm 3183Y BS6500 part of 50m coil, approx. Half left for sale £10 01795 872461

### Electrical Appliances

**KENWOOD HI FI SYSTEM** Radio, double tape deck, CD, in good working order, buyer collects £20.00 07880 937748

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### Secondhand Furniture

**BLACK GLASS TV UNIT** Three tiered shelves, in good condition, buyer collects. £30.00 07880 937748

### Telephones / Answerphones

**MOBILE PHONE ROOK FROM EE.** With charger and case. Virtually unused. £45 01795 478533

## Sports

### Bikes and Cycles

**ADULTS MOUNTAIN BIKE, 26 INCH** Wheels. In excellent condition. Sittingbourne Kent. Nice bike £65 07985 103151

**MARIN MOUNTAIN BIKE 19"** Original 2nd generation ready to ride £85.00. Ovno Tel 01732 833966

**MENS MOUNTAIN BIKE, 26 INCH** wheels, vgc, sittingbourne kent £65 07985 103151

**LEISURE**  
**Computing**

### Computer Equipment

**WINDOWS 10 TOWER PC** Intel x2core 2GB/500GB/DVD/WiFi: lcd VDU; as new keyboard/mouse £80 01795 227524

## Sound and Vision

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### Televisions

**DVD HOME ENTERTAINMENT SYSTEM** Front surround, 5 speakers, sub woofer, boxed £20.00 07880 937748

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# NOTICES

## Public Notices

**TOWN AND COUNTY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**  
**NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION**

PROPOSED DEVELOPMENT AT:  
LAND AT SOUTH-WEST SITTINGBOURNE  
QUINN ESTATES LIMITED AND MULBERRY ESTATES (SITTINGBOURNE) LTD  
SWALE BOROUGH COUNCIL

TAKE NOTICE THAT:

HAS MADE A HYBRID PLANNING APPLICATION TO:  
FOR:

- up to 675 dwellings including affordable housing;
- a two-form entry primary school with associated outdoor space and vehicle parking;
- local facilities comprising a Class A1 retail store of up to 480 sq m GIA and Class D1 medical facility of up to 560 sq m GIA;
- a rugby clubhouse / community building of up to 375 sq m GIA, three standard RFU sports pitches and associated vehicle parking;
- a link road between Borden Lane and Chestnut Street / A249;
- allotments; and
- formal and informal open space incorporating SuDS, new planting / landscaping and ecological enhancement works.

Full planning permission is sought for the erection of 80 dwellings including affordable housing, open space, associated access / roads, vehicle parking, associated services, infrastructure, and landscaping and associated SuDS.

Outline planning permission is sought for the remainder of the development, with all matters eserved except for points of access.

Any owner\* of the land and/or agricultural tenant\*\* who wishes to make representations about this application, should write to:

Head of Planning – Swale Borough Council, Mid Kent Planning Support  
Maidstone Borough Council, Maidstone House, King Street, Maidstone ME15 6JQ  
Within 21 days of the date of this notice.

Name: MONTAGU EVANS LLP  
On behalf of: QUINN ESTATES LTD / MULBERRY ESTATES (SITTINGBOURNE) LTD  
Date: 30 October 2017

\*'owner' is a person with a freehold interest or leasehold interest with at least 7 years to run.  
\*\*'agricultural tenant' has the meaning given in section 65(8) of the Town and Country Planning Act 1990.

**STATEMENT OF OWNERS' RIGHTS:**  
The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or lease.

**STATEMENT OF AGRICULTURAL TENANTS' RIGHTS:**  
The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

**KEMSLEY PAPER MILL (K4) CHP PLANT**  
**PUBLICATION OF STATEMENT OF COMMUNITY CONSULTATION**  
**PUBLIC EXHIBITIONS – 9th AND 11th NOVEMBER 2017,**  
**KEMSLEY VILLAGE HALL**

DS Smith Paper Ltd are preparing an application to seek a Development Consent Order to give us permission to build a Combined Heat and Power plant at our Kemsley Paper Mill in Sittingbourne. The CHP plant would use natural gas to provide electricity and steam to the mill and would be a modern and more efficient replacement of one of our existing CHP plants which is now reaching the end of its operational life. We have prepared a Statement of Community Consultation (SoCC) which sets out how we intend to consult the local community on our proposals. The SoCC can be viewed at the following locations (opening times may vary due to bank holidays etc.)

The Site Office, DS Smith Kemsley Paper Mill, ME10 2TD	9am to 5pm Monday to Friday
Swale Borough Council Offices, East Street, Sittingbourne, ME10 3HT	8:45am to 5pm Monday to Thursday, 8:45am to 4:30pm Friday
Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday, 9am to 5pm Saturdays

A copy of the SoCC can be requested by emailing k4@dhaplanning.co.uk and can also be downloaded from our project website: www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation

We are holding two public exhibitions where you can find out more about the proposals, discuss any queries with our representatives and let us know your thoughts.

- Thursday 9th November 2017, 12:30pm to 5:30pm
- Saturday 11th November 2017, 9:30am to 2pm
- Kemsley Village Hall, The Square, Ridham Avenue, Sittingbourne, ME10 2SL

We look forward to presenting our proposals to you and to hearing your views. The SoCC sets out the other ways you can make your views known on our proposals and the deadline for comments to be made is 5pm on 17th December 2017.

**MR GARRY ADRIAN TURNER (DECEASED)**  
**Late of 18 Wilks Close, Upchurch, Sittingbourne, Kent ME8 8EY**

Notice is hereby given pursuant to Section 27 of the Trustee Act 1925, that any person having a claim against or an interest in this estate is required to send particulars in writing of their claim to the undermentioned on or before 10 January 2018, after which date the personal representatives will distribute the estate among the persons entitled thereto having regard only to the claims and interests of which they have had notice and will not, as respects the property so distributed, be liable to any person of whose claims they shall not then have had notice.

FORDLITTLE Solicitors 14 Park Road, Sittingbourne, Kent ME10 1DR (Ref:1.T208001)

**Goods Vehicle Operator's Licence**  
**One Stop Concrete Services Ltd** trading as above of Unit P, Newington Industrial Estate, Newington, Sittingbourne, Kent ME9 7NU is applying for a licence to use Unit P, Newington Industrial Estate, Newington, Sittingbourne, Kent ME9 7NU as an operating centre for 6 goods vehicles and 2 trailers.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

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**Notice of Application for Planning Permission**

**NOTICE UNDER ARTICLE 15 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**  
**KCC/SW/0297 2017 - Proposed development at Meadowfield School, Swanstree Avenue, Sittingbourne, Kent, ME10 4NL.**

KCC Property & Infrastructure is applying to Kent County Council for planning permission for the proposed expansion of Meadowfield School involving the erection of a new 1.5 storey PE block and a 2 storey sixth form block with associated parking and landscaping works.

You may view this application at Swale Borough Council, Swale House, East Street, Sittingbourne, Kent, ME10 3HT.

Alternatively, details of all applications can be viewed on Kent County Council's website at www.kent.gov.uk/viewapplications or at our offices in Maidstone at the address below during all reasonable office hours.

We accept comments online via our website, by email to planningrepresentations@kent.gov.uk or in writing to Planning Applications Group, Kent County Council, First Floor, Invicta House, County Hall, Maidstone, Kent ME14 1XX within 21 days from the date of this notice. Please quote the application reference number and note that comments may be drawn to the attention of Council Members, the applicant and other interested persons and may include publishing on the Borough Council website.

**Sharon Thompson**  
Head of Planning Applications Group  
Kent County Council  
Dated: 8 November 2017

For further information, please contact Kent County Council, Planning Applications Group, on 03000 411200 or visit www.kent.gov.uk/planning

**MRS JEAN MARIE WILDISH (DECEASED)**  
**Late of Hengist Field Nursing Home, Borden, Sittingbourne (formerly of 10 Heather Close, Sittingbourne, Kent)**

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**LEISURE**  
**Computing**

### Computer Equipment

**WINDOWS 10 TOWER PC** Intel x2core 2GB/500GB/DVD/WiFi/ Icd VDU; as new keyboard/ mouse £80 01795 227524

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**FORDLITTLE Solicitors**  
14 Park Road, Sittingbourne, Kent ME10 1DR  
(Ref:1.F042288)

## NOTICES

### Public Notices

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### NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION

PROPOSED DEVELOPMENT AT:  
TAKE NOTICE THAT:

**LAND AT SOUTH-WEST SITTINGBOURNE QUINN ESTATES LIMITED AND MULBERRY ESTATES (SITTINGBOURNE) LTD**

HAS MADE A HYBRID PLANNING APPLICATION TO:  
SWALE BOROUGH COUNCIL

- up to 675 dwellings including affordable housing;
- a two-form entry primary school with associated outdoor space and vehicle parking;
- local facilities comprising a Class A1 retail store of up to 480 sq m GIA and Class D1 medical facility of up to 560 sq m GIA;
- a rugby clubhouse / community building of up to 375 sq m GIA, three standard RFU sports pitches and associated vehicle parking;
- a link road between Borden Lane and Chestnut Street / A249;
- allotments; and
- formal and informal open space incorporating SuDS, new planting / landscaping and ecological enhancement works.

Full planning permission is sought for the erection of 80 dwellings including affordable housing, open space, associated access / roads, vehicle parking, associated services, infrastructure, and landscaping and associated SuDS.

Outline planning permission is sought for the remainder of the development, with all matters reserved except for points of access.

Any owner\* of the land and/or agricultural tenant\*\* who wishes to make representations about this application, should write to:

Head of Planning – Swale Borough Council, Mid Kent Planning Support  
Maldstone Borough Council, Maldstone House, King Street, Maldstone ME15 6JQ  
Within 21 days of the date of this notice.

