

Date: 20 August 2018  
Our ref: 253300  
Your ref: EN010090



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**BY EMAIL ONLY**

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Dear Sir

**NSIP Reference Name / Code: Kemsley Paper Mill (K4) CHP Plant (EN010090)**

**Our reference: KEMP4-SP012**

**The Examining Authority's Written Questions and Requests for Information (ExQ1)**

Thank you for your consultation on the above dated 24 July 2018 which was received by Natural England on the same date.

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.

### **Answers to the Examining Authority's first written questions**

- Q1.1.16 Natural England's view is that the outline CEMP covers the construction issues raised in our Relevant and Written Representations (dust, water quality, water resources and lighting) and is sufficient to mitigate impacts on designated nature conservation features.
- Q1.1.20 Natural England's view is that potential climate change impacts have been sufficiently covered in Chapter 6 of the Environmental Statement. We agree with the conclusion of that assessment, that the proposal will not have significant effects on ecological receptors through any influence of climate change.
- Q1.2.13 Further to the comments made in our Relevant Representation, Natural England has been discussing air quality matters with the applicant. As noted in section 3.1 of our SoCG [REP1-002], the applicant is updating the air quality assessment to include the Process Contribution and Predicted Environmental Concentrations for Ramsar habitats.
- Q1.4.1 The Phase 1 Habitat Survey (Figure 10.3 of the Environmental Statement) [APP-009] shows that the application site is composed of existing hardstanding and buildings. Therefore, Natural England agrees that there is no opportunity to conserve and enhance habitats within the application site.
- Q1.4.24 The applicant has revised their Habitats Regulations Assessment Report [AS-002] so that certain aspects are judged as having a likely significant effect under the Habitats Regulations. However, mitigation measures are included in the proposal to ensure an adverse effect on the integrity of European sites is avoided.

- Q1.4.33 Natural England provided the advice referred to in paragraphs 3.3-3.5 of the Habitats Regulations Assessment Report [AS-002] during pre-application discussions. We can confirm that the correct sites and features have been identified.
- Q1.4.34 Natural England gave advice on the species which make up the wintering and breeding bird assemblage features of The Swale SPA and Ramsar site, during discussions regarding the K3 plant. I can confirm that this advice stands in relation to the K4 proposal.
- Q1.4.37 Natural England can confirm that we have discussed with the applicant the scope of the in combination assessment in Habitats Regulations Assessment Report [AS-002], and agree with its conclusions.
- Q1.4.45 As set out in section 3 of our SoCG [REP1-002], Natural England is still in discussion with the applicant over the assessment of air quality and noise impacts. Once this information has been received we will be able to give a view on the conclusions of the Habitats Regulations Assessment Report.
- Q1.6.4 The Swale Estuary is no longer a recommended Marine Conservation Zone (rMCZ), as described in paragraph 11.4.57 of the ES [APP-009], as it has now been formally designated. The North Kent Marshes Environmentally Sensitive Area (ESA) is one of 22 in England. ESAs were identified as areas of high wildlife and landscape value. The designation does not confer any additional protection, but was a means of targeting agri-environment funding. The two designations indicate the high quality of the grazing marshes, intertidal and subtidal areas of the Swale, for both landscape and wildlife.

Yours sincerely

Alison Giacomelli  
Sussex and Kent Area Team