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

PINS Ref: EN010090

Applicant's Response to ExQ1

Document 9.3

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August 2018 - Deadline 2 Version

Contents

1 Introduction

1.1 Overview

1.1.1 This document has been prepared on behalf of DS Smith Paper Ltd (DS Smith) in respect of its application for a Development Consent Order (DCO) for a gas fired Combined Heat and Power Plant at the Kemsley Paper Mill in Sittingbourne, Kent. The Application was accepted for examination by the Planning Inspectorate on behalf of Secretary of State for Business, Energy and Industrial Strategy on 26 April 2018 and given the application reference EN010090.

1.1.2 The application was submitted to the Inspectorate on the 6th April 2018 and was accepted by the Planning Inspectorate on the 26th April 2018. As part of the Examination the Examining Authority compiled a number of Written Questions (ExQ1) about the application and representations received so far.

1.1.3 This document provides the applicant's response to those Written Questions (ExQ1). It should be read in conjunction with the other documents submitted by the applicant at Deadline 2 of the Examination Timetable, particularly any Statements of Common Ground (SoCG's) and revised parts of the Environmental Statement, which have been submitted. Reference is therefore made to those documents where relevant and an updated version of the Application Guide (AS-001- Document 1.2) lists the documents submitted by the Applicant for Deadline 2.

1.2 The Application Site

1.2.1 The Site lies in the south east corner of the existing Kemsley Paper Mill approximately 600m west of the Swale Estuary and north of Milton Creek in the Borough of Swale, Kent. The entire Site is within the security fence for the Paper Mill. The main part of the Site is roughly triangular in shape and consists almost entirely of existing concrete hardstanding. The Site lies within the wider Paper Mill industrial complex which comprises a number of existing large industrial buildings, flue emission stacks, concrete hardstanding and other associated development.

1.2.2 The nearest statutory designation with regard to ecological interest is the Swale Special Protection Area and Site of Special Scientific Interest which lies approximately 280m east of the Site at its closest point. The Site is also less than 200m from the Milton Creek Local Wildlife Site.

1.3 The Proposed Development

1.3.1 DS Smith is seeking permission to decommission the existing gas-fired CHP Plant (K1) and build a new gas-fired CHP plant (K4) with a nominal power output of 68-73 Megawatts to be operated by DS Smith and/or other companies to supply steam and power to their existing Kemsley Paper Mill, with excess electricity being exported to the grid.

1.3.2 The Proposed Development will comprise a combined cycle plant fuelled by a gas turbine of 52-57 MW nominal power output, waste heat recovery boilers providing

105 MWth steam and steam turbine technology of around 16 MW nominal power output.

1.3.3 The proposed K4 plant would replace the existing K1 CHP generating station at the paper mill which is nearing the end of its operational life. The decommissioning of the K1 CHP plant comprises works to make K1 inoperable but no physical demolition of the existing K1 structure is proposed as part of this DCO.

2 Applicant's Responses to Written Questions (ExQ1)

2.1.1 The following Table provides the reference number for each written question, identifies the required respondent, provides the question itself and then the applicant's response to that question.

Ref No.	Respondent:	ExA Questions	Applicant's Response
1 - Environmental Impact Assessment			
Q1.1.1	Swale Borough Council	Swale Borough Council (SBC) did not comment on the Applicant's Scoping Report [APP-012]. Is the Council content with the methodology adopted in the Environmental Statement (ES) [APP-008]?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.1.2	Applicant	The ES notes (paragraph 2.5.3 [APP-009]) that two potential technical options are being considered for the heat recovery steam generator (HRSG); a horizontal or vertical tube boiler. Paragraph 4.3 of the Explanatory Memorandum (EM) [APP-006] also states that the undertaker expects the final choice of location for Work Nos 1(e) and 1(g) to be completed during the examination. The location of the 70m stack and the pipe bridge would change depending on the option chosen as would the scale of the HRSG building and other elements including the pipe bridge. Can the Applicant please confirm whether the ES has considered the worst case envelope for both of these options for all of the assessments and demonstrate how this has been done. When will the decision on a technical option be taken? If it is not taken during the examination what would be the implications?	The two stack and pipe bridge locations are illustrated on the two parameter plans provided as Figures 2.4a and Figure 2.4b of the ES (Document No. 4.5 and No. 4.9) and form the basis on which the EIA has been undertaken. The worst case envelopes of both options are therefore presented on the parameter plans. All topic authors have reviewed the parameter plans and based their assessments upon these as relevant. The four topics whereby stack location could have the potential to make a material difference to the assessments undertaken are air quality (with resultant effects on ecology and human health), noise, landscape and visual impacts and heritage for which a response in turn is provided below. The location of the stack is not material to the likely significant effects of the development with regard to traffic and transport, climate change, ground conditions, water environment or ecology (except by virtue of in-direct effects from pollutant deposition). **Air Quality -** An assessment of the two stack locations has been undertaken and is presented in Chapter 5 of the ES. This demonstrates the sensitivity of the air quality predictions to different stack locations. The results demonstrate that the effect of a difference in location (taken as the central point of the stack envelope) of 15 m between stack 1 and stack 2 is not significant. The predicted impacts for a change of 5m within the envelopes (i.e. other than the central point) would

			be even smaller. The air quality data used to inform the ecological effects of the development from pollutant dispersal is therefore equally robust. **Landscape -** The LVIA within Chapter 11 of the ES is based on the proposed development layout of buildings presented in the parameter plans and the maximum dimensions of plant detailed in table 2.1 of the ES. This defines the maximum likely parameters of all elements of infrastructure, as referred to in paragraph 11.7.3 of the ES. The photomontages at Figures 11.12 to 11.17 illustrate these building parameters and the two stack location options taken at central co-ordinates of the envelopes shown on the parameter plans. The location of the stack in either of the locations is not material to the degree of effect on the landscape character of the area or views of the paper mill. Movement of the buildings and infrastructure by up to 5m in any direction within the limits of deviation defined within the ES at Figure 2.4a and 2.4b would also not result in a change in the level of effect on any landscape or visual receptor assessed within chapter 11 of the ES. **Heritage -** As for landscape and visual impact the two stack locations and movement of buildings and plant by up to 5m would not change the level of effect on any designated heritage assets. **Noise and Vibration -** A single stack location has been assumed however it was determined that the limited difference between stack locations (<20m) is not considered to present a distance over which a material change in noise levels would occur to offsite noise sensitive receptors. The applicant expects to be able to confirm which HRSG option has been selected by the end of September 2018. An option will be selected before the close of the examination.

Q1.1.3	Applicant	The Works Plans [AS-004 and AS-008] for the alternative boiler options show the limits of deviation. Please could the Applicant demonstrate that the ES considered the effect of each alternative within 5m variation in any direction as described in paragraph 10.4 of the Design and Access Statement (DAS) [APP-058] How was the 5m parameter determined?	The 5m parameter was defined of the basis of Table 2.1 of the ES (i.e. maximum dimension parameters) and the degree of flexibility needed and inherent in facilitating the final design and layout of the development as advised by the project engineers. As stated for Q1.1.2 the ES has been undertaken on the basis of the parameter plans presented as Figures 2.4a and Figure 2.4b of the ES (Document No. 4.5 and No. 4.9). All topic authors have reviewed the parameter plans and based their assessments upon these as relevant. The four topics whereby a variance in 5m in terms of location could have the potential to make a material difference to the assessments undertaken are air quality (with resultant effects on ecology and human health), noise, landscape and visual impacts and heritage for which a response in turn is provided below. A variance in location of 5m is not material to the likely significant effects of the development with regard to traffic and transport, climate change, ground conditions, water environment or ecology (except by virtue of in-direct effects from pollutant deposition). **RPS - Air Quality -** For air quality, the dimensions of the buildings used within the model were as set out in Table 2.1 of the ES. The consideration of alternative stack locations is set out in Q1.1.2. With regard to the potential 5m variance for all other buildings as set out in chapter 5, downwash effects caused by buildings near the stack can affect ground level concentrations. Low pressure on the leeward side of buildings can bring the plume to the ground closer than would be the case for no building. The impact of a change in building locations will be a change in the location of where the maximum impact occurs over the short-term, rather than a significant change in the magnitude of the maximum prediction. The results in Table 5.18 show that the maximum

			Process Contribution for NO2 and CO is well below 10% of the relevant AQAL. As such, the impacts have been screened out as having an insignificant effect, regardless of the location of the maximum short-term impact. On that basis, a 5 m change in the building locations would not affect the conclusions of the assessment. **RPS - Landscape -** Only the two tallest buildings (steam generator and turbine hall) and the two stacks would be visible from surrounding public areas. The size, mass and height of these elements (and all other infrastructure that are not visible) would not be altered by their movement by up to 5m within the limits of deviation. The visibility of the K4 development would not be increased and the character of the townscape and surrounding landscape would not be further altered through the movement of proposed buildings and infrastructure within the limits of deviation. The LVIA has therefore assessed the worst case scenario. **Heritage -** See Q1.1.2. **Noise and Vibration -** As noted at paragraph 7.6.41 of the ES "Whilst the results above relate to assessment based on Figures 2.4a&b in Chapter 2, minor changes to the site layout would be unlikely to result in any significant changes to the levels predicted or the impact or effect outcomes." It is not considered that the limited difference between plant locations by up to 5m would affect the results of the noise modelling exercise undertaken.

Q1.1.4	Applicant Environment Agency	The description of construction facilities and equipment set out in paragraph 2.5.6 of the ES [APP-008] differs from item (e) of the further development described in Schedule 1 of the dDCO [APP-005]. Please could the Applicant demonstrate that the ES has taken account of all of the elements described in (e)?	Provision (e) set out in Work No.5 of the DCO is a standard provision commonly used to cover a range of standard construction activities. Upon review this includes the construction of internal roads, tracks and haulage roads. These are not necessary for the construction of K4 and so will be removed from the scope of works set out in (e). All other works set out are deemed to be expressly set out in 2.5.6 of the ES or implicit therein. Furthermore the proposed laydown area exists as a concrete apron within the industrial heart of the paper mill complex. The scope of the works set out are temporary and standard in nature and are considered with this is mind not to equate to potential likely significant effects.

1.1.5	Applicant	Paragraphs 2.9.5-2.9.12 of the ES [APP-008] describe the maintenance regime for the proposed plant. For a consolidated major maintenance activity up to 50 additional technicians would be based on site. Maintenance requirements of auxiliary plant items are described as being of a simple nature and short duration, and as such it has not been considered necessary to provide any details of maintenance activities (paragraph 2.9.5). The Applicant is requested to provide a summary of these activities and their duration in order to ensure that the ExA has a comprehensive understanding of all phases of the Proposed Development. Could the Applicant also demonstrate where and how the effects of these activities have been assessed cumulatively and demonstrate how it was concluded that there would be no likely significant effects? (See also Q1.1.12.)	The maintenance activities set out will by virtue of their nature not be material to the ground conditions assessment. Justification for their exclusion with regard to the other topic chapters is provided briefly below. **Climate Change -** Construction effects were deemed not to be material to the lifecycle of the development. The proposed maintenance activities are of a much reduced scale and can therefore robustly be considered non-material to the lifecycle of the development. **Noise and Vibration -** As per Q1.7.21, planned maintenance would be scheduled during daytime hours such as to not result in any significant noise impact. Notwithstanding this given the limited nature of the maintenance works the likely noise emissions would be below that associated with construction and therefore not significant. **Air Quality** - Paragraph 5.3.21 highlights that developments that do not increase annual average daily HDVs flows by more than 25 within or adjacent to an AQMA and more than 100 elsewhere or 100 LDVs within or adjacent to an AQMA or 500 LDVs elsewhere, are expected to have a negligible impact on air quality. As maintenance activities are only expected to occasionally generate up to 50 vehicle movements, it is highly unlikely that these thresholds will be exceeded when considered as a daily average across the whole year. As such the impacts from maintenance vehicle exhaust emissions were not assessed and can be considered negligible. **Heritage -** The maintenance activities will make no material difference to the appearance of the development and therefore its effects on the setting designated heritage assets. **Landscape -** The maintenance activities outlined in paragraph 2.9.5 to 2.9.12, due to their either low level nature within the development or internal nature (therefore not visible within the study area) are unlikely to result in adverse effects on

			landscape and visual receptors either individually or cumulatively, and highly unlikely to lead to significant adverse effects, and have therefore been scoped out of the LVIA in Chapter 11 of the ES. **Water Environment** - no impact on the drainage and/or volume of run-off is anticipated as a consequence of site maintenance. **Transport** - Paragraph 4.8.4 of the ES states 'As set out above, K4 will only generate a small number of vehicles associated with maintenance during operation. There is no requirement for any transport related mitigation measures when K4 is operational'. Maintenance visits will be irregular and will not be a daily occurrence, as explained in paragraphs 2.9.5 to 2.9.12 of the ES. The gas turbine will have minor maintenance once per annum and major maintenance once every 3 to 4 years with 10-15 technicians on site. The HRSG will be inspected and maintained on a yearly basis with up to 10 technicians on site. The steam turbine has typical inspection interval of 5 years for minor inspection and 10 years for major inspection with 10-15 technicians on site. The auxiliary boilers and medium pressure boiler will be inspected on a yearly basis with up to 10 technicians on site. These frequencies are rare, can be considered as irregular and will not have any lasting effect upon the operation of the highway network, thus no assessment is necessary. **Ecology -** With regard to the impact of staff numbers during major maintenance activities these will be short in nature and less than the predicted number of workers on site predicted during the construction stage of the development as set out in paragraph 2.8.15 (Up to 50 during maintenance and 200 during peak construction). On that basis we refer the Inspector to the conclusions of the effect of recreational impacts on the Swale SPA/Ramsar site during construction as

			set out in paragraphs 10.6.17-19 which concludes no significant effect or for the purposes of the HRA no likely significant effect. **Summary of maintenance of Ancillary Plant Equipment:** During gas turbine and steam turbine minor and major outages the opportunity will be taken to maintain the ancillary plant equipment that is not available when the CHP plant is running normally. This maintenance will be carried out in parallel with the gas turbine and steam turbine outage activities typically by the manufacturer of the equipment or a specialist contractor. 1. Start Transformer a. oil sample – once per year (1 person / 2 hours) 2. Fire Extinguisher Cabinet (including site fire detection system) a. general testing and inspection - once per year (2 people /2 days) 3. Switchgear a. general testing and inspection - once per year (2 people / 2 days) 4. Block Transformer and Transformer a. oil sample – once per year (1 person / 4 hours) 5. Package Boiler a. general maintenance – once per year (1 person / 1 day) b. Statutory inspection and testing in accordance with the Written Scheme of Examination – initially once per year (1 person / 1 day)