Name: MONTAGU EVANS LLP  
On behalf of: QUINN ESTATES LTD / MULBERRY ESTATES (SITTINGBOURNE) LTD  
Date: 30 October 2017

\*owner\* is a person with a freehold interest or leasehold interest with at least 7 years to run.  
\*\*agricultural tenant\*\* has the meaning given in section 65(8) of the Town and Country Planning Act 1990.

**STATEMENT OF OWNERS' RIGHTS:**  
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### KEMSLEY PAPER MILL (K4) CHP PLANT PUBLICATION OF STATEMENT OF COMMUNITY CONSULTATION PUBLIC EXHIBITIONS – 9th AND 11th NOVEMBER 2017, KEMSLEY VILLAGE HALL

DS Smith Paper Ltd are preparing an application to seek a Development Consent Order to give us permission to build a Combined Heat and Power plant at our Kemsley Paper Mill in Sittingbourne. The CHP plant would use natural gas to provide electricity and steam to the mill and would be a modern and more efficient replacement of one of our existing CHP plants which is now reaching the end of its operational life.

We have prepared a Statement of Community Consultation (SoCC) which sets out how we intend to consult the local community on our proposals. The SoCC can be viewed at the following locations (opening times may vary due to bank holidays etc.)

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Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday, 9am to 5pm Saturdays

A copy of the SoCC can be requested by emailing k4@dhaplanning.co.uk and can also be downloaded from our project website: www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation

We are holding two public exhibitions where you can find out more about the proposals, discuss any queries with our representatives and let us know your thoughts.

- Thursday 9th November 2017, 12:30pm to 5:30pm
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- Kemsley Village Hall, The Square, Ridham Avenue, Sittingbourne, ME10 2SL

We look forward to presenting our proposals to you and to hearing your views. The SoCC sets out the other ways you can make your views known on our proposals and the deadline for comments to be made is 5pm on 17th December 2017.

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**MR GARRY ADRIAN TURNER (DECEASED)**  
**Late of 18 Wilks Close, Upchurch, Sittingbourne, Kent ME8 8EY**  
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**FORDLITTLE Solicitors** 14 Park Road, Sittingbourne, Kent ME10 1DR  
(Ref:1.T208001)

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**GENT'S M&S NAVY BLUE BLAZER.** Single breasted. Chest 44" short. £40 ono 01795 478533

**MENS LAMBRETTA DUFFLE COAT** As new, large size, camel/tan colour selling for £40 01795 424155

### Nursery Equipment / Services

**ACTIVITY MAT** ELC Pudding Club travel activity mat, in excellent clean condition, like new. £5.00 01795 430283

### Prams / Pushchairs

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**STAR WARS DUELING LIGHTSABER** Motion detector sound effects. Boxed, unwanted present £30.00 07880 937748

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### Bedrooms

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### DIY Tools and Materials

**TOWER 3-CORE FLEX ORANGE** 1.5 sq mm 3183Y BS6500 part of 50m coil, approx. Half left for sale £10 01795 872461

### Electrical Appliances

**KENWOOD HI FI SYSTEM** Radio, double tape deck, CD, in good working order, buyer collects £20.00 07880 937748

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## Household Miscellaneous

**HAIRDRESSING TRAINING HEADS** X 3, stand, clips, grips, overall etc everything for hairdressing course. £50.00 07880 937748

### Secondhand Furniture

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**MOBILE PHONE ROOK FROM EE.** With charger and case. Virtually unused. £45 01795 478533

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**MENS MOUNTAIN BIKE, 26 INCH** wheels, vgc, sittingbourne kent £65 07985 103151

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## NOTICES

### Public Notices



### KEMSLEY PAPER MILL (K4) CHP PLANT PUBLICATION OF STATEMENT OF COMMUNITY CONSULTATION

DS Smith Paper Ltd are preparing an application to seek a Development Consent Order to give us permission to build a Combined Heat and Power plant at our Kemsley Paper Mill in Sittingbourne. The CHP plant would use natural gas to provide electricity and steam to the mill and would be a modern and more efficient replacement of one of our existing CHP plants which is now reaching the end of its operational life.

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Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday, 9am to 5pm Saturdays

A copy of the SoCC can be requested by emailing k4@dhaplanning.co.uk or by calling David Harvey at DHA Planning on 01622 776226 and can also be downloaded from our project website, along with other project information: www.dsmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation

The SoCC and our website set out the ways you can send us your views on our proposals. The deadline for comments to be received is **5pm on 17th December 2017.**

### Goods Vehicle Operator's Licence

**Mr C Gilks** trading as **D & C Logistics of 26 Raleigh Way, Halfway, Minster, Kent ME12 3BH** is applying for a licence to add an operating centre to keep 4 goods vehicles and 4 trailers at **Old Britannia Building, Dorset Road, Sheerness, Kent ME12 1NB.**

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## **APPENDIX 11**

### **PROJECT WEBSITE**



Paper Mills

## K4 Project Public Consultation

DS Smith Plc intends to apply to the Secretary of State for a Development Consent Order to decommission an existing gas fired Combined Heat and Power plant (K1) and build, commission and operate a new gas-fired Combined Heat and Power (CHP) plant (K4) to supply steam and power to their Kemsley Paper Mill, in Sittingbourne, Kent.

The proposed development constitutes a project falling within the definition of a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 by virtue of building, commissioning and operating an onshore generating station with an energy generating capacity of greater than 50MW and therefore requires a Development Consent Order (DCO) granting permission from the Secretary of State, via the Planning Inspectorate.

The new gas-fired Combined Heat and Power (CHP) plant would be located in the south-eastern part of the main Kemsley Paper mill complex. It would comprise the following:

- Gas turbine technology of around 57 MW nominal power output.
- A Heat Recovery Steam Generator, producing in the region of 105 to 110 MWth steam;
- A steam turbine, producing in the region of 16MW of electrical power.

### **Process**

DS Smith has received an EIA Scoping report from the Planning Inspectorate. We have consulted the local community on the proposals and are currently publicising the application and consulting prescribed bodies, relevant statutory undertakers and local authorities regarding our proposals. We are aiming to submit the application at the end of March 2018.

Documents, plans and maps detailing the nature and location of the proposed development, including Preliminary Environmental Information in the form of a draft Environmental Statement and Non-Technical Summary (NTS), are available to download below:

## Download K4 NTS and plans

- 

[K4 NTS and plans.zip](#)

The same documents, plans and maps have also been placed on deposit at the following locations, where they can be inspected free of charge, during the hours specified, until close of business on Friday 2<sup>nd</sup> March 2018:

The Site Office, DS Smith Kemsley Paper  
Mill, ME10 2TD

9am to 5pm Monday to Friday

Swale Borough Council Offices, East Street,  
Sittingbourne, ME10 3HT

8:45am to 5pm Monday to Thursday, 8:45am  
to 4:30pm Friday

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Sittingbourne Library, Central Avenue,  
Sittingbourne, ME10 4AH

9am to 6pm Monday to Friday (open until 8pm  
on Thursday), 9am to 5pm Saturdays

### Statement of Community Consultation (SoCC)

We produced a Statement of Community Consultation which set out how we consulted the local community on our proposals. Swale Borough Council and Kent County Council reviewed our SoCC which can be downloaded below.

## Statement of Community Consultation

- 

[K4 SoCC Kemsley.pdf](#)

### Making your views known

There is an opportunity to make representations on the application until 5pm on Friday 2<sup>nd</sup> March.

By email to: [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)



By post to: Mr David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN

By telephone to: Mr David Harvey, DHA Planning, 01622 776 226

More information on the DCO process can be found at the Planning Inspectorate NSIP website - <https://infrastructure.planninginspectorate.gov.uk/>

The project webpage on the Inspectorate's website is at:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/kemsley-paper-mill-k4-chp-plant/>

For further information please contact: David Harvey at [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)

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Paper Mills

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- A Heat Recovery Steam Generator, producing in the region of 105 to 110 MWth steam;
- A steam turbine, producing in the region of 16MW of electrical power.

### **Process**

DS Smith has submitted an Environmental Impact Assessment Scoping Request to the Planning Inspectorate. The Inspectorate will respond with their Scoping Opinion at the end of September 2017.

The intention is to submit the application for a Development Consent Order at the start of 2018. Before submitting DS Smith need to carry out an appropriate level of consultation and publicity with statutory consultees and within the local community. DS Smith have prepared a Statement of Community Consultation (SoCC) which explains how they will undertake that consultation, which is shortly to be submitted for comment to Swale Borough Council and Kent County Council. Once

the SoCC has been amended to reflect any comments from the Councils it will be published locally and on this website. It is expected that public consultation will be carried out later in 2017.

More information on the DCO process can be found at the Planning Inspectorate NSIP website - <https://infrastructure.planninginspectorate.gov.uk/>

The project webpage on the Inspectorate's website, which includes the Scoping Opinion, is at: <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/kemsley-paper-mill-k4-chp-plant/>

For further information please contact: David Harvey at [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)

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[DS Smith Paper](#) > [About](#) > [Paper Mills](#) > [Kemsley \(UK\)](#)

## **APPENDIX 12**

### **PROJECT LEAFLET AND NEWSPAPER ARTICLE**

## House plans meeting over objections

A site meeting was held for a proposed two-bedroom house after neighbours objected to the plans.

More than 20 objections were lodged against plans for the garden of a home in Brier Road, Sittingbourne. The site meeting took place on Monday.

Borden Parish Council objected after residents raised concerns at one of its meetings.

It said in a statement: "Due to the slant of the land, the second floor will have a clear sight into adjacent properties and will look right into the bedroom windows."

"Because of the turning circle on to the road in Grove Park Avenue, it will impact on the area and cause issues with parking."

Vernice Hayward, of Grove Park Avenue, said: "This will be a disgrace if it goes through."

"It is a private road. I live on the end so it will look straight into my property, and the drive will come in front of mine."

