

Mr E Williams
Major Applications and Plans
The Planning Inspectorate
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Temple Quay House
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PINS Ref: EN010090
DHA Ref: DHA/12321 Doc 8.1

31st July 2018

Dear Mr Williams

EN010090 – THE KEMSLEY MILL K4 COMBINED HEAT AND POWER GENERATING STATION DEVELOPMENT CONSENT ORDER

DOCUMENT 8.1 – APPLICANT’S SUBMISSIONS AT DEADLINE 1

I write further to the Examining Authority’s Rule 8 letter of the 24th July 2018 to summarise the submissions made by the applicant by Deadline 1 of the Examination programme. Reference is made where necessary to the Examining Authority’s earlier Rule 6 letter of the 18th June 2018.

Documents Submitted

The following documents have been submitted by the applicant:

Applicant’s Ref	Document	Date
1.2	Application Guide	July 2018
4.3	Land Plan	July 2018
4.4	Works Plan – Key Plan	July 2018
7.1	SBC – SoCG	27 th July 2018
7.2	KCC – draft SoCG (not yet agreed)	July 2018
7.3	EA – SoCG (including WFD Scoping Exercise)	25 th July 2018
7.4	NE – draft SoCG (not yet agreed)	July 2018
8.1	Deadline 1 Covering Letter	31 st July 2018
8.2	Comments on Relevant Representations	July 2018
8.3	Written Case by the Applicant for Issue Specific Hearing 1 (draft DCO)	July 2018
8.4	HRA Matrices	July 2018

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This letter then also provides details of the suggested locations and justifications for the Accompanied Site Inspection to be held on the 12th September 2018.

Application Guide (Document 1.2)

The Application Guide has been updated throughout to reflect the submissions made at Deadline 1. Volume 7 will be updated to reflect the progress relating to Statements of Common Ground and Volume 8 deals specifically with the Deadline 1 submissions.

Plan Amendments

Two plan amendments have been made further to Table 1 to Annex G of the Examining Authority's 'Rule 6' letter of the 18th June 2018:

- **Document 4.3. – Land Plan** : further to Item 15 of Table 1 the Land Plan has been amended to refer to 'Order Limits';
- **Document 4.4. – Works Plans – Key Plan** : further to discussions at ISH1 the boundary of Work No.1 has been amended to follow the areas shown on Documents 4.5 and 4.9 (Works Plan with Limits of Deviation for Horizontal and Vertical Tube Boilers respectively) for Work No.1 (k – w), taking account of Work No.1 (g). The Works Plan – Key Plan is now therefore consistent with the limits of deviation shown on Documents 4.5 and 4.9, albeit will need to be amended in due course once either the vertical or horizontal tube boiler option is selected.

Statements of Common Ground

The position regarding Statements of Common Ground is summarised below:

- **Swale Borough Council (7.1) and Environment Agency (7.3)** – a SoCG has been agreed in each case, with a signed version provided as part of the Deadline 1 submission. The SoCG with the Environment Agency includes as an Appendix the Water Framework Directive Scoping Exercise prepared by the Applicant to inform discussions with the EA.
- **Kent County Council (7.2) and Natural England (7.4)** – discussions between the applicant and both KCC and Natural England regarding SoCG's are ongoing. In each case the applicant is not aware of any fundamental differences between the parties at this stage and a draft unsigned SoCG has been provided at Deadline 1 which reflects those areas which have been agreed and those which are continuing to be discussed. It is intended that final SoCG's will be submitted at Deadline 2 on the 21st August 2018.
- **Network Rail** – whilst the Rule 6 letter requested a SoCG be prepared between the applicant and Network Rail, it is noted that requirement has been removed from the Rule 8 letter. As reflected in the applicant's comments on Relevant Representations the applicant is continuing to discuss the potential impact of the proposed development on any Network Rail assets and will provide an update to the ExA by Deadline 2 of the examination programme.



Comments on Relevant Representations (Document 8.2)

Document 8.2 provides the applicant's response on the Relevant Representations and refers where necessary to the SoCG's which have been prepared or where discussions are ongoing.

Written Case of the Applicant's submissions at ISH1 – draft DCO (Document 8.3)

A written summary of the applicant's submissions at ISH1 has been provided as Document 8.3. The document includes a summary of general comments on Agenda Items 1 to 4 and 6, with an appended table then providing responses to the specific points raised by the ExA within Table 1 to Annex G of the Rule 6 Letter.

Habitat Regulations Assessment Matrices (Document 8.4)

Part 8 of Annex E of the Rule 6 letter requests that the applicant provides matrices to inform the Secretary of State in performing his statutory duty as the competent authority under the Habitats Regulations 2017 (as amended). Those Matrices are provided as Document 8.4.

Accompanied Site Inspection

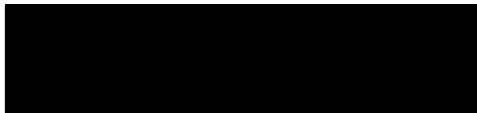
The applicant notes the locations visited by the ExA on his unaccompanied site inspection on the 4th July 2018. On that basis the applicant proposes the following locations for the Accompanied Site Inspection, as illustrated on the plan appended to this letter. An individual justification is provided for each, together with the general justification that all the locations are on private land within the DS Smith paper mill complex and that for health and safety reasons any visit to those areas would need to be accompanied.

Proposed Location		Justification/Reason
1	Starting Point – DS Smith Kemsley Paper Mill Reception	N/A
2	K4 Proposed Site	To allow the Inspector to view the proposal site firsthand.
3	K1 facility	To provide context to the existing K1 facility which is proposed to be replaced by K4 (Work No.5)
4	Low/Medium Pressure Steam Manifolds	To view one of the key tie-in connection points with the paper mill (Work No.2)
5	Electricity Substation	To view one of the key tie-in connection points with the paper mill (Work No.2)
6	Access Road	To view the access road (Work No.4)
7	Laydown Area	To view the construction compound and laydown area (Work No.3).



I trust this summary of the applicant's Deadline 1 submission is useful but would be pleased to discuss further should there be any queries at this stage.

Yours sincerely,



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Director

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Enc.