			6. Fuel Gas Skid a. general maintenance – once per year (1 person / 1 day) b. Statutory inspection and testing in accordance with the Written Scheme of Examination – initially once per year (1 person / 1 day) 7. Condensate Pumps (also includes Boiler Feedwater Pumps (v) and Low-Pressure Package Boiler Feedwater Pumps (w)) a. general maintenance – once every 1 – 2 years (1 person 2 days) b. vibration and coupling checks – once every 1 – 2 years (1 person / 1 day) 8. Heat Recovery Steam Generator Chemical Dosing Equipment a. general maintenance – once per year (1 person / 1 day) 9. Effluent Sump a. visual condition checks, no frequent maintenance required 10. Condensate Tank a. check of internal condition if accessible

Q1.1.6	Applicant Environment Agency	Paragraph 2.9.25 of the ES [APP-008] states that the Applicant has entered into formal discussions with the Environment Agency (EA) regarding the Environmental Permit for the Proposed Development. Could the Applicant and the EA provide an update as to how such discussions are progressing and when matters are likely to be finalised.	The Inspector is referred to Section 2.5 of the agreed SOCG between the EA and the applicant submitted at Deadline 1, where it was agreed that the EA does not currently have any concerns about permitting and based on the information provided see no reason why a varied permit should not be granted.
Q1.1.7	Applicant	Paragraph 2.10.1 of the ES [APP-008] states that the operational lifetime from commencement of operation in 2021 is unknown. However, elsewhere in the ES, for example at paragraph 6.3.32 a 25 year lifespan is indicated. Can the Applicant please provide an indication of the likely operational timespan for the proposed development	As with any mechanical installation the exact length of life of the equipment is unknown with machinery sometimes lasting much longer than expected or vice versa. The typical lifespan of the proposed plant is however in the region of 25 years.
Q1.1.8	Applicant Environment Agency	Table 2.1 of the ES [APP-008] (page 2-4) indicates a minimum stack height of 75m although it is described in the table as a 70m high stack, which is consistent with Requirement (R) R5(4) Table 1 (1e) of the dDCO, which indicates a maximum height of 70m. Table 2.1 also shows the package boiler stack as having a minimum height of 35m, in contrast to Table 1 1(j) of the dDCO which shows this as the maximum height. Please could the Applicant explain these apparent discrepancies? In addition, please explain the reference to a 75m stack height in the table following paragraph 2.11.13 of the ES (also identified as Table 2.1) and why the height of 70m is proposed. The Stack Height Determination [APP-025] concludes that a suitable stack height for the assessment is	The air quality modelling was undertaken for stack emissions 70 m above the existing ground level. Reference to 75m is a reference from earlier iterations of the chapter and air quality modelling. The air quality assessment and dDCO correctly refer to 70m. An amended chapter 2 which corrects the error has been submitted at deadline 2. The air quality assessment (including the stack height determination) were based on stack characteristics provided by the project's technology suppliers. The stack diameter affects the vertical velocity of emissions from the stack and, therefore, the momentum of emissions. The air quality effects for the determined stack height are not considered to be significant. The velocity of the stack emissions, and therefore the stack diameter, are considered to be appropriate.

		considered to be 70m. There appears to have been no assessment of stack width/diameter. Please can the Applicant explain how the maximum diameter of the stacks was determined. Is it necessary to provide flexibility and is there any possibility of the proposed heights changing in response to further design work? Could the Applicant and the EA please comment on how a variation would be dealt with through the DCO and environmental permitting procedures?	It is noted within the DCO that the stack heights for the main plant and package boiler should be referenced as minimum rather than maximums and this will be corrected in the dDCO submitted at Deadline 3. With regard to the need for flexibility for the stack height the HRSG tendering process is currently scheduled to be completed by the end of August 2018. At that point the HRSG will have been chosen. The characteristics of the chosen HRSG will be cross checked against that assessed in the air quality assessment in Table 5.3 to determine if any alteration in stack height is required. At that point the applicant will be able to specify a maximum and minimum height for the stack. Any consequential amendments to the DCO or ES will be made at that point in time if required. It is not anticipated that this will result in any material difference to the stack height proposed if any.
Q1.1.9	Applicant	The Stack Height Determination [APP-025] explains that two stack layouts have been modelled. The potential stack locations are shown in ES Figures 2.4a (vertical tube boiler) and 2.4b (horizontal tube boiler) [APP-008] revised as AS-004 and AS-008. Please could the Applicant confirm what assumptions have been made in the relevant ES assessments about the locations of the stack (noting that the location is not defined)?	Please see Q1.1.2.
Q1.1.10	Applicant	Figure 2.2 of the ES [APP-008] shows environmental designations. Whilst the information is shown elsewhere either within the ES or Appendices, for ease of reference and clarity the Applicant is asked to present the individual designations on a series of plans.	This has been completed and the amended plans are submitted as part of Deadline 2.

Q1.1.11	Applicant	Section 4.7 of the ES [APP-009] indicates that at the end of its operational life K4 would be decommissioned and demolished and that as part of this a Demolition Management Plan would be prepared. Can the Applicant please confirm how this would be secured through the DCO?	The Applicant is not able to say when or how the demolition of K4 might take place and as it does not form part of the development for which consent is sought and so it would not be appropriate to include a requirement relating to it. Any requirement for a Demolition Management Plan would be secured in the relevant consent authorising demolition.
Q1.1.12	Applicant	Paragraph 10.6.77 of the ES [APP-009] states that it is estimated that no more than 10 staff will be present at any one time during the operational phase. Does this comment conflict with the estimate of four operational staff which is identified elsewhere in the ES including at paragraph 2.9.2 and with statements about the number of staff required during major maintenance activities (paragraphs 2.9.5-2.9.12 of the ES [APP-008])?	In this instance assuming that there will be 10 as opposed to 4 staff during operation would represent a worst case assumption. With regard to the impact of staff numbers during major maintenance activities these will be short in nature and less than the predicted number of workers on site predicted during the construction stage of the development as set out in paragraph 2.8.15 (Up to 50 during maintenance and 200 during peak construction). On that basis we refer the Inspector to the conclusions on the effect of recreational impacts on the Swale SPA/Ramsar site during construction as set out in paragraphs 10.6.17-19 which concludes no significant effect or for the purposes of the HRA no likely significant effect.
Q1.1.13	Applicant	Table 13.1 of the ES (page 13.2) [APP-009] indicates that a Construction Traffic Management Plan (CTMP) will be prepared. R8 would secure the provision of a CTMP. Should R8 be signposted to Table 13.1 in the same way as R11 signposts Table 9-17? Additionally, do the references in Table 13.1 cover all the CTMP measures outlined in Chapter 4?	R8 refers to section 4.8 of the ES which sets out the requirements of the CTMP in the traffic and transport chapter of the ES. There are upon review a couple of points in the list for the CTMP in Table 13.1 which are missing from those set out in section 4.8. Chapter 13 has been amended accordingly and has been resubmitted at deadline 2.
Q1.1.14	Applicant	Measures to mitigate the generation of greenhouse gases during construction are set out on page 13.4 of the ES [APP-009]. How would these measures be secured through the DCO?	Requirement 5 of the dDCO will be amended to make reference to carbon measures and submitted as part of Deadline 3.

Q1.1.15	Applicant	Why does Table 13.1 of the ES (page 13-7) not reference a Flood Evacuation Plan when all of the other plans and strategies outlined in Table 9-17 are included?	This has been corrected and an updated Chapter 13 has been submitted as part of Deadline 2.
Q1.1.16	Applicant Swale Borough Council Kent County Council Environment Agency Natural England	Appendix 2.1 of the ES [APP-011] provides an outline Construction Environmental Management Plan (CEMP). Is the CEMP subject to a process of verification / sign off when construction is complete, such as the preparation of a Handover Environmental Management Plan as occurs in other DCOs? Alternatively, or additionally, is there a need for a Register of Environmental Actions and Commitments which would identify and confirm the environmental actions required to deliver mitigation and could be a certified document. IPs are asked to comment on the scope of the outline CEMP including whether it comprehensively address the main construction impacts and is sufficiently detailed to provide confidence that the matters it addresses can be satisfactorily discharged at a later stage?	With regard to the Register of Environmental Actions and Commitments this will be added to the dDCO and submitted at Deadline 3.
Q1.1.17	Applicant	An outline CEMP is provided in APP-011. The Applicant is asked to consider whether such matters as legal requirements, standards and policies, complaints procedures, emergency preparedness and process should be included. Please could the Applicant provide an updated version of the Mitigation Measures summary table that cross-references each measure to the relevant paragraph in the draft CEMP, and identifies which are embedded and which are further mitigation measures?	An updated Chapter 13 (summary tables) has been produced which cross-references where the mitigation has been secured and this has been resubmitted at deadline 2. As set out at the beginning of Chapter 13 all embedded (primary mitigation) is set out in Chapter 2 and Table 13.1 therefore relates to further 'secondary' mitigation only. The need to amend the OCEMP will be reviewed and a final revised version will be submitted as part of Deadline 3.

Q1.1.18	Applicant	Can the Applicant confirm that the cumulative sites identified in Chapter 3, section 3.9 and Figure 3.2 of the ES [APP-008] have all been assessed in each chapter. It is not apparent that this has been undertaken in every case. For example section 12.9 appears inconsistent or at least out of order with the sites identified in Chapter 3	**Climate Change -** Section 6.9 and paragraph 6.10.11 of Chapter 6 explain that "As GHG impacts are global, all cumulative sources are relevant: this is taken into account in the defined 'high' sensitivity of the receptor and statement that any additional GHG emissions may be considered significant. Additional cumulative effects due to other specific local development projects are therefore not individually predicted." **Noise and Vibration** - All cumulative sites listed in Section 3.9 are considered. See section 7.9 of Chapter 7. **Air Quality** - For air quality, all cumulative developments listed in Section 3.9 are discussed in the air quality chapter, see section 5.10. **Water Environment -** Water environment chapter defined a zone of influence of 500m for the assessment of cumulative impacts. As a consequence some projects identified in Chapter 3 have not been considered. **Landscape** - See response to Q1.6.13 **Heritage** - SW/10/444, 16/501228/FULL and 16/507687/COUNTY are considered as part of the future baseline. EN10083 has been excluded on the basis that it does not have the potential to result in changes to built form and therefore significant cumulative effects. All cumulative sites have therefore been addressed accordingly. **Transport -** Section 4.10 of the ES considers the traffic and transport effects of all of the cumulative sites listed in Section 3.9 of the ES. **Ecology -** It is confirmed that all of the cumulative sites set out in section 10.12 of Chapter 10 correspond with those set out in Section 3.9. **Ground conditions -** The potential for cumulative effects with all developments set out in Section 3.9 of the ES has been

			considered as set out in section 8.9 of Chapter 8. No likely significant cumulative effects are identified.
Q1.1.19	Applicant	For each technical chapter of the ES the Applicant is asked to: - Confirm the level of significance that is considered to be 'significant' in EIA terms; and - Provide a table which identifies the significance of effects prior to mitigation and confirms the overall significance of residual effects.	**Climate Change** - Beneficial or adverse effects that are not neutral/negligible are considered significant (paragraph 6.3.27). **Noise and Vibration** - Adverse effects of moderate or greater are considered significant. **Water Environment** - Significance categorised in Table 9-6, which is informed by Table 9-4 and Table 9-5 **Ecology** - Effects that are moderate or above are considered significant (Para 10.3.40) **Landscape** - See response to Q1.6.2 **Air Quality** - For air quality, moderate adverse or substantial adverse impacts are generally considered to be significant. **Heritage** - For heritage moderate, major or substantial effects are considered to be significant. See ES paragraph 12.3.40. **Transport** - if the effect is moderate or above then the effect is considered to be significant. **Ground Conditions -** Effects that are moderate or above are considered significant. See section 8.3 of Chapter 8. A table which identifies the significance of effects prior to mitigation and confirms the overall significance of residual effects is appended to this document as Appendix 1.
Q1.1.20	Natural England	In their consultation response to the Scoping Report [APP-013] Natural England (NE) considered that the ES should identify how the Proposed Development's effects on the natural environment would be influenced by climate change. Please could NE comment on whether their concerns have been adequately addressed within the ES?	The applicant has reviewed this question and does not consider it necessary to comment.

2 - Air Quality			
Q1.2.1	Applicant	The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations (July 2017) is referenced in paragraph 5.2.10 of the ES [APP-009]. It is noted that the plan has been found to be unlawful and the UK Government has been instructed to prepare a supplementary plan by October 2018. The Applicant is requested to monitor the progress of the UK Plan and to indicate to the ExA any changes that are relevant to the application. This obligation should be addressed at any time up until Deadline 7.	The borough of Swale is not within any of the zones or agglomerations identified as not in compliance with the EU NO2 limit value in Defra's July 2017 air quality action plan. In January 2018, the High Court ruled that Defra needed to produce a Supplementary Plan for a further 33 councils; Swale Borough Council is not one of the 33 councils. The Supplementary Plan has now been published by Defra for consultation but as Swale Borough Council is not identified within the July 2017 plan nor the Supplementary Plan, it is highly unlikely that there will be any implications for this application. Nevertheless, progress of the plan and implications for this application will continue to be monitored.
Q1.2.2	Applicant Environment Agency	Paragraph 5.2.14 of the ES indicates that the EA will ensure that Best Available Techniques (BAT) are used to deliver the maximum improvements to air quality where UK air quality objectives are in danger of being breached. As the environmental permitting process is separate from the DCO process, could the design proposed in the DCO application require any other technologies or emission control measures (i.e. that are not assessed in the ES / Habitats Regulations Assessment Report (HRAR) in order to achieve BAT?	As part of the Environmental Permitting Process, it will be necessary to demonstrate that the K4 CHP plant can meet Associated Emissions Levels (AELs) as specified in the Large Combustion Plant BAT Reference Document (BREF), and that the plant incorporates Best Available Techniques to achieve these. The K4 Plant design will ensure that BAT AELs will be met without the need for additional emissions control techniques/abatement technologies such as a Selective Catalytic Reduction (SCR) unit. Therefore the design proposed in the DCO application will not require additional technologies or emissions control measures.
Q1.2.3	Applicant	The Applicant's own methodology (ES paragraph 5.3.33 [APP-009]) highlights the relationship between stack height and adjacent building height in terms of downwash effects. Having had regard to this methodology it is not clear why effects from downwash have been excluded from the assessment.	As stated in the last sentence of paragraph 5.3.33 and the title of Table 5.2, buildings have been included within the model. Therefore, downwash effects have been taken into account in the results presented in the report.