However, a design and access statement said the new build would be 20 metres from the property in Brier Road and would be "excavated" into the garden.

It added: "The only rear-facing window is that of the bathroom which has obscured glazing."

Residents of Grove Park Avenue and Brier Road suggested the building would affect a foot-path linking the two streets that was well used by schoolchildren.

Another concern was the proposal would move a streetlight making a path unsafe in winter.

## Schools win at awards night

The district's top schools have been recognised at the KM Charity Forum for their efforts in literacy, green travel, and road safety.

Schools making a long-term commitment to green travel – where they encourage families to walk to school each day – were awarded the Platinum Pledge.

Bapchild and Tonge Primary School had a double reason to celebrate having also won a Platinum level Literacy Mark.

Those encouraging high standards in reading and writing included Meadowfield School and Lansdowne Primary School.

The ceremony was held at the Mercure Maidstone Great Danes Hotel, in Hollingbourne.



Rich and Bill Best with the American fire engine on show at Bredgar and Wormshill Light Railway's open day Pictures: Phil Lee FM4975412

## US fire engine stars at railway's last show

An American fire truck was the star of the show at Bredgar and Wormshill Light Railway's last open day of the year.

The 1991 Pierce Arrow 105' Aerial was saved from being scrapped and brought over from the USA by Bill Best, son of the railway's owner.

Mr Best said: "The fire truck

went down extremely well. It drew a big crowd."

He added the open day on Sunday was the best turnout for this time of year they have had in three or four years.

There were also seven steam locomotives on display.

The next open day will be held at Easter.



Ashley Pettitt on his traction engine in the autumn sunshine FM4975454

# Plans on show for updated plant to power paper mill

by Lewis Dyson  
ldyson@thekmggroup.co.uk  
@Lewis\_Dyson

A planning application is being prepared for a power station at Kemsley Paper Mill.

Owner and operator DS Smith Paper is holding two public exhibitions ahead of a bid to build a combined heat and power (CHP) plant, known as K4.

The mill, which produces up to 800,000 tonnes of paper and cardboard each year and employs about 400 people, is currently powered by K1, an existing CHP plant producing electricity and steam, and K2, which is made up of steam producing boilers.

K1 was constructed in 1995 and used to provide energy to both the Kemsley mill and the now demolished Sittingbourne Paper Mill.

Described by its owners as "outdated and inefficient", its designed capacity is surplus to the requirements of the Kemsley site and a number of elements are nearing the end of their operational life.

It is hoped by using natural gas to provide electricity and steam, the K4 plant would adhere to Environment Agency industrial emission regulations due to begin in 2020.

The output of the proposed plant means it would require approval by the secretary of state via the Planning Inspectorate.



Kemsley Paper Mill could get another power station built

Graham Appleby, K4 project manager for DS Smith, said: "K4 will be a more efficient power supply for the mill to replace our K1 plant, as well as provide sustainability benefits in line

with our company objectives.

"The new plant ensures we can meet the tightening Environment Agency standards regarding industrial emissions.

"We look forward to discussing our proposals at our forthcoming exhibitions and encourage people to send us their views."

The public exhibitions will run at Kemsley Village Hall, Ridham Avenue, Kemsley, on Thursday, November 9, from 12.30pm to 5.30pm, and Saturday, November 11, from 9am to 2pm.

Another power station is being built by Wheelabrator next to the mill off Barge Way.

It will create electricity by burning waste and will also provide steam to the mill.

## £30m bid to pay for road improvement

From front page for new housing. At Swale's full council meeting last month, Cllr Tony Winckless (Lab) asked Cllr Mike Cosgrove (Con), cabinet member for regeneration, for an update on how proposed improvements to the junction were progressing.

His question came bearing in mind additional traffic that will be generated from 1,160 extra homes due to be built north west of Sittingbourne, between the railway line and the A249.

Cllr Cosgrove said: "There are ongoing discussions with landowners with regard to the potential developer contributions towards improvements to the Grovehurst junction to meet the traffic needs generated by those particular developments."

He added that, in parallel to this, a bid had been made to the Housing and Infrastructure Fund for a major redesign of the Grovehurst junction at an estimated cost of £30m.

He said the improvement works were needed so the junction would be able to "cater for potential traffic growth demands beyond the current Local Plan period and for any future proposals to complete the Northern Relief Road and Southern Relief Road".

Kent County Council is waiting to discover if its bid has been successful.

## Controversial building plot under review

Revised plans have been submitted for a controversial building project in Newington.

The former Newington Working Men's Club in the High Street has been demolished to make way for new homes.

It had become an eyesore and was knocked down in June last year, without planning permission, but an application for nine three-bedroom homes and one three-bedroom maisonette was approved a month later.

The new plans have been put in after minor changes were made to features, including roof height.

The original application was granted with 23 conditions.

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# K4 Public Consultation

Kemsley Paper Mill, Ridham Avenue,  
Kemsley, Sittingbourne

## Public Exhibitions

Thursday 9th November 2017 - 12:30pm to 5:30pm  
Saturday 11th November 2017 - 9:30am to 2pm

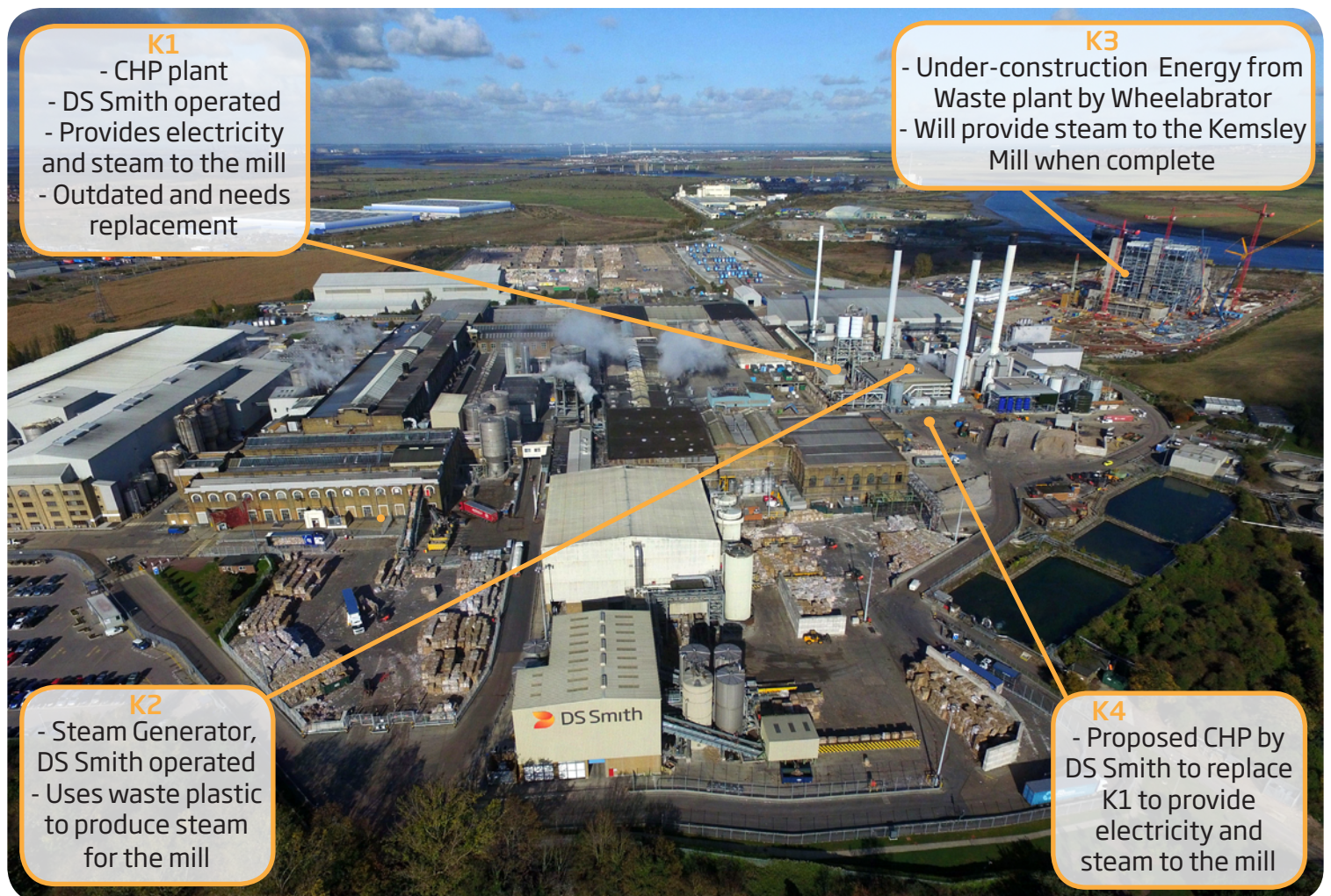
Kemsley  
Village Hall

DS Smith Paper Ltd is consulting the public on a proposal to build a new Combined Heat and Power (CHP) Plant at our Kemsley Paper Mill. The new plant, 'K4', would replace an existing outdated CHP plant (K1) and would supply electricity and steam to our mill.

This leaflet has been sent to homes and businesses around the mill and explains the proposals and how you can find out more.

DS Smith is a leading European manufacturer of recycled corrugated case materials and speciality papers and operates nine paper mills across Europe. The Kemsley Paper Mill in Sittingbourne is our only mill in the UK- it employs 400 people and can produce up to 800,000 tonnes of case material and paper every year.

The paper production process is energy intensive and requires a substantial amount of electricity and steam. The energy and steam requirements of the Kemsley Mill are provided by a range of sources, operated either by us or our partner companies.





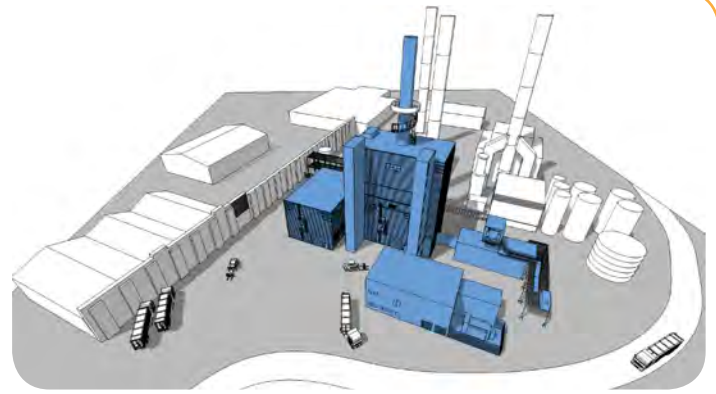
K4 is a 'Nationally Significant Infrastructure Project' and we must therefore seek a Development Consent Order from the Secretary of State in order to build the new plant.

The design and layout of the K4 plant is still being finalised but we expect it will comprise a collection of buildings surrounding a larger structure which contains the gas turbine, with a single chimney.

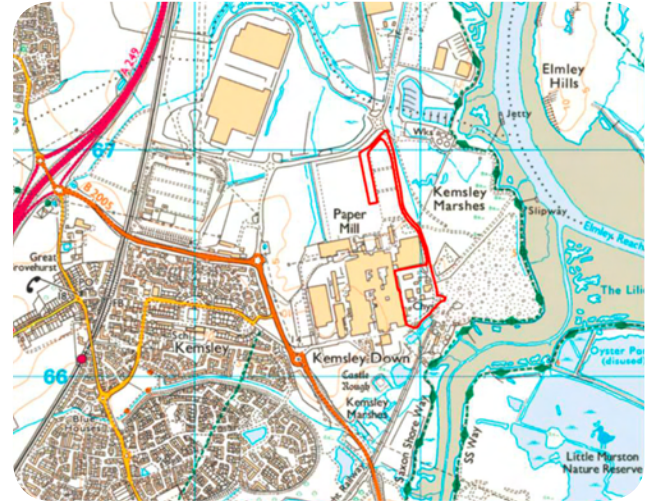
K4 would replace the outdated and inefficient K1 CHP plant already operational at the Kemsley Mill and our proposal would therefore reduce emissions from the mill.

K4 will be powered by natural gas delivered by an existing pipeline and will therefore only require occasional maintenance vehicles when operational.

The Development Consent Order application will be accompanied by a full Environmental Impact Assessment, which will assess the environmental effects of the proposed K4 development.



Indicative site layout/scale and illustrative DCO boundary



## How to make your views known and to find out more

We have published a **Statement of Community Consultation** ('the SoCC') which sets out how we intend to consult the local community on the K4 project. Copies of the SoCC can be viewed on our website or at our Kemsley Mill reception, the Swale Borough Council offices or at the Sittingbourne Library.

A '**Preliminary Environmental Information Report**' will be available at the public exhibitions and thereafter on the project website. It provides additional information on the proposed scheme and its anticipated environmental effects.

There are various ways of making your views known, using the details below. Please remember that all representations must be received by **5pm, 17th December 2017** and must state the grounds of the response and contact details. If you require documents in alternative formats or have any queries please use the details below to contact our project team.

### By email:

K4@dhaplanning.co.uk

### By Post:

Mr David Harvey, DHA Planning, Eclipse House,  
Eclipse Park, Sittingbourne Road, Maidstone,  
Kent, ME14 3EN

### By phone:

Mr David Harvey, DHA Planning, 01622 776 226

### Project website:

Please visit the project website for more information or to submit an online questionnaire: ([www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation](http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation))

### Public Exhibitions:

We are holding two public exhibitions:

**Thursday 9th November 2017**

**12:30pm to 5:30pm**

**Saturday 11th November 2017**

**9:30am to 2pm**

**Kemsley Village Hall**  
The Square, Ridham Avenue  
Kemsley, Sittingbourne, ME10 2SL

At the exhibitions you will be able to submit a questionnaire to make your views known.

**We look forward to discussing our proposals with you and to hearing your views.**

**IN BRIEF**

**Parkrun party**

Sittingbourne Parkrun is celebrating its second anniversary of helping to keep people active after it started in 2016. The free activity has seen hundreds of runners or walkers complete a 5km route - two laps - around Milton Creek Country Park every Saturday from 9am. It is open to anyone who wants to take part, regardless of age, ability or fitness. To mark the milestone, runners are invited to bring cake and bubbly to the run on February 24.

**Tools stolen**

Petrol-powered garden tools were stolen in Upchurch. A strimmer, blower and Honda lawnmower were taken from a work van parked in Forge Lane at some stage between Friday and Saturday. Anyone with any information about the incident should contact police on 101 or Crimestoppers on 0800 555111, quoting crime reference XY/005275/18.

**Taken off table**

A pensioner had her purse stolen from her kitchen table after a man followed her into her home. The theft happened in Sheerstone, Iwade, at 5pm on Friday, January 19. Police are investigating and anyone who can help should call 101 and quote crime reference XY/004133/18.



Construction work for the energy-from-waste plant at Kemsley Mill, left, and an artist's impression of the building



# Power plant firm pledges £50,000 for good causes

by Lewis Dyson  
ldyson@thekmggroup.co.uk  
@Lewis\_Dyson

Community groups are set to benefit from £50,000 given by the developer of Swale's newest power station.

Construction of Wheelabrator's K3 energy plant has started at Kemsley Mill, off Swale Way, Sittingbourne. The operator has

announced a community benefit fund to be awarded to charities and community organisations to help boost projects in the region.

The company's UK managing director Paul Green said: "Wheelabrator Technologies is committed to playing an active role in local communities supporting and investing in civic and charitable organisations, local schools and environmental causes, while contributing to increased eco-

nomie growth and enhanced quality of life in the communities in which we operate.

"We believe our social responsibility begins with the communities in which our facilities operate and our customers and employees live."

Once the energy-from-waste K3 combined heat and power (CHP) plant is up and running in 2019, it will be able to process up to 550,000 tonnes per year of post-recycled rubbish provided by waste management companies.

The refuse would otherwise have been sent to a landfill or pre-treated and exported to Europe.

When fully operational, the plant will generate nearly 50 megawatts of electricity - enough to power 146,180 homes - which will be exported to the National Grid.

The construction phase will

create hundreds of jobs and there will be more than 40 full-time operational roles when it opens.

The site is also expected to provide a multi-million pound economic boost to local businesses and contractors.

Steam produced by K3 will be supplied directly to the neighbouring Kemsley Paper Mill, helping to reduce owner DS Smith's carbon emissions from the production of recyclable packaging for the retail industry.

DS Smith is looking to build its own CHP plant, known as K4, at the mill. It is consulting with statutory bodies and look to lodge a planning application around the end of March.

Wheelabrator's community benefit fund will be divided over the next two years.

For information and to apply, go to [www.wtikemsley.co.uk](http://www.wtikemsley.co.uk)



MP Gordon Henderson and Sajid Javid

## MP's fears on housing allayed

MP Gordon Henderson met the Secretary of State for Housing, Communities and Local Government, Sajid Javid, last week to oppose the government's plan to increase housing targets for Swale.

Swale's local plan proposes 776 homes a year, but new government guidance would increase that figure to 1,054 per year.

Mr Henderson said: "I explained to Mr Javid that Sittingbourne and Sheppey had taken more than its fair share of housing over the past couple of decades and, consequently, some communities had been changed out of all recognition.

"I warned him that I would oppose the government's policy unless it was changed to reflect previous housing growth."

He added: "Mr Javid did make clear the new targets only apply to local authorities that have not yet submitted a local plan. He said since Swale has an approved local plan in place, it will not have to take account of the new guidance until it submits its next local plan, which could be some years away."

Mr Henderson said he also briefed Mr Javid on the proposal for a garden village in Sittingbourne, south of the A2, and told him that if Swale council granted planning permission for the development, he would ask him to call in the plan because of its size.

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Sheppey undertaker Luke Allum will be appearing in the BBC documentary The Youngertakers with teenagers Ellie and Ben Picture: BBC

## TV spotlight on young undertaker

Sheppey's youngest undertaker makes his TV debut on Monday on the BBC iPlayer.

Luke Allum, 25, features in a 30-minute Newsbeat documentary called The Youngertakers with two teenagers called Ben and Ellie.

Producer Ben Munday, a former Borden Grammar School pupil from Sittingbourne, said: "This is a chance to find out how teens and 20-somethings

work in one of the world's oldest businesses."

The documentary follows a funeral at the Garden of England crematorium at Bobbing run by Luke, who opened his own business in Sheerness Broadway last year. Luke said: "The documentary features the youngest undertakers in Britain. Two aged 17 and 18 from Nottingham came to Sheppey for the show and spent time

with me." He has been involved in undertaking since leaving Minister College at 15.

The show will go live on iPlayer on Monday.

Luke is planning a special viewing of it at the Playa pub at The Leas, Minister, in the evening. If it gets enough viewers, the programme will be transmitted on BBC2 in March or April. Its original transmission date was due in January.

## **APPENDIX 13**

### **QUESTIONNAIRE**





# KEMSLEY PAPER MILL (K4) CHP PLANT

We would be grateful if you could take the opportunity to fill in this feedback form with your comments on the proposed K4 CHP Plant. Please include contact information to allow us to have a better understanding of the responses we receive- we will summarise responses in our application documents but will keep those anonymous. Contact information will not be used or released for any other purpose.

If you would like to be added to the project contact list for regular updates please also tick below.

Name: .....

Address: .....

Email .....

Please tick the following if you would like to be added to the register of stakeholders:

Post  Email

About You (Please tick those that you consider most apply):

Resident of Kemsley

Resident from other area (Please specify where).....