		Can the Applicant please prove an explanation to support the approach adopted and/or address whether there is a potential likely significant effect associated with this impact?	
Q1.2.4	Applicant	The ES air quality chapter (Chapter 5 [APP-009] and associated appendices [APP-023 - APP-026] provides limited information about the assessment of air quality impacts on ecological receptors. The study area that has been applied is unclear and the information provided does not identify and assess specific receptors other than four of the eight European sites that are identified in the ES ecology chapter (Chapter 10). It is not explained why only these four sites are considered or why no assessment has been made of potential impacts on other sites (both European and other designations) and on species (other than the interest features of the four European sites). The ExA requests that the Applicant: - clearly defines the study area and explains how it was determined; - explains why only selected (European) sites have been considered, with reference to those sites and species considered in the ecological assessment reported in Chapter 10 of the ES; and - provides an assessment of impacts on any other ecological receptors (sites and species) for which the Proposed Development would have the potential to give rise to significant effects.	The study area has been informed by the EA guidance which requires consideration of special protection areas (SPAs), special areas of conservation (SACs) and Ramsar sites (protected wetlands) within 10km of the site and sites of special scientific interest (SSSIs) and local nature sites (ancient woods, local wildlife sites and national and local nature reserves) within 2km of the site. Taking the list of designated sites in Chapter 10: 1. The Swale SPA has been included within the Air Quality Assessment 2. The Swale Ramsar - APIS does not provide critical loads for habitats within Ramsars; however, the Swale Ramsar boundary is the same as the Swale SPA boundary. 3. Medway Estuary and Marshes SPA has been included within the Air Quality Assessment 4. Medway Estuary and Marshes Ramsar - APIS does not provide critical loads for habitats within Ramsars; however, the Medway Estuary and Marshes Ramsar boundary is the same as the Medway Estuary and Marshes SPA boundary. 5. Thames Estuary and Marshes SPA has been included within the Air Quality Assessment 6. Thames Estuary and Marshes Ramsar - APIS does not provide critical loads for habitats within Ramsars; however, the Medway Estuary and Marshes Ramsar boundary is the same as the Medway Estuary and Marshes SPA boundary. 7. Queensdown Warren SAC has been included within the Air Quality Assessment 8. Outer Thames Estuary - APIS only provides information on

			one habitat at this site and states that is not sensitive to NOx, nitrogen or acid pollution. The site has therefore not been included within the assessment. In relation to the four nationally designated sites: 1. The Swale Marine Conservation Zone (MCZ) – there is no requirement to assess air quality impacts at MCZs 2. The Swale SSSI – the Swale SSSI boundary is the same as the Swale SPA boundary. There are additional habitats listed for the SSSI; however, the critical loads are already assessed in the ES. 3. Medway Estuary and Marshes SSSI – this is more than 2km from the site and has been excluded from the assessment. 4. Elmley NNR – this is a subset of the Swale SPA (which has been assessed); APIS does not provide critical loads for habitats within NNRs. In summary, there are no other sites/species sensitive to air pollution that are likely to be affected by the proposed development. Appendix 5.4 has been updated to reflect the above.
Q1.2.5	Applicant	The ExA notes that under 'Other Scenarios Considered' (paragraphs 5.6.30 – 5.6.36 of the ES [APP-009]) the effects of K1, K2, K3 and K4 all operating together are assessed, and it is concluded that the relevant Air Quality Assessment Levels (AQALs) are unlikely to be exceeded and that the effects would not be significant. Although it is explained that the Predicted Environmental Concentrations (PECs) have been calculated by adding the Process Contributions (PCs) obtained from modelling of K1, K2, K3 and K4 emissions to the background concentrations, the respective PCs have not been provided. Please could the Applicant provide this information?	The PCs for K4 are provided in Tables 5.18 to 5.22. PC s for K1, K2 and K3 could be provided; however, it is not clear why these values are relevant to this application. The subject of this application is K4. The impact of K4 has been described with reference to (1) the change in concentration attributable to the development (i.e. the K4 PC) and (2) the total concentration assuming that the development proceeds (i.e. the PEC). The PCs for K1, K2 and K3, along with the ambient concentration, form the PEC; however, the magnitude of the PC for K1, K2 and K3 are not used to describe the impact or determine the significance of effect.

			Nevertheless the PCs for annual-mean NO2 for K1, K2 and K3 are as follows: K1 - 0.40 µg.m-3, K2 - 0.13 µg.m-3, K3 - 0.54 µg.m-3, K4 - 0.17 µg.m-3. It is not possible to provide individual PCs for K1, K2 and K3 for short-term NO2 or CO as they have a shorter averaging period and the component PCs would not add up to the combined PEC. For example, for hourly-mean NO2, the 99.79th percentile is the 19th highest hourly-mean concentration. If K1, K2 and K3 are modelled separately, the 18 individual hours with the highest concentrations are likely to be different for each point source and so adding them together is not meaningful as the concentrations could occur in different hours. Therefore if the 19th highest hourly-mean concentrations for each of the point sources were added to the AC, the PEC would be slightly higher than the value presented in Paragraphs 5.6.33 and 5.6.34. For the annual-mean this is not an issue as all 8,760 hours are used in the average.
Q1.2.6	Applicant	The methodology that has been used for the air quality assessment is unclear. ES paragraph 5.3.35 [APP-009] notes that K1, K2 and K3 have been included in the modelling for the purposes of determining the cumulative impacts and that the resulting concentrations were added to the measured background concentration, but also that K1 and K2 were already included 'to an extent' (not explained) within the background concentration. Paragraph 5.3.37 sets out the (three) modelled scenarios, the first of which is described as including K2 and K3 in the (background) Ambient Concentration (AC). However, K3 is not yet the subject of a DCO application (and the generating station on the same site which gained consent under the Town and Country Planning Act (TCPA) is currently under construction	The Ambient Concentration used within the assessment is the five-year average of measured concentrations at a site 400m from the Application Site. As K1 was operational when these measurements were taken, concentrations associated with emissions from K1 are included within those measurements; however, it is not possible to attribute proportions of the measured concentration to a specific source. Therefore, all we can say is that emissions from K1 are included within the Ambient Concentration to some extent. K4 will eventually replace K1; however, as the two plant may run simultaneously for a short period, K1 has been explicitly modelled (see 'Other Scenarios Considered' - paragraphs 5.6.30 to 5.6.36). In this case, there will be some double-

		so is not yet operating). Please could the Applicant explain the assumptions that were applied to the model in terms of projects which are not yet in an operational capacity.	counting of the impacts due to K1. The PECs results presented in the chapter assume that the power upgrade to K3 proceeds. Modelling has also been undertaken for the permitted K3. The difference in maximum concentrations across the modelled grid has been added to the K1, K2, K3 (with power upgrade) and K4 scenario PECs discussed in paragraphs 5.6.30 to 5.6.36: -For annual-mean NO2, the permitted K3 is higher than the upgraded K3 by 1.4 µg.m-3. When this is added to the PEC of 32.9 µg.m-3 (paragraph 5.6.32), the new PEC is 34.3 µg.m-3, only 86% of the AQAL. -For hourly-mean NO2, the permitted K3 is higher than the upgraded K3 by 8.4 µg.m-3. When this is added to the PEC of 79.3 µg.m-3 (paragraph 5.6.33), the new PEC is 87.9 µg.m-3, only 44% of the AQAL. -For CO, the permitted K3 is higher than the upgraded K3 by 6.8 µg.m-3. When this is added to the PEC of 578 µg.m-3 (paragraph 5.6.34), the new PEC is 584.8 µg.m-3, only 6% of the AQAL. When considering the impacts with the permitted K3, the PECs are still below the relevant AQALs and the conclusions of the chapter has not changed.
Q1.2.7	Applicant	ES Table 5.4 [APP-009] identifies the characteristics of the stack and emissions that informed the modelling and identifies the internal diameter of the K4 boiler as 0.8m. However, it is identified as 0.6m in Table 2.1 (pages 2- 4 -	The diameter of the K4 boiler is 0.8 m. There was a typographical error in Table 2.1 which has been corrected in the revised Chapter 2 submitted at Deadline 2.

		2-5) [APP-008], which reflects the dimensions shown in R5 Table 1 of the dDCO. Please could the Applicant explain the discrepancy and why it represented the appropriate approach to inform the modelling, as appropriate?	
Q1.2.8	Applicant	Local Urban Background Monitoring is described in paragraphs 5.4.6 – 5.4.9 of the ES [APP-009]. The nearest automatically monitored site is in Maidstone (rural background) approximately 13km from the site with the most recent data being from 2016. Additionally one of the three passively monitored locations is approximately 15.5km from the site with the most recent data being from 2015. Given the distance of the monitoring locations from the site and the age of the data can the Applicant explain the validity of and reliance upon this data as a baseline?	As stated in Table 5.11 and paragraph 5.4.11, the background NO2 concentration used in the assessment was derived from the five-year average concentrations measured at SW77 – Kemsley Fields, Swale Way, approximately 400 m from the site. The continuous automatic monitor at Maidstone and the passive SW34 monitor (15.5km) were included to allow a broader comparison of measured concentrations. Consideration was also given to the passive monitor SW88 2.5 km away. As stated in paragraph 5.4.1, LAQM.TG16 recommends that Defra mapped concentration estimates are used to inform background concentrations in air quality modelling and states that: "Where appropriate these data can be supplemented by and compared with local measurements of background, although care should be exercised to ensure that the monitoring site is representative of background air quality". In line with good practice, a broad spread of monitored data have been compared with Defra mapped concentration estimates. As a result of this comparison, the background concentrations used within the assessment have been derived from the more conservative measured concentrations. Table 5.8 shows that, at SW88 and SW34, measured concentrations have decreased throughout the five-year

			period of monitoring. For NO2, at Maidstone (Table 5.7) and SW34 (Table 5.8), concentrations have generally decreased. All things being equal, this suggests that background concentrations in the future are likely to be lower than the measured concentrations presented. The average measured concentration at the closest monitor is therefore likely to be a conservative estimate of future concentrations at the site. Had the Defra mapped concentration estimate for NO2 been used within the assessment (as recommended by Defra), the background concentration would have been 16.5 µg.m-3, rather than the highly conservative 31.7 µg.m-3 actually used.
Q1.2.9	Applicant	It is noted that Table 5.18 of the ES [APP-009] presents the operational short-term maximum predicted nitrogen dioxide (NO2) and carbon monoxide (CO) PCs and PECs and their percentage values of the respective AQALs, and that it is explained in paragraph 5.6.13 that the PEC is the K4 PC added to the background AC and the modelled contributions from K2 and K3. It is unclear how K1 has been considered and whether K1 and K4 operating simultaneously for a period has been addressed. It is not clear if the PC from K1 has been included in the background AC, and if it was included it is not explained why a different approach has been applied to K2, as both K1 and K2 are currently operating, whereas K3 is not yet built. The ES is similarly unclear in respect of long-term	The PCs provided in Table 5.18 are for K4 only. As set out in paragraph 5.6.13, the PECs include the ambient concentration and the modelled contributions from K2 and K3. As set out above, the ambient concentration includes K1 to some extent as this was operating during the period when the ambient concentration was monitored. In the longer-term, K1 will not be operating and will not be contributing to the PEC; K2 will continue operating and, potentially, K3 will operate, therefore these sources will contribute to the PEC. There may be a short period of time (less than a year) when K4 and K1 are expected to operate simultaneously. This

		operational predictions. Please could the Applicant address these points.	scenario is addressed in Paragraphs 5.6.30 to 5.6.36 under the heading 'Other Scenarios Considered'. Paragraph 5.6.30 states that K4 will replace K1 and states that "For this scenario, K1 has explicitly been included as a point source within the model." These paragraphs summarise the PEC (including the modelled K1).
Q1.2.10	Applicant	It is noted that the maximum predicted hourly and annual mean NO2 PC during operation of the existing K1 and the proposed K4 package boilers are presented in paragraphs 5.6.25 – 5.6.29 of the ES [APP-009]. The potential effects are concluded to be slight adverse, however the basis for this conclusion is unclear as the resulting PEC is not identified nor expressed as a percentage of the relevant EQS. Please could the Applicant provide the supporting evidence for this conclusion.	Paragraph 5.6.26 states that the maximum predicted annual-mean NO2 PC for the K1 and K4 package boilers alone is 0.10 µg.m-3. When this is added to the annual-mean PC for the CHP of 0.60 µg.m-3 in Table 5.21, the total PC would be 0.7 µg.m-3. This is still 2% of the of the AQAL of 40 µg.m-3. The PEC would increase from 33.1 to 33.2 µg.m-3. This is still 83% of the AQAL of 40 µg.m-3. Therefore the contribution from the package boilers does not change the percentages presented in Table 5.21 and the impact would be still be 'slight adverse'. As set out in paragraph 5.6.27, the maximum predicted 99.79th percentile of hourly-mean NO2 PC for the K1 and K4 package boilers alone is 8.99 µg.m-3. When this is added to the 99.79th percentile of hourly-mean NO2 PC for the CHP of 3.8 µg.m-3 in Table 5.18, the total PC is 12.79 µg.m-3. This is 6% of the AQAL of 200 µg.m-3. In accordance with the assessment criterion stated in paragraph 5.3.52, as this is below 10%, the effects are not considered significant, regardless of the PEC.

Q1.2.11	Applicant	Paragraph 5.6.33 of the ES [APP-009] states that 'the maximum predicted 99.79th percentile of hourly mean No2 PEC for K1, K2, K3 and K4 79.3 and 79.2 µg.m-3, only 40% of the AQAL'. Please clarify this statement and in particular the figures 79.3 and 79.2.	K4 will replace K1. Therefore in the longer-term, K1 will not be operating and will not be contributing to the PEC; however, there may be a short period of time (less than a year) when K4 and K1 are expected to operate simultaneously. This scenario is addressed in Paragraphs 5.6.30 to 5.6.36. For stack location 1, the maximum 99.79th percentile hourly-mean NO2 PC (including PCs from K1, K2, K3 and K4) at discrete receptors was 79.3 µg.m-3. For stack location 2, the maximum 99.79th percentile hourly-mean NO2 PC (including PCs from K1, K2, K3 and K4) at discrete receptors was 79.2 µg.m-3. For both stack locations, the PC is 40% of the AQAL of 200 µg.m-3.
Q1.2.12	Applicant	The Applicant is asked to explain why Table 5.25: Cumulative PECs only relates to the Kemsley AD, the Reserve Power Plant and the Garden of England Energy Facility?	Only these three developments were point-source developments that had publicly available air quality assessment reports presenting PCs for use within this assessment. The cumulative impacts from other developments were assessed qualitatively.
Q1.2.13	Applicant Natural England	In their RR [RR-005] Natural England commented that further information was sought on the calculation of PC and PEC. Could the Applicant please respond to this request?	The calculation undertaken to arrive at the PCs are described on page 1 of Appendix 5.4 Assessment of Ecological Impacts. There is little more to add however a grid of receptor points, with a grid spacing of 200 m, were modelled at ground level across each of the designated habitats sites considered. The maximum PC for each habitat site is presented in the report. There are a couple of typographical errors in Appendix 5.4. The heading Critical Levels – Acidification should be Critical Loads – Acidification; and Point 1 under the Critical Loads –

			Nutrient N Deposition heading should be "The dry deposition flux (µg.m-2.s-1) has been calculated by multiplying the ground level NO2 concentrations (µg.m-3) by the deposition velocity of 0.0015 m.s-1 for grassland/short habitats and 0.003 m.s-1 for forests/tall habitats" Appendix 5.4 has been updated the reflect the above and submitted at Deadline 2.
Q1.2.14	Applicant	Can the Applicant please explain, with reference to the potential effects on human health and ecological receptors, when, how are where emissions to air would be monitored and how this would be secured through the DCO or justify why no monitoring is proposed.	No mitigation is proposed as predicted concentrations of pollutants from the completed development have been demonstrated by the assessment to meet all relevant air quality standards and objectives. No ambient air quality monitoring is proposed as the effects are not considered significant.
Q1.2.15	Applicant	Can the Applicant please explain what, if any, mitigation is proposed to limit the effects of emissions on designated ecological sites which are sensitive to NOx. Have any mitigation measures (either embedded or further mitigation) been relied upon to reach the conclusions of the ecological assessment in the ES or the HRA report [AS-002]? If no mitigation is proposed, why not?	The effects are not considered significant and so no mitigation was proposed.
Q1.2.16	Applicant Environment Agency	Paragraph 9.5.4 of the Planning Statement [APP-057] states that the K1 boilers will be upgraded, with emissions likely to be lower, although that does not form part of the current DCO application. Can the Applicant please confirm whether the ES has assumed that there would be an improvement in efficiency? What scale of efficiency improvement is envisaged? When is the upgrade planned to be undertaken?	The air quality modelling did not assume an improvement in efficiency so is likely to be a worst case scenario as emissions as efficiency improvement would be likely to mean lower emissions.

Q1.2.17	Applicant	Tables C1-C3 of the Air Quality Assessment of Ecological Impacts [APP-026] do not make reference to the Outer Thames Estuary SPA/Ramsar as being within 10km of the site even through it is addressed in Chapter 10 of the ES [APP-009]. Please explain this omission.	APIS states that there is only one habitat at the Outer Thames Estuary SPA and it is not sensitive to NOx, nitrogen or acid pollution. The site has therefore not been included within the assessment.
Q1.2.18	Applicant	It is unclear whether the construction of K4 would involve any demolition of existing infrastructure on the application site. The sensitivity and magnitude criteria set out in Appendix 5.2 [APP-024] include demolition, and references are made in Chapters 11 and 12 (paragraphs 11.6.3, 11.6.8 and 12.7.1) [APP-009] to potential effects of and mitigation for demolition activities. However, demolition is not considered in the assessment of effects contained in Section 5.6 of the ES. Please could the Applicant clarify whether any demolition is proposed, and if so, explain how the assessment in the ES has taken these activities into account in determining likely significant effects.	As set out in paragraph 2.5.3, demolition of K1 would happen at a future date and is not part if this application.

Q1.2.19	Applicant	In respect of Appendix 5.4 of the ES [APP-026], there are a number of areas where clarification and explanation is required as follows: - the PECs are not presented for any of the pollutants considered; - neither the AC nor the PC for K2 and K3 are provided; - the figures in Table C1 include figures in brackets alongside them. It is likely that these reflect the two alternative stack locations, however they are not explained nor are they included in Tables C2 and C3; - it is not explained from where the Environmental Quality Standards (EQSs) are derived for each pollutant, or why it is indicated as 'not available' for nutrient N deposition for a number of the interest features of the European sites (Table C2); - t is not explained why the AC is only presented in Table C2; - it is not explained why fewer interest features are listed for each European site in respect of acid deposition (Table C3) than for Nutrient N deposition (Table C2); - it is concluded that the maximum Nutrient N deposition and acid deposition PCs are below 1% of the critical load for all habitat sites and that therefore the effects are insignificant. However, this is not consistent with the results presented in Tables C2 and C3, which indicate that the PC is 1% of the CL for all of the identified features (excepting those for which the CL is shown as unavailable). The information on the significance criteria also notes that if the PC is greater than 1% but less than 70% of the resulting PEC the emission can be considered not significant, however in the absence of information on the respective PECs it is not clear that this conclusion is justified.	For all habitats and interest features (except NOx at the Swale) the impacts were screened out as insignificant based on the PCs alone. The PEC for the Swale is shown in the paragraph under Table C3. 1. The PECs were not included as the impacts were screened out as having an insignificant effect based on the PCs alone. 2. The ACs were not considered as the impacts were screened out as having an insignificant effect based on the PCs alone. Only the K4 PC (the subject of this application) has been considered. K2 and K3 would only contribute to the PEC. 3. The figures in brackets show the results for stack location 2. Brackets were not included in Tables C2 and C3 as the results were the same for both stack locations. 4. The first sentence under Critical Levels states that the levels are set out in European air quality directives and corresponding UK air quality regulations. As set out in last sentence under Critical Loads – Nutrient N Deposition and again Critical Loads – Acidification, critical loads were derived from the APIS website by the project's ecologist. Data is not available on the APIS website for all interest features. 5. As set out above, the PECs (and therefore the ACs) were not included as the impacts were screened out as having an insignificant effect based on the PCs alone. The ACs in Table C2 did not in fact need to be included. 6. Habitats sensitive to nutrient nitrogen deposition are not necessarily sensitive to acid deposition and vice versa. The majority of interest features listed in Table C2 are not sensitive to acid deposition so were not included in the table. 7. We agree that this section is poorly worded. The assessment has followed the EA online risk assessment guidance which states that:

		Please could the Applicant respond to these points, providing clarification and explanation as necessary.	"To screen out a PC for any substance so that you don't need to do any further assessment of it, the PC must meet both of the following criteria: -the short-term PC is less than 10% of the short-term environmental standard -the long-term PC is less than 1% of the long-term environmental standard If you meet both of these criteria you don't need to do any further assessment of the substance. If you don't meet them you need to carry out a second stage of screening to determine the impact of the PEC. Record the PCs for your insignificant emissions in your risk assessment." It continues by stating that: "If your long-term PC is greater than 1% and your PEC is less than 70% of the long-term environmental standard, the emissions are insignificant – you don't need to assess them any further." Only the NOx PC was above 1% at the Swale SPA. However, the PEC was 14.2 µg.m-3 which is only 47% of the critical level, well below 70% of the critical level.
Q1.2.20	Applicant	Could the Applicant confirm whether the developments that were considered in the air quality cumulative effects assessment (CEA) were agreed with any relevant consultees?	All the cumulative developments proposed to be included in the ES were set out in the Scoping Report and subject to consultation as part of that process. Any requests from interested parties to include additional sites have been addressed.

3 - Archaeology and Cultural Heritage			
Q1.3.1	Applicant	Paragraphs 12.6.19 - 12.6.37 of the ES [APP-009] describe listed buildings within 1km and 2km of the site. Could the Applicant explain why it does not include Great Grovehurst Farm which is identified as the closest listed building in the summary of Appendix 12.1 [APP-009]?	This is a typographical error. The assets should have been included in paragraph 12.6.36 of the ES, which should read as follows: There are further Grade II listed buildings at 66 North Street, Kemsley, located some 1.6 km southwest of the Proposed Development site and to the west of Kemsley, Pheasant Farmhouse and Bramblefield Farmhouse, 2 km and 1.6 km west of the Proposed Development site respectively, with Great Grovehurst Farmhouse located some 1.4 km west of the Proposed Development. These buildings are of high value. In each case their settings have been rather degraded. Any view of the Proposed Development from the listed buildings would be through Kemsley and the existing Kemsley Mill buildings. The magnitude of impact would be 'no change' and the effect of the Proposed Development on these listed buildings would be 'no change'.
Q1.3.2	Historic England Kent County Council Swale Borough Council	In their Section 42 consultation response [APP-015] Historic England raised concerns about the adequacy of the assessment of the impact of the proposed development on Castle Rough. The Applicant has addressed the matters of concern in paragraphs 12.6.11 – 12.6.13 of the ES [APP-009]. Can Historic England confirm whether or not it is satisfied with the assessment and the conclusion that there would be a minor adverse impact on the Scheduled Monument which would not be significant? Kent County Council and Swale Borough Council are also asked to comment on this finding.	The applicant has reviewed this question and does not consider it necessary to comment.

4 – Ecology, including HRA			
Q1.4.1	Swale Borough Council Natural England	The National Planning Policy Framework indicates that the planning system should provide net gains in biodiversity where possible. Furthermore, paragraphs 5.3.3 and 5.3.4 of the Overarching National Policy Statement (NPS) for Energy (EN-1) require developments to demonstrate that they have taken advantage of opportunities to conserve and enhance biodiversity conservation interests. The Applicant has stated (paragraph 11.4.31 of the DAS [APP-058]) that no such opportunities exist at the application site. Do the Council and NE agree?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.4.2	Applicant	It is noted that paragraph 2.6.2 of the ES [APP-009] describes a worst case scenario as K1 and K4 simultaneously operating at full capacity for a one year period and that this has been assumed in the technical assessments. The Applicant is asked to confirm that the discharges allowed by the environmental permit as varied would be sufficient to enable K1 and K4 to operate simultaneously.	E.ON will be required to continue to operate K1 until K4 is fully commissioned and operational. During the commissioning period it is unlikely that both K1 and K4 will both operate at full capacity simultaneously however this has been considered as a worst case for the purposes of the Environmental Assessment. It is also anticipated that the commissioning period will be unlikely to take as long as one year. E.ON are in discussions with the Environment Agency regarding the environmental permitting of K4. It is expected that a detailed commissioning plan which will include consideration of simultaneous operation of K1 and K4 will be developed and provided to the Environment Agency for approval prior to commencement of the commissioning activities. Process water is currently utilised in K1, with the average flow from K1 to the Effluent Treatment Plant (ETP) is 55m3 per hour or 1,320m3 per day.

			Even during the commissioning process, the production of steam is limited by the demand created by the DS Smith Paper machines. This in effect means the process water consumed to meet this demand will not significantly vary during the commissioning period whereby K1 and K4 will in part operate simultaneously. In terms of headroom in the permitted discharge from the ETP, the current permit equates to 40,500 m3 per day. The average discharge from DS Smith (including K1) is just under 18,000 m3 per day. Therefore, it is not considered that even during commissioning that any combinations of K1 and K4 could have any impact on this limit. With regards to abstraction; DS Smith abstract an annual average of 18500m3 per day. The daily limit is 45096.3m3 per day within the permit. Therefore, it is not considered that even during commissioning that any combinations of K1 and K4 could have any impact on this limit.
Q1.4.3	Applicant	The Context Site Location Plan [APP-037] identifies Little Murston Nature Reserve on the southern bank of the Swale. Please explain how this relates to other designated sites identified in Chapter 10 of the ES [APP-009].	Little Murston Nature Reserve is covered by The Swale SPA, Ramsar and SSSI designations. As such, potential effects on the Nature Reserve are covered by the descriptions of effects on those sites.
Q1.4.4	Applicant	It is noted that background concentrations of ammonia (NH3) have informed the assessment of ecological air quality impacts (paragraph 10.3.24 of the ES [APP-009]. However, no reference is made to ammonia in the air quality assessment reported in Chapter 5 and its accompanying appendices. Please could the Applicant explain the apparent discrepancy	Reference to NH3 erroneous in ecology chapter - no NH3 emitted from K4 so no effect on ecology.

		and describe how the inter-relationship between the ecological and air quality assessments has been addressed.	
Q1.4.5	Applicant	ES paragraph 10.3.27 of the ES [APP-009] states that if the PC exceeds 1% but the resulting PEC is below 100% of the relevant critical level/load the emission is not considered significant. However, Appendix 5.4 of the ES [APP-026] states that if the PC > 1% but the resulting PEC < 70% (European and SSSI sites) of the relevant EQS, that the emission is not considered significant. The Applicant is asked to explain the differences between the PEC values and the criteria used to determine whether or not an effect is considered significant?	The 70% threshold is used by the EA to inform an initial screening of potential effects on a precautionary basis. However, APIS defines a critical level as 'a quantitative estimate of exposure to one or more pollutants below which significant harmful effects on specified sensitive elements of the environment do not occur according to present knowledge' and a critical load as 'concentrations of pollutants in the atmosphere above which direct adverse effects on receptors, such as human beings, plants, ecosystems or materials, may occur according to present knowledge'. Therefore, while the use of a 70% threshold may be appropriate for an initial screen by an AQ consultant, the thresholds themselves are a more appropriate test of significance by an ecologist.
Q1.4.6	Applicant	It is noted that in addition to the designated sites listed in paragraphs 10.4.2 – 10.4.3 of the ES [APP-009], Figure 10.1 identifies the Outer Thames Estuary Ramsar site and the Medway Estuary and Marshes Marine Conservation Zone (MCZ). Please could the Applicant confirm the distances from the application site to these sites, and confirm whether or not these sites have been included in the assessment, providing reference(s) to where information can be found, as appropriate.	Reference to Outer Thames Estuary Ramsar was incorrect; this site only has SPA designation. The Medway Estuary and Marshes MCZ is 2.9 km north from the application site. Given the distance involved and that the MCZ is a sub-tidal marine designation, there is no potential pathway for effect so it has not been considered further in the assessment.
Q1.4.7	Applicant	It is noted that the Medway Estuary and Marshes SSSI is listed in paragraph 10.4.3 of the ES [APP-009] under the nationally designated sites that have been identified as within 2km of the application site boundary, but it is identified as being 2.9km north of the Proposed	Distances have been re-checked. It is 2.9 km from the application boundary. As such potential effects were considered at the correct distance.