Other (Please provide details) .....

What are your thoughts on the need, location, design and scale of the proposed K4 CHP plant?

The information boards outline the anticipated environmental effects of the proposed K4 CHP plant. Which of these effects are most important to you and why?

**Do any aspects of the proposed K4 CHP plant cause you particular concern and why?**

**Are there any topics or areas where you feel more information is needed to help you understand the proposed K4 CHP plant or its anticipated environmental effects?**

**Please provide any general comments you have regarding the proposed K4 CHP Plant below.**

**Thank you for taking the time to attend and comment. Please place this questionnaire in the box provided.**

## **APPENDIX 14**

### **S48 NOTICES**



# SALES & SERVICES

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CONTACT: 01795 830248/ 07966 469739

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### Bedrooms

**SINGLE HEADBOARD** Silver/grey metal square frame, as new. £15 01795 872461

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**TIMBERSALE** 6ft 3x2 & 3x3 both a £1 each can deliver local also firewood available 01795 661647 or 07484 662262

**TOWER 3-CORE FLEX ORANGE** 1.5 sq mm 3183Y B56500 part of 50m coil, approx. Half left for sale £10 01795 872461

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### Archery

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### Bikes and Cycles

**MEN'S/ TEENAGERS MOUNTAIN BIKE** 26 inch wheels. Come and view in sittingbourne kent £65 07985 103151

### Sport Miscellaneous

**2X BLINGSIDE 360 KIDS SCOOTERS** Choice of 2. Also have 3 wheeled kids flicker scooter £10 07985 103151

## NOTICES

### Public Notices

#### THE KEMSLEY PAPER MILL (K4) CHP PLANT NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER ('DCO') SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 4 OF THE INFRASTRUCTURE PLANNING APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE REGULATIONS 2009 (BOTH AS AMENDED)

Notice is hereby given that DS Smith Paper Ltd of Kemsley Paper Mill, Sittingbourne, Kent, ME10 2TD ["the applicant"], intends to apply to the Secretary of State under Section 37 of the Planning Act 2008 (as amended) for the above-mentioned development consent order ["the application"].

The application relates to the construction of a Combined Heat and Power Plant with a nominal power output of 68-73 Megawatts ["the proposed development"] within the site of the existing Kemsley Paper Mill, to the north of Sittingbourne in Kent. The proposed development will supply electricity and steam to the paper mill and will comprise a complex of buildings, including a gas turbine, a heat recovery steam generator with a stack up to 70m high, a dump condenser, a turbine hall, an auxiliary package boiler with a stack up to 35m high and other ancillary infrastructure, buildings and plant.

The proposed development is an Environmental Impact Assessment (EIA) development as defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the application will therefore be subject to an Environmental Impact Assessment which will be presented within the application through an Environmental Statement and an accompanying Non-Technical Summary.

Documents, plans and maps detailing the nature and location of the proposed development, including Preliminary Environmental Information in the form of a draft Environmental Statement and Non-Technical Summary, are available to view and download on the project website, <http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>

The same documents, plans and maps have also been placed on deposit at the following locations, where they can be inspected free of charge, during the hours specified, until close of business on Friday 2nd March 2018:

The Site Office, DS Smith Kemsley Paper Mill, ME10 2TD	9am to 5pm Monday to Friday
Swale Borough Council Offices, East Street, Sittingbourne, ME10 3HT	8:45am to 5pm Monday to Thursday, 8:45am to 4:30pm Friday
Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday (open until 8pm on Thursday), 9am to 5pm Saturdays

Copies of the documents, plans and maps can be provided on request via the contact details below and will be subject to a reasonable charge up to a maximum of £950 for a printed hard copy and £15 for an electronic copy on CD.

Any responses to, other representations, or queries in respect of the project should be made:

By email to: [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)  
 By post to: Mr David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN  
 By telephone to: Mr David Harvey, DHA Planning, 01622 776 226

Any response or representation MUST (i) be received by the applicant before 5pm on Friday 2nd March 2018, (ii) be made in writing or by phone (iii) state the grounds of the response or representation (iv) indicate who is making the response or representation and (v) give an address to which correspondence relating to the response or representation may be sent.

DS Smith Paper Ltd, January 2018

### Goods Vehicle Operator's Licence

**BCB Scaffolding Ltd** of 10 Park Road, Sheerness, Kent ME12 1UY is applying for a licence to use **Tile Works, Borough Road, Queenborough, Kent ME11 5DN** as an operating centre for 2 goods vehicles and 0 trailers.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

### Goods Vehicle Operator's Licence

**Layfield Utilities Ltd** of Unit C Newington Ind Est London Road, Newington, Sittingbourne, Kent, ME9 7NU is applying to change an existing licence as follows. To keep an extra 3 goods vehicles and 0 trailers at Unit C Newington Ind Est London Road, Newington, Sittingbourne, Kent, ME9 7NU.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

### Public Notices



#### NOTICE OF INTENDED LAND DISPOSAL

#### LOCAL GOVERNMENT ACT 1972 SECTION 123 (2A)

NOTICE IS HEREBY GIVEN that Swale Borough Council intends to dispose of the freehold interest in an area of land extending to circa 152 sq. m and adjacent to 1 East Green, Kemsley, Sittingbourne, Kent ME10 2SB

This notice is given in so far as the area of land consist of or forms part of an open space within the meaning of the above Section

A plan of the land is available to view at the Swale Borough Council, Swale House, Sittingbourne, Kent ME10 3HT

Objections to the proposed disposal must be made in writing to the Head of Legal Services at Mid Kent Legal Services, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT (Ref:SO10284) by no later than 21 days from the publication of this Notice

Patricia Narebor  
 Head of Legal Services  
 Mid Kent Legal Services  
 Swale Borough Council  
 Swale House  
 East Street  
 Sittingbourne  
 Kent ME10 3HT

24 January 2018

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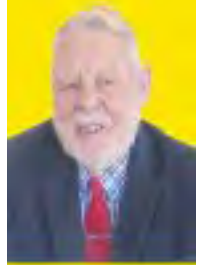
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**LEXMARK 3600 COLOUR PRINTER** Working but requires new cartridges. Start up disc + lead. £5.00 01795 471225

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### Public Notices

#### THE KEMSLEY PAPER MILL (K4) CHP PLANT NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER ('DCO') SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 4 OF THE INFRASTRUCTURE PLANNING APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE REGULATIONS 2009 (BOTH AS AMENDED)

Notice is hereby given that DS Smith Paper Ltd of Kemsley Paper Mill, Sittingbourne, Kent, ME10 2TD ["the applicant"], intends to apply to the Secretary of State under Section 37 of the Planning Act 2008 (as amended) for the above-mentioned development consent order ["the application"].

The application relates to the construction of a Combined Heat and Power Plant with a nominal power output of 68-73 Megawatts ["the proposed development"] within the site of the existing Kemsley Paper Mill, to the north of Sittingbourne in Kent. The proposed development will supply electricity and steam to the paper mill and will comprise a complex of buildings, including a gas turbine, a heat recovery steam generator with a stack up to 70m high, a dump condenser, a turbine hall, an auxiliary package boiler with a stack up to 35m high and other ancillary infrastructure, buildings and plant.

The proposed development is an Environmental Impact Assessment (EIA) development as defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the application will therefore be subject to an Environmental Impact Assessment which will be presented within the application through an Environmental Statement and an accompanying Non-Technical Summary.

Documents, plans and maps detailing the nature and location of the proposed development, including Preliminary Environmental Information in the form of a draft Environmental Statement and Non-Technical Summary, are available to view and download on the project website, <http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>

The same documents, plans and maps have also been placed on deposit at the following locations, where they can be inspected free of charge, during the hours specified, until close of business on Friday 2nd March 2018:

The Site Office, DS Smith Kemsley Paper Mill, ME10 2TD	9am to 5pm Monday to Friday
Swale Borough Council Offices, East Street, Sittingbourne, ME10 3HT	8:45am to 5pm Monday to Thursday, 8:45am to 4:30pm Friday
Sittingbourne Library, Central Avenue, Sittingbourne, ME10 4AH	9am to 6pm Monday to Friday (open until 8pm on Thursday), 9am to 5pm Saturdays

Copies of the documents, plans and maps can be provided on request via the contact details below and will be subject to a reasonable charge up to a maximum of £950 for a printed hard copy and £15 for an electronic copy on CD.

Any responses to, other representations, or queries in respect of the project should be made:

By email to: [k4@dhaplanning.co.uk](mailto:k4@dhaplanning.co.uk)

By post to: Mr David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN

By telephone to: Mr David Harvey, DHA Planning, 01622 776 226

Any response or representation MUST (i) be received by the applicant before 5pm on Friday 2nd March 2018, (ii) be made in writing or by phone (iii) state the grounds of the response or representation (iv) indicate who is making the response or representation and (v) give an address to which correspondence relating to the response or representation may be sent.

DS Smith Paper Ltd, January 2018

#### Goods Vehicle Operator's Licence

**BCB Scaffolding Ltd** of 10 Park Road, Sheerness, Kent ME12 1UY is applying for a licence to use **Tile Works, Borough Road, Queenborough, Kent ME11 5DN** as an operating centre for 2 goods vehicles and 0 trailers.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

#### Goods Vehicle Operator's Licence

**Layfield Utilities Ltd** of Unit C Newington Ind Est London Road, Newington, Sittingbourne, Kent, ME9 7NU is applying to change an existing licence as follows. To keep an extra 3 goods vehicles and 0 trailers at Unit C Newington Ind Est London Road, Newington, Sittingbourne, Kent, ME9 7NU.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representatives must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

**ARTHUR JAMES ALFRED GARLANT (Deceased)**  
Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of Dunsden Tunstall Road Sittingbourne Kent ME10 1YG, who died on 20/12/2017, are required to send particulars thereof in writing to the undersigned on or before two months and one day from the date of this publication, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.  
**LLOYDS BANK ESTATE ADMIN SERVICE**  
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# Court & Social

enter with effect from Jan 29, 2018.