		Development. Please could the Applicant confirm the distance and that the potential effects on the site were considered according to the correct location.	
Q1.4.8	Applicant	Paragraphs 10.4.23-10.4.26 of the ES [APP-009] describe the on-site survey. Buildings A, B and C are described and reference is made to Figure 10.3. The Applicant is requested to reproduce Figure 10.3 showing buildings A, B and C and also showing the area of vegetation referenced in paragraph 10.4.27.	Figure 10.3 updated and submitted as part of deadline 2.
Q1.4.9	Applicant	Paragraphs 10.4.31 and 10.6.55 of the ES [APP-009] and 11.4.30 of the DAS [APP-058] indicate that an area of scrub to the south of the site was cleared in advance of the proposed new access road. It is proposed that this loss of habitat will be mitigated through new planting elsewhere on the Mill site. Could the Applicant please indicate on a plan where the new habitat would be located and explain what implications, if any, are there for the proposed development of K4?	Scrub removal was undertaken prior to the construction of the proposed access road. As such, impacts associated with it along with any necessary mitigation will be described within that application. The removal of the scrub has no implications for the proposed development of K4.
Q1.4.10	Applicant	Table 10.5, of the ES [APP-009], identifies sensitive receptors with the potential to be affected by the effects arising from the Proposed Development. The table identifies 'other international designated sites in the surrounding 10km'. Could the Applicant please provide information about to which 'other' sites this refers.	This refers to the Thames Estuary & Marshes SPA/Ramsar, Queensdown Warren SAC & Outer Thames Estuary SPA/pSPA
Q1.4.11	Applicant	The heading preceding paragraph 10.6.5 of the ES [APP-009] refers to the Swale Estuary SPA/Ramsar. Paragraph 10.4.2 and Figure 10.1 of the ES refer to The Swale SPA/Ramsar. The Applicant is asked to clarify this issue.	Text should refer to 'The Swale' only.

Q1.4.12	Applicant	Paragraph 10.6.21 of the ES [APP-009] indicates that the highest noise received by birds using the Swale SPA/Ramsar site would be between 65 and 70 dBLAmax covering an area of some 20ha at the mouth of Milton Creek equating to 0.32% of the 6,514ha site. In paragraph 10.6.65 the maximum noise at the main intertidal area of Milton Creek is modelled to be no more than 70 dBLAmax while the area covered by the 55h dBLAmax threshold is approximately 22ha or 0.32% of the total area. The Applicant is asked whether there is a conflict between the figures, and particularly the areas specified in these two statements. In addition, NE in their RR (particularly paragraphs 2.8 and 2.9) [RR-005] state that the size/proportion of total area is less significant than precise location. NE are also concerned about the Applicant's conclusion in Section 6 of the HRER [AS-002] about construction noise disturbance, particularly from piling and suggest that that further information is needed before a conclusion over the impact of construction disturbance can be made in respect of the following: bird use of the mouth of Milton Creek, which they consider would be affected by higher noise levels during piling operations; the numbers of birds using the affected area; and what ecological functions are being provided by the affected habitat. Would the Applicant please comment on these views?	The noise levels refer to the potential use of impact piling in an unrestricted manner. Following discussion with Natural England, it has been agreed that, if impact piling were necessary, it would avoid the core wintering period between January and February, inclusive. Limited impact piling would be allowed, if necessary, between November and December, but for no more than 10 days in total. There would be no limitation on piling methodology/duration outside of these windows. This strategy would avoid the potential for effects on the SPA. The HRA has been updated to reflect this position and will be submitted at deadline 3. A requirement restricting the use of impact piling in accordance with this will be added to the dDCO and submitted at Deadline 3.
Q1.4.13	Applicant	Paragraph 10.6.57 of the ES [APP-009] begins 'Given the level of pollution'. Could the Applicant please outline what form and level of pollution is predicted in this case.	Milton Creek was historically subject to significant levels of pollution from industry in and around Sittingbourne. It is this level of pollution that prevented it from being included within The Swale SPA/SSSI /Ramsar when those sites were originally designated. Therefore, it is this level of pollution that prevents it from being considered a higher value receptor.

Q1.4.14	Applicant	ES paragraphs 10.6.70 & 10.6.105 indicate that pollution prevention measures (class 1 interceptors, shut off valves and regular monitoring) would be required. The Applicant is asked to assess the effectiveness of the mitigation proposed and to provide further information regarding the monitoring arrangements and to explain who would be responsible for any monitoring arrangements and how this would be secured/delivered.	K4 would be subject to an IPPC permit issued by the Environment Agency which will define management responsibilities and roles. The pollution prevention measures set out relate to those specified in Chapter 9 and will be subject to the detailed drainage layout pursuant to Requirement 11 of the dDCO.
Q1.4.15	Applicant	Paragraph 10.6.71 describes an existing permit that regulates the process of water being neutralised and transferred to the existing anaerobic digestion (AD) plant, and sets the pH and water temperature limits for discharge into the Swale. It is concluded that the magnitude of impact of changes to drainage during operation on a feature of a very high value would be negligible. Please could the Applicant confirm that there are no remaining permitting concerns. In particular it is noted that both the EA and NE have raised concerns regarding the discharge of process water within their Relevant Representations (RR-002 and RR-005, respectively). NE have commented on uncertainty regarding whether or not the existing permit was issued before or after The Swale Estuary MCZ was designated, and have recommended that an MCZ assessment of the discharge is carried out, in accordance with the Marine and Coastal Access Act 2009. The EA is concerned that ditches in the area contain Eel, Anguilla Anguilla, and that while this will be looked at in more detail as part of the permit variation for the site, this issue should be considered in the context of the temperature of the discharges. The Applicant is asked to explain how these concerns have been addressed in the ES and if they have not, to provide a response to the points made, as well as	Please see Q1.4.2. An MCZ screening assessment has been completed, the conclusion of which is that there would be no effect on the MCZ as there is no pathway for such an effect to occur. This will be submitted as part of the Statement of Common Ground with the Natural England at Deadline 3. It is intended to submit a further dDCO at Deadline 3 that includes a Requirement (no. 9) to make specific reference to eels/elver.

		confirming that the existing permit can be varied to incorporate the new K4 plant.	
Q1.4.16	Applicant	Reference is made to the Outer Thames Estuary pSPA in paragraph 10.6.99 of the ES [APP-009]. Please explain the relevance of the pSPA to the EIA.	Paragraph 174 of the revised NPPF requires that pSPAs be considered to have the same protection as SPAs. The Outer Thames Estuary has now been fully designated so the pSPA is no longer relevant.
Q1.4.17	Applicant	The effects of the decommissioning of K4 on ecology are considered in section 10.7 of the ES. Can the Applicant please confirm how measures to limit or eliminate adverse effects would be secured through the DCO?	Decommissioning of K4 would be undertaken as for K1; i.e. it would be made inoperable. The applicant is not currently seeking consent to demolish either facility. Such demolition would be subject to its own appropriate consents with associated impact assessment/mitigation.
Q1.4.18	Applicant	Paragraph 10.12.6 describes a 2.4m closed-board wooden fence being erected on the northern boundary as a requirement of the construction of K3. It is stated that it would be there for the remaining construction of the development, and that the fence would screen the reed-bed from construction traffic. Please could the Applicant confirm whether the fence described would remain in place for the construction of K4, if so how this arrangement would be secured, and if not what alternative measure would be put in place for the construction of K4.	No agreement exists currently between the operators of K3 and K4. However, if the fence were not in place during K4 construction a similar fence line could be erected along the road on DS Smith land to ensure vehicle screening from the reedbed.
Q1.4.19	Applicant	Figure 10.1 of the ES [APP-009] is a Designated Sites Location Plan. For ease of reference and clarity the Applicant is asked to provide each designation on a separate plan, with each being on a similar OS base as Figure 4.1 [APP-037]. Figure 10.1 identifies the Swale MCZ, and it is noted that this is not mentioned in the main body of the text within Chapter 10 of the ES. Could the Applicant confirm whether or not the Swale MCZ identified in Figure 10.1 is the site identified as the Swale Estuary MCZ in paragraph 10.4.10?	The Swale Estuary MCZ (paragraph 10.4.10) is the same as identified on Figure 10.1 (The Swale MCZ). Each designation is now provided on a separate plan (10.1a - 10.1n) submitted at Deadline 2.

Q1.4.20	Applicant	Figure 10.1 of the ES [APP-009] refers to the South Thames Estuary and Marshes SSSI, SPA and Ramsar whereas paragraph 10.4.2 refers to the Thames Estuary and Marshes SPA and Ramsar. Please clarify. Within Chapter 10 of the ES reference is made to sites within 2km of the application boundary. The Applicant is asked to show a 2km radius in addition to the 10km radius on Figure 10.1.	The correct name is Thames Estuary & Marshes. 2 km radius is now included on all figures (10.1a-n).
Q1.4.21	Applicant	Paragraph 10.4.2 of the ES [APP-009] refers to the Outer Thames Estuary SPA whilst paragraphs 10.6.36-10.6.38 refer to the SPA and pSPA. Figure 10.1 shows the Outer Thames Estuary as a SPA/Ramsar. Can the Applicant please confirm the Outer Thames Estuary designation?	The proposed extension to the SPA (the pSPA element) has now been adopted. As such, all figures have been updated to reflect that it is now only a SPA and not a pSPA. This does not change any of the assessments since these included the two interest features (breeding common and little tern), as per NPPF paragraph 174.
Q1.4.22	Applicant Environment Agency	Whilst concluding that in both construction and operational phases there were no habitats on site of ecological value, the Applicant and EA are asked whether there is a need for mitigation to avoid harm to species or habitats off-site eg nesting birds, acknowledging that although the likelihood of impact is low, the impact without mitigation could be high? If so, please suggest an appropriate requirement.	The application site is surrounded by existing industrial buildings of no ecological value. As such, no mitigation is required.
Q1.4.23	Applicant	Paragraph 11.4.7 of the Planning Statement [APP-057] describes the site as containing a small area of close mown improved grassland and an area of dense scrub. Can the Applicant confirm whether or not this would be retained? Does it provide potential for ecological enhancement or landscape improvement?	This is a small area of improved mown grassland located within the Paper Mill complex and therefore is not feasible for enhancement. This area will be maintained.

Q1.4.24	Natural England Kent County Council Swale Borough Council	The Applicant has concluded that there are no likely significant effects, either positive or negative on ecology arising from the Proposed Development. Please could NE, KCC and SBC provide their view of the conclusions of the assessment?	
Q1.4.25	Applicant	Chapter 7 of the ES [APP-009] addresses noise and vibration. Paragraph 7.4.8 notes that ecological receptors are identified in Chapter 10: Ecology whilst paragraph 7.3.5 describes a study area of 1km from the boundary being considered for the assessment. Chapter 7 does not specifically address ecological receptors within the chapter and it is noted the lists presented in paragraphs 10.4.2 – 10.4.3 contain sites that would be within 1km of the application site. Please can the Applicant confirm that the potential for vibration to have an effect on ecological receptors that are within 1km of the application site has been considered, and provide references to relevant supporting evidence as appropriate.	ES paragraph 7.1.1 - 7.1.3: From BS 5228-2, vibration levels decrease rapidly with increasing distance and are also attenuated by energy absorption in the soil and by obstacles and discontinuities. Given the separation between the K4 site and the nearest receptors [including ecological receptors], vibration from construction activities will be significantly below the minor significance criteria. As such, vibration is considered to have no or negligible impact magnitude and will have no significant adverse effect. Notwithstanding this, vibration impacts will be minimised to ensure any sensitive activities and machinery associated with the existing Mill are not adversely affected by the works. Given the low magnitude of vibration levels predicted from operation, all other non-residential NSR are identified as being of negligible risk of adverse effect, being not sensitive to that low a magnitude of vibration.
Q1.4.26	Applicant	Ground conditions have not been considered within Chapter 10 of the ES [APP-009] and there is no cross reference to specific information contained within Chapter 8: Ground Conditions. Please could the Applicant identify where the potential for interaction between ground conditions and ecology has been considered within the ES.	Chapter 8: Ground Conditions identified very limited risk for pollution to be present on site. As such, there is a similarly limited risk of pollution being spread off site to any ecological receptor, given the distance from the site to the nearest such receptor (The Swale SPA/SSSI/Ramsar - 300 m south east)

Q1.4.27	Applicant	It is noted that in their relevant representations the EA (RR-002) have raised concerns regarding light scatter from the development, which although it may not reach the designated site, may affect the marshes near the proposal site, affecting the eel, Anguilla Anguilla. Please could the Applicant confirm whether or not this has been taken into consideration?	The nearest marsh habitat to the site is over 150 m away to the south east. Therefore, the potential for light spill onto these areas from the K4 development would be designed out of the final lighting scheme. This should also be set in the context of an existing industrial site that is run 24 hours a day and is therefore already heavily lit, as necessary for operational purposes. As such, the potential for light spill onto the nearby marshes is considered to be negligible. Irrespective of this it is intended to submit a further dDCO at Deadline 3 that includes a Requirement (no. 9) which seeks to ensure that lighting with not adversely affect wildlife. .
Q1.4.28	Applicant	For ease of reference and clarity, please could the Applicant provide a table that sets out what is anticipated would be the potential effects of the Proposed Development on ecological receptors pre and post-mitigation and how any required mitigation would be secured?	The only mitigation identified as necessary within the ES relates to the control of dust during construction and operation. Such mitigation would be secured through the CEMP.
Q1.4.29	IPs	The Applicant has concluded in the HRAR [AS-002] that the application for the Kemsley K4 DCO will not compromise the conservation objectives of Natura 2000 sites and there will be no adverse effect on site integrity. It also found that potential cumulative impacts between the proposed development and other proposals could occur to the Swale Ramsar and SPA and the Medway Estuary and Marshes Ramsar and SPA and their associated features. Do IPs agree with those conclusions? If any IP disagrees they are requested to explain and evidence the basis for their position.	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.4.30	Applicant	A description of the Proposed Development has not been provided in the HRAR [AS-002]. Please could the Applicant confirm whether the Proposed Development as assessed in the HRA is the same as that assessed in the ES [APP-009], and reflects the assumptions and limitations set	It is the same development and reflects the assumptions/limitations as set out in Section 3.11 of the ES.

		out in Section 3.11 of the ES, including the maximum parameters and worst case scenarios set out therein.	
Q1.4.31	Applicant	Although decommissioning is identified as a key activity (paragraph 2.4 of the HRAR [AS-002]), the only subsequent reference to it is in paragraph 5.25, to the potential for dust release during the construction and decommissioning phases. The decommissioning of K1, described as part of the Proposed Development in the ES and draft Development Consent Order (dDCO) [APP-005], is not explicitly addressed in the HRAR. Please could the Applicant explain how decommissioning of both K4 and K1 has been addressed in undertaking the HRA and identify any potential significant effects and mitigation measures, as required?	Decommissioning of K4 would be undertaken as for K1; i.e. it would be made inoperable. In practical terms this would entail the removal of sections of the natural gas feed pipework to the redundant K4 equipment. The gas feed pipework would then be sealed by installing permanently fixed blanking devices. In addition to this, sections of the exhaust gas ducts to the Flue stack of the K4 Waste Heat Recovery Boilers would be removed and sealed. The applicant is not currently seeking consent to demolish either facility. Such demolition would be subject to its own appropriate consents with associated impact assessment/mitigation.
Q1.4.32	Applicant	The HRAR does not include or cross-refer to a relevant plan that identifies the location of the European sites that are considered in the assessment. ES Figure 10.1 identifies the Outer Thames SPA but not the Outer Thames pSPA, and also identifies it as a Ramsar site, which appears to be incorrect. In addition, Figure 10.1 does not identify the Thames Estuary and Marshes SPA/Ramsar site, which are included in the list of sites contained in para 2.5 of the HRAR, but does identify a South Thames Estuary and Marshes SSSI, SPA and Ramsar site, which are not referenced in the ES. The distance of Queendown Warren SAC and the Outer Thames Estuary SPA/pSPA from the Proposed Development site are not specified in the HRAR. Please could the Applicant provide this information, clarify the discrepancies, and provide a revised plan that shows the location of the European sites relative to the Proposed Development site.	A complete set of revised location figures (10.1a-m) is provided. The Outer Thames Estuary pSPA has been adopted since the original draft of the ES and is therefore only included as a SPA. The inclusion of the Outer Thames Estuary Ramsar was incorrect and has been removed.

Q1.4.33	Natural England	It is stated that NE provided copies of the relevant citations and confirmed the conservation objectives for the European sites and that the assessment should focus on the qualifying features (paras 3.3 -3.4 of the HRER [AS-002]). However neither the citations nor any correspondence with NE have been provided with the HRAR. Please could Natural England (NE) indicate whether they are satisfied that the correct European sites and features have been identified in the HRAR.	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.4.34	Applicant	Tables 4.1 – 4.6 of the HRAR [AS-002] set out the qualifying plant, invertebrate and bird features of the respective sites. It is unclear whether the separate lists of individual bird species said to comprise the over- wintering and breeding assemblages in respect of the SPAs that are also Ramsar sites apply equally to the Ramsar sites. In relation to the listed assemblages for the Swale SPA and Swale Ramsar site, paragraphs 4.8 and 4.10 refer to the reliance on advice from NE provided in relation to K3. It is unclear whether NE were subsequently asked to confirm that the information remained current and applicable to K4. Please could the Applicant clarify the position?	Natural England have confirmed in their response to Q1.4.33 that they agree with the sites and interest features that have been assessed. The list of species identified apply equally to the Ramsar sites.
Q1.4.35	Applicant	Section 3 of the HRAR [AS-002] refers to data used to inform the assessment and surveys of the site surroundings, although this is not provided with the HRAR. Appendix 1 contains a table entitled 'Comparison of seasonal peak counts of waterbirds recorded at Kemsley in 2009/10 and 2016', although no reference is made to it in the HRAR, so it is unclear whether this summarises results of surveys undertaken specifically for K4 together with the survey results for the wider site. Please could the Applicant provide the survey information that supports the conclusions in the HRA and clarify the relevance of Appendix 1.	These data summarise work undertaken across the wider Kemsley site, rather than anything specific to K4. However, with the revised piling strategy, these data are no longer relevant so have been removed from the revised HRA which will be submitted at Deadline 3.

Q1.4.36	Applicant	No information has been provided within the HRAR [AS-002] on the selection process or the methodology that was applied, other than that the assessment has considered proposals near the Proposed Development site that are currently in the planning process or have been approved but are not yet constructed. Twenty-two developments of various types have been identified. The proximity to the Proposed Development site is not identified in each case and they are not shown on a plan. Please could the Applicant explain the methodology that was applied to the in-combination assessment, including whether it addressed the potential effects of K1 and K4 operating simultaneously for a period, as indicated in the ES.	The methodology applied to the identification of plans/projects to include in the in-combination assessment is set out in Chapter 3 of the ES. The relative distances from the site to each cumulative development identified has been added to the HRAR which will be submitted at deadline 3.
Q1.4.37	Natural England	It is not indicated within the HRAR [AS-002] that the scope or findings of the assessment were agreed with NE or any other relevant bodies. In the absence of the information on methodology, please could NE state whether they are satisfied with the findings of the in-combination assessment?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.4.38	Applicant	Paragraphs 5.8 and 5.9 of the HRAR [AS-002] state that there is no evidence that the Proposed Development site regularly supports significant numbers of roosting birds either of qualifying individual species or assemblages, or that it is regularly used as a significant feeding or roosting site during passage or winter by any qualifying species of either the Swale SPA/Ramsar site or the Medway Estuary and Marshes SPA/Ramsar site. On that basis, it is concluded that the effects of direct habitat loss on qualifying features of any nearby Ramsar sites as well as breeding, passage and wintering birds of any nearby SPAs can be screened out. It is not clear whether it is meant that no evidence exists to support this assertion or whether it is borne out in	The application site comprises hard standing used for various recycling processes within the existing Paper Mill. It is subject to activity (both human and vehicle) 24 hours a day. It is therefore not considered suitable for use by any interest feature from any designated site. Additionally, while formal surveys of the site have not been undertaken on the basis that it is unsuitable, there is no anecdotal evidence from Paper Mill staff that birds use the site.

		evidence that has not been referenced or provided. Please could the Applicant provide clarification of this point?	
Q1.4.39	Applicant	It is concluded in the HRAR [AS-002] that impacts from operational emissions can be screened out for all the European sites on the basis that for all pollutants either the PEC did not exceed the Environmental Quality Standard (EQS) or the PC was less than 1% of the EQS for all the interest features, according to the information presented in Appendix 5.3 of the ES [APP-025]. However, only four of the nine European sites identified in the HRAR are considered in Appendix 5.3: Swale SPA; Medway Estuary and Marshes SPA; Thames Estuary and Marshes SPA; and Queendown Warren Special Area of Conservation (SAC). In addition, the above conclusion is not supported by the evidence presented, as Tables C2 and C3 in Appendix 5.3 indicate that the predicted PC of nutrient nitrogen and acid deposition on the Swale SPA would be 1% of the EQS for all of the interest features (the PEC is not provided). Please can the Applicant explain why only selected European sites were considered in the air quality assessment, and the apparent discrepancy between the predicted figures and the conclusions?	Habitats were not originally explicitly included in the tables in Appendix 5.4; however, the critical loads/critical load functions for the bird interest features of the SPAs set out in those tables are, in reality, for the habitats which support these bird (as set out on the site-relevant critical load tool on APIS.ac.uk) since the birds themselves are not considered sensitive to direct effects from air pollution. Appendix 5.3 has been updated to include the relevant supporting habitats for the SPAs and Ramsars (as well as the SSSIs). As set out in the IAQM Position Statement on this topic, the threshold for consideration of an effect is >1%, not ≥1%. As such, a PC of exactly 1% would not be considered significant.
Q1.4.40	Applicant	NE note, in their RR [RR-005], that tables C2 and C3 in Appendix 5.4 of the ES [APP-025] do not consider the supporting habitat types for which the Ramsar sites are designated, which may have lower critical levels or loads than the bird species identified, and recommend that the tables are updated to include the supporting habitats of the relevant SPAs and Ramsar sites. The ExA considers that this information is required and requests that the Applicant provide it.	See response to Q1.4.39.

Q1.4.41	Applicant	In relation to hydrological changes, it is anticipated that there would be no changes on the basis that the Proposed Development site is currently drained via a series of existing drainage channels used for K1 and that K4 would use the same system (paragraph 5.40 of the HRER [AS-002]). However, this does not appear to take into account the information presented in the ES that K1 and K4 would operate simultaneously for a period, therefore increasing the drainage requirement. Please could the Applicant comment on this point?	See Q1.4.2.
Q1.4.42	Applicant	In relation to mitigation of the construction dust impacts considered in Section 6 of the HRAR [AS-002] proposed measures are not explicitly identified, and only examples are provided of measures that may be implemented. It is indicated that more detailed assessment will follow. No explanation is provided of how the mitigation would be secured. As a result, the effectiveness of any mitigation cannot be certain. In respect of water quality, it is proposed that a site-wide surface water pollution prevention system would be developed to prevent the discharge of any contaminated surface water from the Proposed Development site and examples of measures that may be employed are provided. Although it is stated that further information is contained in Chapter 9 of the ES [APP-009] (Water Environment) explicit references are not provided. Similarly to the information provided in relation to the screening stage, no account is taken of K1 and K4 operating simultaneously for a period. It is not explained how the mitigation would be secured. Please could the Applicant specify (or provide clear cross-references to the information if contained in other application documents) the mitigation measures that are proposed, the effects they	All of the proposed mitigation would be secured via the CEMP. The HRAR will be amended to reflect this and submitted with the SOCG with Natural England at Deadline 3.

		are intended to address, and where they are secured in the dDCO [APP-005].	
Q1.4.43	Applicant	In relation to the discharging of waste water from K4, the conclusion set out in Section 6 of the HRAR [AS-002] does not appear to address the scenario of the two plants operating simultaneously for any period, during which the volume of waste water could be expected to be higher than it is currently. Please could the Applicant explain how this has been taken into account in the assessment?	The discharge of water from both plants operating simultaneously would be via either the Effluent Treatment Plant (ETP). The existing permits for both have sufficient headroom to allow both plants to operate simultaneously. See Q1.4.2 for further details.
Q1.4.44	Applicant	The Applicant is requested to provide screening and integrity matrices under the Habitat Regulations in both PDF and Word formats and according to the advice contained in 'Planning Inspectorate Advice Note Ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects'.	A PDF format of the matrices was provided at Deadline 1. A Word format will be submitted separately from Deadline 2 submissions.
Q1.4.45	Natural England	Please could NE state whether they agree with the conclusions set out in the HRAR on the predicted effects on European sites, and if they do not, explain their reasons.	The applicant has reviewed this question and does not consider it necessary to comment.
5 - Ground Conditions			
Q1.5.1	Applicant Environment Agency	Paragraph 8.3.5 of the ES [APP-009] confirms that no intrusive investigations have been undertaken on the site. It goes on to state that historic ground investigations have been undertaken across the Mill site principally to the east, and in paragraph 8.3.7 it is acknowledged that there is limited ground investigation data available for the area of the proposed development. Figure 8.1 clearly identifies the locations of the historic investigations as being the K3 site. As the K3 site has a different history of use from the proposed K4 site, the Applicant is asked to confirm whether	As detailed within the Chapter 8 of the ES, there is limited ground investigation data for the K4 site. On this basis therefore ground investigation information from surrounding areas of the Paper Mill site (principally K3) was used to form the basis of the assessment. The available ground investigation information was used to determine the likely stratum and hydrogeological regime underneath the K4 site, in conjunction with published geological information. In the absence of specific geological logs and hydrogeological data, given the close proximity of the ground investigations to the

		the former provide an appropriate basis for concluding that the ground conditions on the K4 site are similar or the same?	K4 site, it was considered unlikely that geological conditions would vary considerably. Historical information obtained as part of the study indicated that although the K4 site has been 'developed' for a number of years, it was considered that the K4 site has not been developed for a specific, and potentially contaminative, purpose e.g. for a tank farm or mill building. On this basis therefore only localised sources of potential contamination were identified rather than the presence of significant contamination sources. Whilst areas adjacent to the east of the K4 site have had a different site history (principally landfilling), a number of ground investigations undertaken in this area have identified areas of 'general' Made Ground (not landfill materials) which were considered likely to have been placed at the same time as any Made Ground materials at the K4 site and therefore the chemical quality of these soils and any associated perched water would likely be indicative of the soil conditions under the K4 site. It should also be noted that the K4 site has a concrete hardstanding surface in a reasonable state of repair, thereby affording protection to the underlying soils from any sources of contamination currently present at the site. On this basis it is considered that the available ground investigation information for adjacent areas provides an appropriate basis for concluding that ground conditions at the K4 site are likely to be similar.
Q1.5.2	Applicant	Paragraph 8.4.59 of the ES [APP-009] states that several potential sources of ground gas have been identified which could impact the site. Paragraph 8.6.2 states that the risks to human health are negligible and the significance of the effect would be minor adverse. Could the Applicant please explain the way in which these could impact the site and the implications.	Ground gas could affect the site through the migration of gas from the sources of gas generation through shallow permeable strata and accumulation in enclosed spaces e.g. excavations, buildings. Humans could then be exposed through the inhalation of ground gas in any enclosed spaces or through methane explosion, should sufficient gas build up. During the construction phase, the absence of permanent enclosed spaces and significant excavations (e.g. deep trenches) means that there will be no site features that would