**Ms Ruth Anna Cristina Heatley** has been appointed a Salaried Judge of the First-tier Tribunal assigned to the Social Entitlement Chamber. She will be based in Leeds with effect from Jan 22, 2018.

**Mr Gordon Scott Newall** has been appointed a Salaried Judge of the First-tier Tribunal assigned to the Social Entitlement Chamber. He will be based in Glasgow with effect from March 1, 2018.

**Ms Claire Louise Pithie** has been appointed a Salaried Judge of the First-tier Tribunal assigned to the Social Entitlement Chamber. She will be based in London with effect from April 9, 2018.

## Bridge news

The English Bridge Union has held a Women's pairs trial at the Young Chelsea Bridge Club in London, writes **Julian Pottage, Bridge Correspondent**, to help in selecting the team to represent England in the Lady Milne in Edinburgh in April.

The first and second placed pairs will be two of the three pairs in the team, with the selectors to determine the remaining pair and the non-playing captain. Winners are as follows:

1st Heather Dhondy and Abbey Smith, +93.51; 2nd Alexandra Birchall and Qian Li, +58.93; 3rd Heather Bakhshi and Claire Robinson, +47.11; 4th Kath Stynes and Debbie Sandford, +40.78; and 5th Marusa Basa and Susanna Gross, +10.85.

## Bridge Hand

# Landing on their feet

By Tom Townsend

Dealer East		Game All	
	♠ K 10 6		
	♥ K 9 8 5		
	♦ A		
	♣ A K 8 3 2		
♠ J	♠ A 9 8 7 5 4 2		
♥ Q 7 6 3 2	♥ 4		
♦ K 7 5	♦ Q 6 3 2		
♣ Q J 7 4	♣ 9		
	♠ Q 3		
	♥ A J 10		
	♦ J 10 9 8 4		
	♣ 10 6 5		
West	North	East	South
pass	dbl(2)	pass	4♠
pass	4NT(3)	pass	5♣(4)
pass	pass	pass	

- (1) Weak opening three
- (2) For take-out
- (3) An attempt to play there
- (4) Showing one key-card

Contract 5♣ by South  
Opening Lead ♠J

THERE was no shortage of bridge action to follow online at the weekend. Events on BBO included the Reykjavik Bridge Festival, the EBU Lady Milne (women's home international) pair trial, the Irish trials and the Israeli trials.

This deal from the Lady Milne pairs trial caught my eye. North-South were a London partnership, Marusa Basa and Susanna Gross; East-West the experienced Yorkshire duo, Sandy Davies and Carole Kelly.

The Slovenian-born Basa, a useful recruit to the English women's bridge scene, had an

against the Kieff Rada and General Kaledin. Their grievance against the Kieff Rada is twofold. First, the Rada does not recognise the Bolshevik Government, and has disarmed and disbanded the Bolshevik troops in Southern Russia, and concluded a military alliance with Roumania and General Kaledin. And secondly, the Ukrainians, by negotiating independently with the Central Powers, have seriously complicated Trotsky's policy. A split between Austria and Germany would give Trotsky a trump card in the negotiations. But the South-Western front facing Austria is in Ukrainian hands. If Ukraine makes a separate peace with the Central Powers, this will primarily affect Austria. The Austro-Russian front ceases to exist, and then Austria, having secured peace for herself, no longer has any direct interest in opposing the excessive German pretensions in Northern Russia, which now protract and complicate the negotiations. This explains the present acute indignation of the Bolsheviks against the Ukrainians, and their determination to overthrow the Kieff Rada.

**They are acting both by military force and political stratagem. In Kharkoff they have set up a rival Bolshevik Ukrainian Government, and are trying to agitate among the Ukrainian soldiers. A recent attempt to provoke a rising in Kieff was frustrated by the disarmament of the local Red Guard by the Ukrainian Government. From the north and east Bolshevik forces from time to time make more or less successful raids into Ukrainian territory, and Bolshevik troops from the Roumanian and South-Western front indulge in frequent skirmishes with the Rada's troops within Ukraina.**

Matters are further complicated by the struggle between the Roumanian and Russian troops. The Roumanians are now waging a regular battle with the Ninth Siberian Division near Galatz. Kharkoff, however, is the real centre of the Bolshevik military operations. Here a staff under Antonoff sits in a railway carriage, and, directing its forces against the Ukraine on one side and the Don on the other, tries to cut communication between the two autonomous territories. The forces at Antonoff's disposal consist of sailors, soldiers, Red Guards, and German and Austrian prisoners. A certain success was achieved against the Ukraine in the capture of Poltava Ekaterinoslav, and Alexandrovsk, but the Ukraine has recovered Ekaterinoslav and Alexandrovsk.

telegraph.co.uk/news/ww1-archive

# Announcements

**HAYLOCK.**—David Allen. Died peacefully in hospital on 20th January 2018. Beloved husband, father and grandfather. Funeral Service, Friday 9th February at 11.30 a.m. at St Andrew's Church, Hempstead. Family flowers only please. All enquiries to H. J. Paintin Ltd, 43 High Street, Linton, Cambridge, CB21 4HS, (01223) 891226. Online ref: 548466

**CADMAN.**—Margaret Elizabeth, (née Selby), wife of the late John, died peacefully on 21st January. Much loved family member who will be missed by all who knew her. Funeral to be held on Thursday 8th February, 1.30 p.m. at Lichfield Cathedral. Family flowers only. Donations, if desired, to www.restore-uk.org. Enquiries FM Wait. Tel: 01543 263138. Online ref: A221165

**COOPER.**—Jeremy John, Priest, passed away suddenly on 14th January 2018, aged 72. Much loved husband of Joyce, brother of Philippa, father of Martin, Grandpa of Gabriella and Charlotte. Funeral on 9th February at 11.30 a.m. at The College of St Barnabas, Lingfield. No flowers please but donations, if desired, to the College. Please let us know if you plan to attend mlcooper2@gmail.com Online ref: 548438

**DAHN.**—"Jack" John Emmanuel Lykke passed away peacefully in Ludlow on 27th January 2018. His was a life well lived. Online ref: A221173

**HINDE.**—Robert Walter died peacefully at his home on 17th January. Much loved husband, father and grandfather. Online ref: A221171

**HUMPHREYS.**—Joan, passed away peacefully at home on 19th January. Funeral at Parc Gwyn Crematorium, Pembrokeshire at 11.30 a.m. Online ref: A221179

**JARDINE PATERSON.**—Priscilla died peacefully in her sleep on 19th January, aged 93. Widow of John, adored mother and grandmother. Service of Thanksgiving will be held at 12 noon on Friday 16th March at Norton Bavant. Online ref: A221169

**JONES.**—Clive, of Broadley Street London NW8, formerly of Great Wyrley, Staffordshire, died at St Mary's Hospital, Paddington on 19th January 2018, aged 85. Conference Organiser and Senior Manager of The Institute of Physics, 1961-1997. Private funeral. No mourners. Donations, if desired, to the London Welsh School/Ysgol Gymraeg Llundain. Online ref: A221182

**LIEVEN.**—Joanna Marigold Edgcombe (née Rendle), formerly Watson, then widow of Alexander Lieven, on 18th January 2018, aged 96. A much admired and loved mother to Cherry-Anne and Lynne, grandmummy and great grandmummy, and stepmother to Elena, Michael, Chai, Anatol and Nathalie. She served in the WRAF in World War II, later in GCHQ and finally in Government Hospitality. Funeral at Golders Green Crematorium Sunday 4th February at 12 noon. Family flowers only, if wished, donations to a charity of your choice. Enquiries to chanhubbard@gmail.com or pl.ravenscroft@gmail.com Online ref: A221142

**MACE.**—Gwendoline Alice, died on 8th January 2018, aged 101. Much loved by family and friends. Funeral Service at St Paul's Catholic Church, Haywards Heath on 8th February at 11 a.m. Family flowers only. Donations to Bethlehem Royal Hospital, Bromley, London. Online ref: 548349

**MACLEAN.**—Kenneth John Forbes died peacefully on 24th January 2018, aged 86. Adored husband of Joy. Funeral on 6th February at St John's Church, Maesbrook, SY10 8QP at 2 p.m. No flowers please, but donations, if desired, to Alzheimer's Research UK via Pugh's Funeral Directors, Shrewsbury SY3 7DN. Tel: 01743 344646. Online ref: 548441

**MAKEY.**—Arthur Robertson, MS FRCS Charing Cross Hospital, died on 25th January 2018, aged 95. He will be greatly missed. The Funeral will be on Wednesday 14th February, 2.40 p.m. at Mortlake Crematorium. Donations to the British Heart Foundation c/o T.H. Online ref: 548441

## Chess

# Giri gets his chance

By Malcolm Pein

ONE couldn't have wished for a better climax to the Tata Steel tournament at Wijk aan Zee, as Anish Giri, the great hope of Dutch chess, was tied for the lead with world champion Magnus Carlsen going into the 13th and final round.

It is 33 years since Jan Timman won the tournament on home soil. Carlsen ground down Maxim Matlakov from what was a slightly better, but seemingly unwinnable rook and opposite-bishop endgame, while Giri outplayed Baskaran Adhiban, won a pawn and never looked back.

Shak Mamedyarov fell off the pace when he played an unusual line of the Petroff Defence, which Gawain Jones was not expecting. Jones had assumed that his opponent would play for the win and, in unfamiliar territory, he forced a quick draw by repetition. Leaders: 1-2 Giri, Carlsen 8.5/12; 3 Mamedyarov 8; 4-5 Anand, Kramnik 7.5.