			allow accumulation of any appreciable levels of ground gas. In addition, it should be noted that shallow gas monitoring adjacent to the K4 site has indicated low concentrations of ground gas to be present within the shallow soils. On this basis, risks to humans are considered to be negligible. It is not envisaged there will be any implication to human health from ground gas during the construction phase and given the sensitivity of the receptor (high - humans), the assessment matrix does not allow for a lower assessment effect than minor adverse.
Q1.5.3	Applicant	Paragraph 8.6.14 of the ES [APP-009] states that construction activities in the northern part of the site have the potential to impact shallow groundwater if not suitably managed and therefore appropriate measures to manage potential construction impacts must be suitably implemented. Could the Applicant confirm what measures are required and how would these be secured through the DCO?	Protection of shallow groundwater would be afforded by the implementation of a suitable CEMP. Section 8.7 of the ES outlines measures that would need to be included within the CEMP e.g. appropriate waste storage, segregation and disposal, storage of hazardous materials to prevent spillages / leakages and suitable reuse of materials in line with current UK legislation.
Q1.5.4	Applicant	Paragraph 8.7.3 of the ES [APP-009] outlines measures to mitigate construction effects on ground conditions. Could the Applicant please confirm whether all of these measures have been included in the CEMP and demonstrate where they occur. Specifically, how would ground gas measures be secured and how would the potential pathway for downward contamination within groundwater to migrate to the Swale estuary be prevented?	The outline mitigation measures included within Paragraph 8.7.3 have been included within Section 4.5 of the Outline CEMP. It is anticipated that there is unlikely to be a requirement to mitigate ground gas risk during the construction phase (refer to the answer to Q1.5.2). The potential pathway for the downward migration of shallow groundwater would be managed through the completion of a piling risk assessment that would identify the most suitable piling technique to minimise the potential for downward groundwater migration to occur (refer to paragraphs 8.7.4 and 8.7.6 of the ES). Requirement 12 of the dDCO secures the need to undertake a piling risk assessment which is to be submitted and approved by the Environment Agency prior to any construction works.

Q1.5.5	Applicant	Paragraph 8.10.4 of the ES [APP-009] states that upon completion of the development, which it is assumed to mean when operational, it is anticipated that there would be potential moderate significant adverse effects to human health from the presence of ground gas. The Applicant is asked to explain how these effects would be managed during the operational phase?	Ground gas risks during the operational phase would be managed through the implementation of suitable ground gas protection measures in line with UK best practice (refer to paragraph 8.7.7 of the ES).
6 - Landscape and Visual Impact			
Q1.6.1	Swale Borough Council	Photographic viewpoint locations were subject to consultation as set out in paragraph 11.3.2 of the ES [APP-009]. However, Appendix 11.1 [APP-034] does not contain any evidence of any agreement from SBC in respect of the viewpoint locations. Is SBC content with the locations which were chosen? If not, why not?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.6.2	Applicant	In paragraph 11.3.18 of the ES [APP-009] the level of effects is described. Only those being 'very substantial' or 'substantial' are considered to be significant although an accumulation of individual 'moderate' effects may also be regarded as a significant sequential effect. In paragraph 3.7.2 of the ES [APP-008] it is stated that if the effect is moderate or above then the effect is considered to be significant. Why in the case of the landscape and visual assessment is a 'moderate' effect only considered significant when it is part of an accumulation of effects?	The definition of effects of moderate or below as not significant is a common approach within Landscape and Visual Impact Assessment as set out in GLVIA3, Paragraph 3.7.2 of the ES describes significance and states that 'typically' if the effect is moderate or above then the effect is considered to be significant and that where any topic specific methodologies differ from this approach these are explained in the relevant topic chapter. Unlike most of the other ES discipline topics, Landscape and Visual Resources include a high proportion of high sensitivity receptors (i.e. visual receptors including users of public rights of way and footpaths, public open space and occupiers of residential properties). If the standard matrix and interpretation at Section 3 of the ES are used, the magnitude of landscape and visual impacts would need to be negligible (the lowest level) for the resulting level of effect not to be significant. Therefore, if the majority of effects are always significant the LVIA becomes ineffective and the process

			would not provide a focussed assessment that concentrates on likely significant effects to inform the DCO process.
Q1.6.3	Applicant	Paragraph 11.4.43 of the ES [APP-009] makes reference to the Kent Landscape Character Assessment. No mention is made of the North Kent Marshes Special Landscape Area (SLA) or the Area of High Landscape Value (AHLV) although these are mentioned in paragraphs 11.4.5 and 11.4.6. What is the effect of the proposed development on the SLA and AHLV?	The North Kent Marshes SLA is also described as the AHLV Kent Level in the Bearing Fruits 2031 Swale Borough Local Plan 2017 and is illustrated on ES Fig. 11.3. This designation coincides with character areas including the Chetney and Greenborough Marshes, Elmley Marshes, Luddenham and Conyer Marshes, South Sheppey Marshes and Mudflats and Elmley Island. A slight level of effect has been identified for all of these character areas in paragraph 11.6.30. The effect on the SLA within the study area can also be defined as Slight adverse as it is the same area of landscape. The AHLV (Swale Level) was not originally illustrated on Fig 11.3 and has been added for clarification. The AHLV coincides with character areas including the Teynham Fruit Belt and Lower Halston Clay Farmlands which would experience a Slight adverse level of effect, as defined in paragraph 11.6.30. The effect on the AHLV within the study area can also be defined as Slight adverse as it is in the same area of landscape.
Q1.6.4	Applicant Natural England	The estuarine habitat of the Swale is described in paragraph 11.4.57 of the ES [APP-009] as rMCZ and an Environmentally Sensitive Area whilst paragraph 8.4.45 states that the North Kent Marshes situated 85m to the north of the site has been identified as an Environmentally Sensitive Area. Please could the Applicant and NE comment on the relevance of these designations to the proposed development.	When establishing the value of a landscape a broad set of landscape, ecological and cultural attributes based on GLVIA3 Box 5.1 are used. This includes conservation interests. Paragraph 11.4.57 states that the estuarine habitat of the Swale is important for a wide range of flora and fauna, lists the various designations and concludes that the value is high. This has informed the judgements regarding intrinsic sensitivity of landscapes and the susceptibility to change as a result of the proposed development. A detailed assessment of the effects on ecological resources is included in chapter 10 of the ES.

Q1.6.5	Applicant	Please could the Applicant confirm that the schemes considered in the future baseline (Section 11.5 of the ES [APP-009]) have been considered in the cumulative effects assessment.	The list of future baseline schemes at section 11.5 of the ES are assessed within the cumulative assessment section of chapter 11.
Q1.6.6	Applicant	The ES does not provide an indication of the likely timescales for the demolition of K1. Could the Applicant explain what assumptions have been made in the assessment regarding the presence of both K1 and K4 on the application site, and how this has been assessed in the Landscape and Visual Impact Assessment (LVIA).	Chapter 11 of the ES includes an assessment of the worst case scenario where the proposed K4 development is in place at the same time as the existing K1 CHP. This ensures that the likely level of effects, have been assessed. Removal of the K1 CHP infrastructure would be evaluated at some point in the future, as described at paragraph 2.6 of the ES.
Q1.6.7	Applicant	It is noted that Figures 11.1 & 11.4 describe a building height of 32m, although the ZTV is described as based on a generating station building height of 35.2m. Please could the Applicant confirm the figures that have been used in defining the ZTV and the basis on which they were applied?	The ZTV's in Figures 11.1 and 11.4 have been calculated based on a building height of 35.2m. The legend had not been correctly updated.
Q1.6.8	Applicant	Information regarding plumes, and construction activities is limited within Chapter 11 of the ES [APP-009] and it is not clear how potential effects have been determined. Effects during maintenance do not appear to have been considered in the assessment. Please could the Applicant provide the supporting evidence for the conclusions reached regarding these matters?	Construction activities are described at paragraph 2.5.6 of the ES. Chapter 11 of the ES focuses on the visually prominent aspects of the construction phase which include high level activities. These include construction of the tallest buildings and stacks and the cranes that would be associated with this. Low level activities would be concealed in views by intervening development, landform and vegetation. This is described throughout the construction effects section at paragraphs 11.6.3 to 11.6.24. Conclusions regarding levels of effect are therefore robust and the amount of work is proportionate to the short term nature and likely magnitude of impact of the construction phase. The extent and frequency of proposed visible plumes have not been assessed within the ES simply because there is no visible plume as part of normal operation of the plant. The likely maintenance operations are described at paragraphs 2.9.5 to 2.9.12 and due to their

			simple nature and short duration have been scoped out of the assessment. Any planned maintenance operations are unlikely to be visible or would be relatively discrete and would not result in significant adverse effects on landscape or visual receptors.
Q1.6.9	Applicant	Table 11.7 in Section 11.8 of the ES [APP-009] summarises residual effects. The table describes a moderate adverse operational effect as day and night time sequential views from the Saxon Shore Way/public right of way ZU1/2. There is no reference to specific viewpoints from the Saxon Shore Way/public right of way ZU1/, however Viewpoints 3 and 4 are identified as having a moderate effect and so it is assumed that it is these viewpoints these have been determined as having a combined significant sequential effect. Please could the Applicant clarify the position.	All viewpoint locations on the Saxon Shore Way including viewpoints 1, 2, 3, 4, 5 and 9 have been taken into consideration when assessing sequential effects on walkers however, the moderate adverse effects at viewpoints 3 and 4 result in the identification of significant residual effects referred to in Table 11.7.
Q1.6.10	Applicant	While lighting has been considered within Chapter 11 of the ES [APP-009], it is not clear how the significance of effects has been assessed, particularly when the type, timescales and placement of lighting has yet to be determined. Please could the Applicant provide a description of the likely lighting scenarios, for example, the lighting requirements throughout the different phases of the development, identify where there would be a need for permanent/temporary lighting and the relevant timescales, and provide an assessment of where significant lighting effects could arise.	Paragraphs 2.9.3 and 2.9.4 state that although a detailed lighting scheme has not been designed as part of the application, the likely scheme is considered to be minimal. Significant adverse effects on visual receptors is considered unlikely in the context of the existing external lighting at the Mill and the relatively low anticipated magnitude of change. Paragraph 11.4.40 defines an extensively lit night time context at the Mill including high level lighting on stacks and mast mounted floodlights. The proposed K4 development would potentially include a small number of similar types of light sources. During construction, lighting on cranes would, temporarily, be visible. The assessment of night time effects on landscape and visual receptors within Chapter 11 of the ES has been based on these broad assumptions. The nature and character of the townscape and views would not change. Furthermore, requirement 9 of the dDCO requires a detailed

			lighting design to be submitted and approved by the local planning authority prior to the commencement of development.
Q1.6.11	Historic England	The LVIA considers the effects on cultural heritage features and cross references to Chapter 12 of the ES [APP-009] Archaeology and Cultural Heritage. Please could Historic England comment on whether they are satisfied with the methodology and findings of this assessment?	The LVIA notes the location of Scheduled Ancient Monuments in the vicinity of the site and includes reference to the Kent Historic Landscape Characterisation study to provide greater understanding of the landscape context and baseline however, no assessment of effects on cultural heritage assets is made within Chapter 11 of the ES.
Q1.6.12	Applicant	Paragraph 11.3.21 of the ES [APP-009] indicates that maximum design parameters have been adopted for buildings and infrastructure to ensure that a worst case scenario has been assessed, but while paragraph 11.3.3 of the ES describes a ZTV based on a stack height of 70m, Table 2.1. refers to a minimum stack height of 75m. Please could the Applicant confirm whether the assessment has been undertaken using a worst case scenario and explain the discrepancy.	The ZTV's in Figures 11.1 and 11.4 and photomontages in Figures 11.12 to 11.17 are based on a stack height of 70m and are used as a basis for the assessment of landscape and visual effects in Chapter 11 of the ES.
Q1.6.13	Applicant	Could the Applicant confirm that all of the schemes identified in Section 3.9 of the ES [APP-008] have been considered in the assessment of landscape and visual cumulative effects, or explain why any have not been considered in this assessment?	All the cumulative schemes listed in section 3.9 of the ES have been assessed within Chapter 11 of the ES.
Q1.6.14	Applicant	Paragraph 11.3.10 of the ES [APP-009] describes Table 11.3 as summarising the criteria used to assess the sensitivity of the landscape to change. It is assumed that this is an error and that the table this paragraph should be referring to is Table 11.1 Landscape or Townscape Sensitivity to Change on page 11-5. Could the Applicant clarify and correct if necessary?	The reference should be Table 11.1 Landscape or Townscape Sensitivity to Change.