In Group B, the experienced GMs Anton Korobov and Santos Vidit led by half a point with one to play. Dutch prodigy Jorden van Foreest could not quite match them, but won the battle of the prodigies here:

**J. Van Foreest - A. Tari**  
Scotch Game  
Le4 e5 2.Nf3 Nc6 3.d4 exd4 4.Nxd4 Nf6 5.Nxc6 bxc6 6.e5 Qe7 7.Qe2 Nd5 8.c4 Nb6 9.Nc3 Qe6 10.Qe4 g6 11.Bd2 Ba6 12.c5 Nc4 13.Bg5 (A novelty, which prevents 0-0-0. The move g7-g6 makes Black's king vulnerable on the other wing) 13...Bxc5 14.0-0-0 15.Nd5 Bxd5 16.Nc3 Qd6 17.Ne4 Qc7 18.Nf5 Qd8 19.Ng6 Qd7 20.Nh5 Qd8 21.Nf6 Qd7 22.Ng6 Qd8 23.Nh5 Qd7 24.Nf6 Qd8 25.Ng6 Qd7 26.Nh5 Qd8 27.Nf6 Qd7 28.Ng6 Qd8 29.Nh5 Qd7 30.Nf6 Qd8 31.Ng6 Qd7 32.Nh5 Qd8 33.Nf6 Qd7 34.Ng6 Qd8 35.Nh5 Qd7 36.Nf6 Qd8 37.Ng6 Qd7 38.Nh5 Qd8 39.Nf6 Qd7 40.Ng6 Qd8 41.Nh5 Qd7 42.Nf6 Qd8 43.Ng6 Qd7 44.Nh5 Qd8 45.Nf6 Qd7 46.Ng6 Qd8 47.Nh5 Qd7 48.Nf6 Qd8 49.Ng6 Qd7 50.Nh5 Qd8 51.Nf6 Qd7 52.Ng6 Qd8 53.Nh5 Qd7 54.Nf6 Qd8 55.Ng6 Qd7 56.Nh5 Qd8 57.Nf6 Qd7 58.Ng6 Qd8 59.Nh5 Qd7 60.Nf6 Qd8 61.Ng6 Qd7 62.Nh5 Qd8 63.Nf6 Qd7 64.Ng6 Qd8 65.Nh5 Qd7 66.Nf6 Qd8 67.Ng6 Qd7 68.Nh5 Qd8 69.Nf6 Qd7 70.Ng6 Qd8 71.Nh5 Qd7 72.Nf6 Qd8 73.Ng6 Qd7 74.Nh5 Qd8 75.Nf6 Qd7 76.Ng6 Qd8 77.Nh5 Qd7 78.Nf6 Qd8 79.Ng6 Qd7 80.Nh5 Qd8 81.Nf6 Qd7 82.Ng6 Qd8 83.Nh5 Qd7 84.Nf6 Qd8 85.Ng6 Qd7 86.Nh5 Qd8 87.Nf6 Qd7 88.Ng6 Qd8 89.Nh5 Qd7 90.Nf6 Qd8 91.Ng6 Qd7 92.Nh5 Qd8 93.Nf6 Qd7 94.Ng6 Qd8 95.Nh5 Qd7 96.Nf6 Qd8 97.Ng6 Qd7 98.Nh5 Qd8 99.Nf6 Qd7 100.Ng6 Qd8



**17.Rxd6! cxd6 (17...Qxd6 18.Qxd6 cxd6 19.b3 wins the knight or bishop, and White is better) 18.Bf6 d5 (18...Rae8 19.Bxc4 Bxc4 20.Ne4! Qxe4 21.Qh6 wins, but 20...Bf1! = computer holds. 21.Qh6 Qc4+ 22.Nc3 Re1 23.Kc2 Re2 24.Kc1 Re1) 19.b3 Rab8 20.Be2 c5? (20...Rb4 21.bxc4 c5 gives Black counterplay. This allows the white's rook into play) 21.Rd1! Rfe8 (Black loses after 21...Na3 22.Nxd5 Rfe8 23.Qh6 and 21...Rb4 22.Nxd5 Nd6 23.Nxb4) White to play and win:**



**Hikaru Nakamura** demonstrated deep preparation to defeat Nils Grandelius and reach 5/5 at the Tradewest Gibraltar Masters.  
Answer: 'I'll be as well as well'

February at 12.30 p.m. Donations, if desired, to The Dorset & Somerset Air Ambulance may be sent to Merefield & Henstridge Funeral Directors, Ridgemoor, Pitts Lane, West Melbury, Shaftesbury, Dorset SP7 0BU. Tel: 01747 853532. Online ref: 548472

**TODD.**—John Neild, MB, BS, FFFHM, retired Director of Public Health for Sheffield, died peacefully, aged 90, on 18th January 2018. Beloved husband of Gill and much loved by all his family and respected by all who knew him. Funeral at 12 noon on 3rd February 2018 at Llanddw Church, Brecon, LD3 9SS. No black ties, at John's request. All enquiries A.V. Griffiths & Son Funeral Directors, Delfan, Felinifach, Brecon, Powys LD3 0UD, tel: 01874 623477 or 624222. Online ref: 548294

## Public notices

**THE KEMSLEY PAPER MILL (K4) CHP PLANT**  
NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER ('DCO')  
SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 4 OF THE INFRASTRUCTURE PLANNING APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE REGULATIONS 2009 (BOTH AS AMENDED)

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The proposed development is an Environmental Impact Assessment (EIA) development as defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the application will therefore be subject to an Environmental Impact Assessment which will be presented within the application through an Environmental Statement and an accompanying Non-Technical Summary.

Documents, plans and maps detailing the nature and location of the proposed development, including Preliminary Environmental Information in the form of a draft Environmental Statement and Non-Technical Summary, are available to view and download on the project website, <http://www.dssmith.com/paper/about/paper-mills/kemsley-uk/k4-project-public-consultation>

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Copies of the application documents, plans and maps can be provided on request via the contact details below and will be subject to a reasonable charge up to a maximum of £950 for a printed hard copy and £15 for an electronic copy on CD.

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By post to: Mr David Harvey, DHA Planning, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN  
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## SALES & SERVICES

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## NOTICES

#### Public Notices

#### Goods Vehicle Operator's Licence

Daniel Edward Price trading as Price Bros Surfacing Ltd of The Farmyard, Elmley Road, Minster on Sea, Kent ME12 3SS is applying to change an existing licence as follows: To keep an extra 3 goods vehicles and 0 trailers at the operating centre at Woodlands Lodge, Greyhound Road, Minster on Sea, Kent ME12 3SP. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

To advertise please call

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07982 309199

#### Public Notices

## highways england

### M2 MOTORWAY (JUNCTIONS 6 TO 5) TEMPORARY TRAFFIC RESTRICTIONS

Notice is hereby given that Highways England Company Limited intends to make an Order on the M2 Motorway in the County of Kent, under Section 14(1)(a) of the Road Traffic Regulation Act 1984 because works are proposed to be executed on the road.

The effect of the Order would be to:-  
1. authorise the overnight closure of the London-bound carriageway of the M2 between Junction 6 (A251) and Junction 5 (A249), and all slip roads leading to and from this length; and  
2. impose an overnight 50 mph speed limit on the London-bound carriageway of the M2 between a point 2260 metres east of Junction 6 (A251) and Junction 6 (A251), and the slip road leading from the London-bound carriageway at Junction 6.

These measures would be in the interests of road safety while contractors undertake carriageway works and all associated works.

It is expected that the work would last for approximately 3 weeks starting on or after Monday 26th February 2018. The overnight closures would take place between 20:00 and 06:00 (maximum period).

The Order would come into force on 24 February 2018 and have a maximum duration of eighteen months. Traffic affected by the closures would be diverted using the A251, M20 and the A249.

The temporary speed limit, closures and diversion routes would be clearly indicated by traffic signs when they are in operation during the works period.

M Taylor, an Official of Highways England Co Ltd. Ref: HE/SE/2018/M2/28

Highways England Company Limited, (Company No. 9346363). Registered Office: Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. A company registered in England and Wales.

For enquiries, please contact the Customer Contact Centre on 0300 123 5000 or info@highwaysengland.co.uk. http://www.highways.gov.uk

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DS Smith Paper Ltd, January 2018



### NOTICE OF INTENDED LAND DISPOSAL

#### LOCAL GOVERNMENT ACT 1972 SECTION 123 (2A)

NOTICE IS HEREBY GIVEN that Swale Borough Council intends to dispose of the freehold interest in an area of land extending to circa 152 sq. m and adjacent to 1 East Green, Kemsley, Sittingbourne, Kent ME10 2SB

This notice is given in so far as the area of land consist of or forms part of an open space within the meaning of the above Section

A plan of the land is available to view at the Swale Borough Council, Swale House, Sittingbourne, Kent ME10 3HT

Objections to the proposed disposal must be made in writing to the Head of Legal Services at Mid Kent Legal Services, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT (Ref:S010284) by no later than 21 days from the publication of this Notice

Patricia Narebor  
Head of Legal Services  
Mid Kent Legal Services  
Swale Borough Council  
Swale House  
East Street  
Sittingbourne  
Kent ME10 3HT  
24 January 2018



### Hackney Carriage and Private Hire Licensing Policy Consultation

The Council are consulting on a new Hackney Carriage and Private Hire Licensing Policy and invite your comments.

The policy, when adopted, will provide guidance and information regarding the general approach taken by the Council, when administering its functions within the legislative framework. It will underpin the current system and procedures, as well as providing information on best practice and other relevant legislation.

The consultation will run until 29 March 2018. The proposed policy will be available at our Sittingbourne office, Swale House as a hard copy and also available to view on the Swale website [www.swale.gov.uk/taxi](http://www.swale.gov.uk/taxi)

Should you wish to respond and make comment, please ensure that you do so prior to the end of the consultation period, to ensure your comments can be properly considered, prior to the adoption of the final policy.

**Please note:** we are unable to accept verbal responses therefore any person who wishes to respond to the consultation may do so in writing to Licensing Team, Swale Borough Council, Swale House, Sittingbourne, Kent, ME10 3HT or by emailing [taxipolicy@swale.gov.uk](mailto:taxipolicy@swale.gov.uk).

### Speedway Fixture Dates at Central Park Stadium 2018

- Good Fri 30th March - Eastbourne
- Easter Mon 2nd April - Birmingham
- Mon 30th April - Invicta Pairs
- Bank Hol Mon 7th May - Buxton N.I.
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- Mon 1st Oct - T.B.A.
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- Mon 15th Oct - T.B.A.
- Mon 22nd Oct - T.B.A.

#### Goods Vehicle Operator's Licence

DJ Trans Ltd of 15 Taunton Road, Northfleet, Kent DA11 9BY is applying for a licence to use Riverside Yard, Gas Road, Eurolink Industrial Park, Sittingbourne ME10 3SH as an operating centre for 2 goods vehicles and 2 trailers.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.

#### Goods Vehicle Operator's Licence

Paul Taylor trading as EMP Scaffolding of 42 Thornhill Road, Warden Bay, Isle of Sheppey, Kent ME12 4NU is applying for a licence to use Thorndale Business Park, Argent Road, Queenborough ME11 5HZ as an operating centre for 1 goods vehicles and 0 trailers.

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## Sales & Services

www.kentonline.co.uk/  
bookanad

## SALES & SERVICES

### Garden

#### ■ Garden Equipment / Furniture

STONE/BUTLER SINKS One large one smaller. Both white, some chips. Very Heavy. £40 07973 366664

#### ■ Logs

## SEASONED LOGS FOR SALE

100% FRUIT WOOD  
BEST BURNING BY FAR



CONTACT: 01795 830248/ 07966 469739

### Home

#### ■ Kitchen Contents

WEDGWOOD DINNER SET This 'Applodore' set has 24 pieces all in good condition. Details. £15.00 01795 471225

#### ■ Removals / Storage

### Removals

Any sized property - any distance including Europe  
Household and Offices  
Anything moved From A 2 B  
Reliable and trustworthy service Fully Insured  
Short Notice bookings available  
07724 771776

#### ■ Skip Hire

### WASTE CLEARANCE CHEAP RATE WEEKENDS

• Single Items • Full Loads • House • Garage & Garden  
• Rubble & Soil • Trees & Bushes  
Free Quotations - EA Waste Carrier - Fully Insured  
JUST CALL DARREN - 01795 426260 - 07963 503337  
www.redshed1.com

#### ■ Telephones / Answerphones

PBX SAMSUNG DCS-4081 4+8 phone system. For ISDN2 lines. 3 system phones, manuals etc. £55 07973 366664

### Sports

#### ■ Bikes and Cycles

MENS MOUNTAIN BIKE 26 INCH wheels, vgc, sittingbourne kent £65 07985 103151

MENS/ TEENAGERS MOUNTAIN BIKE 26 inch wheels. Come and view in sittingbourne kent £65 07985 103151

MENS/ TEENAGERS MOUNTAIN BIKE 26 inch wheels. Gel seat. 18 inch frame. 21 gears. Sittingbourne. 07985 103151

#### ■ Sport Miscellaneous

2X BLINGSIDE 360 KIDS SCOOTERS Choice of 2. Also have 3 wheeled kids flicker scooter £10 07985 103151

## LEISURE

### Computing

#### ■ Computer Equipment

WINDOWS 10 TOWER PC Intel x2core 2GB/500GB/DVD/WIFI; Icd VDU; as new keyboard/ mouse £70 01795 227524

### Need to reach more potential customers?

We have your local area covered!



## Sales & Services

www.kentonline.co.uk/bookanad

### Musical

#### ■ Musical Instruments

FULL DRUM KIT Full drum kit. Paste symbols. Must be able to collect. £50.00 07849 674855 or 01795 871707

### Sound and Vision

#### ■ CDs / Records

### RECORDSWANTED

LARGE & SMALL COLLECTIONS THROUGHOUT KENT  
• LP'S • EP'S • 45'S • ROCK • PUNK • SOUL  
• REGGAE • JAZZ • FOLK • BLUES ETC.  
CASH PAID - BUYER COLLECTS

CONTACT: 01795 537705  
07982 309199

Sell your unwanted items for FREE in this newspaper  
www.kentonline.co.uk/bookanad



### Public Notices

#### THE KEMSLEY PAPER MILL (K4) CHP PLANT NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER ('DCO') SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 4 OF THE INFRASTRUCTURE PLANNING APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE REGULATIONS 2009 (BOTH AS AMENDED)

Notice is hereby given that DS Smith Paper Ltd of Kemsley Paper Mill, Sittingbourne, Kent, ME10 2TD ["the applicant"], intends to apply to the Secretary of State under Section 37 of the Planning Act 2008 (as amended) for the above-mentioned development consent order ["the application"].

The application relates to the construction of a Combined Heat and Power Plant with a nominal power output of 68-73 Megawatts ["the proposed development"] within the site of the existing Kemsley Paper Mill, to the north of Sittingbourne in Kent. The proposed development will supply electricity and steam to the paper mill and will comprise a complex of buildings, including a gas turbine, a heat recovery steam generator with a stack up to 70m high, a dump condenser, a turbine hall, an auxiliary package boiler with a stack up to 35m high and other ancillary infrastructure, buildings and plant.

The proposed development is an Environmental Impact Assessment (EIA) development as defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the application will therefore be subject to an Environmental Impact Assessment which will be presented within the application through an Environmental Statement and an accompanying Non-Technical Summary.

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DS Smith Paper Ltd, January 2018



#### M2 MOTORWAY (JUNCTIONS 6 TO 5) TEMPORARY TRAFFIC RESTRICTIONS

Notice is hereby given that Highways England Company Limited intends to make an Order on the M2 Motorway in the County of Kent, under Section 14(1)(a) of the Road Traffic Regulation Act 1984 because works are proposed to be executed on the road.

The effect of the Order would be to:-  
1. authorise the overnight closure of the London-bound carriageway of the M2 between Junction 6 (A251) and Junction 5 (A249), and all slip roads leading to and from this length; and  
2. impose an overnight 50 mph speed limit on the London-bound carriageway of the M2 between a point 2260 metres east of Junction 6 (A251) and Junction 6 (A251), and the slip road leading from the London-bound carriageway at Junction 6.

These measures would be in the interests of road safety while contractors undertake carriageway works and all associated works.

It is expected that the work would last for approximately 3 weeks starting on or after Monday 26th February 2018. The overnight closures would take place between 20:00 and 06:00 (maximum period).

The Order would come into force on 24 February 2018 and have a maximum duration of eighteen months.

Traffic affected by the closures would be diverted using the A251, M20 and the A249.

The temporary speed limit, closures and diversion routes would be clearly indicated by traffic signs when they are in operation during the works period.

M Taylor, an Official of Highways England Co Ltd. Ref: HE/SE/2018/M2/28

Highways England Company Limited, (Company No. 9346363). Registered Office: Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. A company registered in England and Wales.

For enquiries, please contact the Customer Contact Centre on 0300 123 5000 or [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk). <http://www.highways.gov.uk>



### Hackney Carriage and Private Hire Licensing Policy Consultation

The Council are consulting on a new Hackney Carriage and Private Hire Licensing Policy and invite your comments.

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#### Goods Vehicle Operator's Licence

Daniel Edward Price trading as Price Bros Surfacing Ltd of The Farmyard, Elmley Road, Minster on Sea, Kent ME12 3SS is applying to change an existing licence as follows: To keep an extra 3 goods vehicles and 0 trailers at the operating centre at Woodlands Lodge, Greyhound Road, Minster on Sea, Kent ME12 3SP. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF, stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's office.



# ENVIRONMENT & INFRASTRUCTURE

## Planning

### TOWN PLANNING

#### DEPARTMENT FOR TRANSPORT TOWN AND COUNTRY PLANNING ACT 1990

The Secretary of State gives notice of the proposal to make an Order under section 247 of the above Act to authorise the stopping up of a length of Billington Close, part of the access route into Great Sankey Leisure Centre, at Great Sankey in the Borough of Warrington.

If made, the Order would authorise the stopping up only to enable development as permitted by Warrington Borough Council under reference 2015/25913.

Copies of the draft Order and relevant plan will be available for inspection during normal opening hours at Penketh Post Office, 1-3 Honiton Way, Warrington WA5 2EY in the 28 days commencing on 30 January 2018, and may be obtained, free of charge, from the address stated below quoting NATTRAN/NW/S247/3168.

Any person may object to the making of the proposed order by stating their reasons in writing to the Secretary of State at nationalcasework@dft.gsi.gov.uk or National Transport Casework Team, Tyneside House, Skinnerburn Road, Newcastle upon Tyne NE4 7AR, quoting the above reference. Objections should be received by midnight on **27 February 2018**. Any person submitting any correspondence is advised that your personal data and correspondence will be passed to the applicant/agent to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your correspondence.

G Patrick, Casework Manager (2957824)

#### THE KEMSLEY PAPER MILL (K4) CHP PLANT NOTICE PUBLICISING A PROPOSED APPLICATION FOR A DEVELOPMENT CONSENT ORDER ('DCO') SECTION 48 OF THE PLANNING ACT 2008 AND REGULATION 4 OF THE INFRASTRUCTURE PLANNING APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE REGULATIONS 2009 (BOTH AS AMENDED)

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DS Smith Paper Ltd,

January 2018

(2957825)