Q1.6.15	Applicant	Paragraph 13.5 of ES [APP-009] indicates that the stack heights of 70m and 35m are lower than the existing stacks already present at the site. Could the Applicant confirm the height of the existing stacks on site and what height are /will be the stacks for the K3 development?	Existing stack heights for K1 are 75m and for K2 are 72m. The Proposed stack height for K3 is 90m.
7 - Noise and Vibration			
Q1.7.1	Swale Borough Council	Paragraph 3.5.2 of the Applicant's Scoping Report [APP-012] stated that surveys to gather additional baseline noise data would be undertaken where appropriate. The Scoping Opinion [APP-013] stated that the need for further baseline noise data should be agreed with the LPA. The Applicant's Response to the PINS Scoping Opinion [APP-014] states that no further baseline noise data was deemed necessary. Can the Council please provide confirmation that no further data was necessary?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.7.2	Swale Borough Council	In the absence of written confirmation from SBC during the Scoping consultation that the assessment methodology for noise was acceptable (paragraph 7.3.3 of the ES [APP-009]), can SBC confirm that the approach adopted within the ES is acceptable?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.7.3	Applicant	At paragraph 11.4.18 of the DAS [APP-058] it is stated that the maximum noise levels modelled at the closest location of intertidal birds, some 275m from the proposed location of K4 would be 60dB LAeqx or less , and therefore below the 80dB Lamax level at or above which there is considered to be greatest potential for disturbance. In paragraph 11.4.25 of the DAS the comparison with the 80dB Lamax level from construction is predicted to be 70dB Lamax . Could the Applicant please explain whether the comparison	For construction works, for which the LAmax is dominated by impact piling activity, an approximation of LAmax = LA01 = LAeq + 9 dB is assumed (from BS5228 para 8.5.2.5: For pile drivers using hydraulic hammers with an intermediate striking rate (typically 40 to 50 blows per minute).

		of LAeqx with Lamax is appropriate? If so, please explain why?	
Q1.7.4	Applicant	In paragraph 7.2.33 of the ES [APP-009] reference is made to paragraph 8.5 of BS4142:2014. This deals with the introduction of a new noise sensitive receptor where there is an extant industrial sound. As the proposed development would not introduce a new receptor, could the Applicant please explain the relevance of the Standard in this case?	The extract from BS4142 para 8.5 is considered relevant in discussing the existing industrial noise environment, with particular regard to the recently constructed residential receptors near the wider industrial site, which now form the nearest NSRs
Q1.7.5	Applicant	The heading 'Threshold Value1' in Table 7.2 of the ES [APP-009] does not have an accompanying reference. Can the Applicant please clarify this reference?	This has been omitted in error and should be as follows: "1. A potential significant effect is indicated if the LAeq, T noise level arising from the site exceeds the threshold level for the category appropriate to the ambient noise level."
Q1.7.6	Swale Borough Council	Paragraph 7.3.16 of the ES states that nine residential noise sensitive receptors within a 1km buffer of the proposed development were identified as being representative of the wider area. Would SBC please comment on the locations which were identified? Were the locations agreed with SBCI? If not, would the Council comment on the suitability of the locations? (Note that reference is made to Figure 7.2 whereas the locations are shown on Figure 7.1.)	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.7.7	Applicant	Paragraph 7.4.1 of the ES [APP-009] states that the nearest residential receptors to the site are approximately 600m away. Elsewhere in the ES reference is made to the nearest residential properties being approximately 500m from the site and the Planning Statement indicates at paragraph 18.4.4 [APP-057] that the closest residential properties to the construction zone are 500m away. Could the Applicant please clarify the distance?	600m is approximately the distance from the nearest NSR to the proposed CHP buildings. The edge of the development site is closer than this. Distances as modelled are from geo-referenced sources, and not subject to this approximation or ambiguity.

Q1.7.8	Applicant	Paragraph 7.4.6 of the ES [APP-009] states that Public Rights of Way and parkland are considered to be of low sensitivity. Could the Applicant please explain why this is the case. In addition, please confirm whether Church Marshes Country Park is now known as Milton Creek Country Park or vice versa?	With regard to human response to noise & vibration, the result of adverse effects is low when in parks / PRoW, compared to a similar level of adverse effect at a residential NSR, and are therefore classed as low sensitivity. Church Marshes Country Park is now known and Milton Creek Country Park.
Q1.7.9	Applicant	Table 7.9 of the ES [APP-009] sets out typical construction plant noise levels. The Applicant is asked to explain the reference to dB SPL @ 10m and why this standard is used here?	The "dB SPL @ 10m " is the Activity LAeq,T, and is defined in BS 5228 as "value of the equivalent continuous A-weighted sound pressure level determined at a distance of 10 m from, and over the period of, a given activity". Source levels given in BS5228 are primarily quoted using this metric.
Q1.7.10	Applicant	According to paragraph 7.6.27 of the ES [APP-009] it is expected that the steam valve safety system for K4 will be used less than that for K1, although it would have a noise source level of 130 dB LwA. The Applicant is asked to explain whether this is an existing system or a new one associated with K4. What consideration, if any, has been given to mitigating the noise emanating from the system?	K4 will have its own high-pressure steam release valve. Consideration has been given to its mitigation, however Its operation is predicted to be sufficiently infrequent that no mitigation is reasonably necessary.
Q1.7.11	Applicant	In Table 7.13 of the ES [APP-009] item (f) indicates that the dB LpA at 1m is 85*. The Applicant is asked to explain what [*] represents?	Omitted in error and should state: *Based on the contractually agreed sound level inside the machine hall"
Q1.7.12	Applicant	In the final two columns of Tables 7.14, 7.15 and 7.16 of the ES [APP-009] the representative residual sound level and the noise change arising from the operational assessment for different scenarios are presented. Could the Applicant please explain on what basis these have been calculated?	As set out in para 7.6.26: Scenario 1: During normal CHP operation, heat in the form of steam is provided to the Paper Mill, which provides the necessary cooling to sustain the electrical generation process. Scenario 2: Should the Paper Mill not require heat when the CHP is in operation (due to sudden change in Paper Mill operation), then the CHP will bring into action the Dump

			Condenser array, which is a significant additional source of noise. Scenario 3: In exceptional (emergency) circumstance, such as the sudden non-operation of the turbine, it is necessary to vent all steam to atmosphere. This is done through steam safety valve system.
Q1.7.13	Applicant	Paragraph 7.6.30 of the ES [APP-009] states that a zero rating dB correction is applied for the dump condenser operation which is identified as a significant additional source of noise in 7.6.26. Could the Applicant please explain why in paragraph 7.6.36 it is stated that during normal operation with the dump condenser operation, a maximum rating difference between the specific rating level and representative background level of+4dB is predicted.	Following BS 4142: a rating correction based on the character of the noise is applied to the predicted noise level, to give a rating noise level LAeq,Tr . The rating difference is the difference between the rating noise level and representative background. The "rating correction" and the "rating difference" are not the same thing.
Q1.7.14	Applicant	Paragraph 7.6.38 of the ES [APP-009] describes the situation where the dump condenser and steam release valve would be operating resulting in a maximum rating difference between the specific rating level and representative background level of +28dB. Could the Applicant clarify on what basis would the addition of noise from K4 result in a noise increase of no more than 15bB?	For Scenario 3: The +28 dB is the difference between the rating level LAeq,Tr and the representative background LA90, as per the BS 4142 assessment, and isn't a measure of noise change. The increase of +15 dB is the noise change, when noise from scenario 3 is added to the existing LAeq level.
Q1.7.15	Applicant	At paragraph 7.6.39 the ES [APP-009] assesses the noise levels arising from the steam valve safety system as being a major adverse impact which could result in sleep disturbance and general annoyance. Could the Applicant please expand on the reasoning provided in paragraph 7.6.40 as to why this has been assessed as having no more than a slight adverse effect.	The operation of the emergency valve is predicted to be sufficiently infrequent that overall effect is no more than slight adverse, when considering the context.

Q1.7.16	Applicant	Paragraph 11.4.28 of the Planning Statement [APP-057] indicates that the noise levels from the emergency release valve would reach between 69 and 79 dB Lamax within the local wildlife site. It is acknowledged that such a noise level is close to the threshold of 80 dB Lamax where an impact would be expected. The Applicant is asked whether a margin of error within the noise model could indicate that the threshold had been exceeded. If so, what would be the effect of such an impact? Would mitigation be required and if so, what form would it take and how would it be secured?	The operation of the emergency valve is predicted to be sufficiently infrequent that were the level to exceed 80 dB LAmax, no significant ecological adverse effect would occur.
Q1.7.17	Applicant	How are the figures in paragraphs 7.6.34-7.6.39 of the ES [APP-009] derived from Tables 7.14-7.16? Could the Applicant please clarify?	The numbers in the paragraphs are the maximum of the columns "Rating / Background Level Difference dB" and "Noise Change LAeq dB" for the three tables/scenarios.
Q1.7.18	Applicant	Paragraph 7.6.44 of the ES [APP-009] indicates that no non-residential noise sensitive receptors have been identified as being sensitive to vibration including the Public Right of Way. Could the Applicant please explain why this is the case?	Given the low magnitude of vibration levels predicted from operation, all other non-residential NSR are identified as being of negligible risk of adverse effect, being not sensitive to that low a magnitude of vibration.
Q1.7.19	Applicant	Figure 7.1 of the ES [APP-009] shows the location of avian receivers. Could the Applicant please explain where in the ES is the effect of noise on these avian receivers considered?	Predictions from the noise model were passed to the Ecology team. Avian receptors are considered within the Ecology Chapter.
Q1.7.20	Applicant	Figures 7.4-7.6 of the ES [APP-009] include within 'signs and symbols', the terms 'façade as source', 'roof as source' and 'embedded façade source'. The Applicant is asked to identify where these terms are addressed in Chapter 7 of the ES?	The internal plant identified within Table 7.13 Operational Noise Source Levels is split within the noise model as one of: façade as source; roof as source; and embedded façade source, depending whether their noise is emitted through a facade, through the roof, or through a section of a facade (such as a louvre). The distinction within the assessment is

			not relevant, but the noise model output shows and labels these facade areas.
Q1.7.21	Applicant	Could the Applicant explain whether or not the operational noise assessment has taken account of the annual consolidated major maintenance programme as outlined in paragraphs 2.9.9 – 2.9.11 of the ES [APP-008]? If it has, what would be the impact of such works and how would any short term impacts be mitigated, if necessary. If not, why not?	Maintenance would be scheduled and controlled during daytime hours and such as to not result in any significant noise impact. The likely noise emissions would likely be below that associated with construction.
Q1.7.22	Applicant	Could the Applicant please explain what Lpa and Lwa mean in Table 7.13?	Lpa is the sound pressure level (A-weighted); Lwa is the sound power level (A-weighted). Both can be used to characterise plant noise emission, for example as in European Machinery Directive 2006/42/EC and Outdoor Noise Directive 2000/14/EC.
8 - Traffic and Transport			
Q1.8.1	Applicant	Work No. 4 provides for the retention and continued use of an internal access and haulage road. Could the Applicant explain why it is necessary to seek powers for this use through the DCO?	Given the layout of the site and the position of the internal access and haul road between the construction compound area in the north and the area of the proposed plant to the south, the Applicant considered it sensible to allocate the road its own Work number in the dDCO. It would not have been appropriate to label the road as one of the other Works and in the Applicant's view it would have been undesirable to leave a relatively large area unlabelled on the Works Plans. The inclusion of Work No. 4 clarifies what will take place within this area and avoids any risk of a question arising subsequently about whether or not the use of the haul road for the construction of K4 is authorised.
Q1.8.2	Applicant	Table 3.2 of the ES [APP-009] lists 21 cumulative sites considered in the EIA. Can the Applicant confirm whether all were taken account	Section 4.10 of the ES considers the traffic and transport effects of all of the cumulative sites listed in Section 3.9 of the ES. For those sites, those that would generate a level of traffic that require an assessment of traffic as part of their application and which could be generated during the K4

		of in the transport cumulative assessment and if they were not, why not?	construction assessment year were included within the cumulative assessment. Those sites that would not generate a level of traffic that require an assessment of traffic as part of their application and which would not be generated during the K4 construction assessment year were not included.
Q1.8.3	Applicant	Paragraph 3.13.1 of the Applicant's Scoping Report (Appendix 3.1) [APP-012] indicated that the ES would include details of alternatives considered including access arrangements. Could the Applicant please demonstrate that alternative access arrangements were considered in the ES.	Although alternative access arrangements have been considered, they have not been reported in the ES. There are existing access roads from the public highway to the construction site area and these will be utilised rather than constructing any new access roads or access junctions (i.e. an alternative access).
Q1.8.4	Applicant	Section 3.4 (page 22) of the Scoping Response [APP-013] indicated that trips resulting from waste generated at the site during construction and decommissioning should be included in the assessment. Could the Applicant please demonstrate where this has been assessed.	Paragraph 4.6.3 of the ES confirms that waste has been included in the traffic generation calculation.
Q1.8.5	Applicant	Paragraph 2.6 of Appendix 3.4 [APP-015] states that 'the construction of K4 will utilise the existing accesses to the Mill: one from the north of the site and another from the west'. The same statement occurs in paragraph 2.6 of the Transport Assessment [APP-017]. The Applicant is asked to explain how this proposed split is intended to work? Why has only the northern access been included in the Order limits?	There is a staff car park located on the western side of the site and all staff will access from the west to the car park. All HGVs will access via the northern access. This segregates construction HGVs from the wider DS Smith HGVs within their operational paper mill and avoids the construction HGVs having to cross the DS Smith weighbridge and interfering with those operations. No works are required to the accesses, and as the use of them will not be changing and there is no need to include them within the order limits.

Q1.8.6	Applicant	Paragraph 20.3.6 of the DAS [APP-058] and paragraph 4.6.9 of the ES [APP-009] indicate that it is assumed that construction would generate an average of 85 construction staff arriving and departing by car each day from the K4 site and 170 staff travelling at the construction peak. Paragraph 4.8.2 of the ES outlines measures to manage construction vehicles through the CEMP and refers to 'car sharing / minibus / collection / drop-off arrangements'. Can the Applicant confirm what assumptions have been made about car share and how this be promoted? Where on the DS Smith site will contractors park and is there sufficient existing parking to accommodate this increase?	Estimations within the ES and the Transport Assessment of staff car movements have been made on a robust basis for assessment purposes only. Paragraphs 4.65 to 4.69 of the ES and Section 6 of the Transport Assessment explains the estimations made. Construction workers typically car share to construction sites and such car sharing levels are higher than other commuters. Estimations on construction staff travel mode have been based upon local journey to work statistics from the 2011 Census. This does not take full regard to construction staff and thus overestimates the number of construction vehicle movements. For the purposes of assessment, this overestimate is robust. Construction staff will park within the DS Smith staff car park on the western side of the mill, where there are available spaces throughout the day. The Construction Traffic Management Plan will make provisions for the site manager to monitor parking and to manage this accordingly to ensure there is no overspill. Requirement 8 of the dDCO will be amended to secure the delivery for a travel plan for contractors and submitted at deadline 3.
Q1.8.7	Applicant	The response of Kent County Council as S42 Statutory Consultee in Appendix 3.4 of the ES [APP-015] makes reference to the appropriateness of a small-scale Travel Plan being produced. In their response the Applicant stated that the scope of the CTMP had been amended to reflect the Council's request [APP-016]. Could the Applicant please demonstrate where this commitment is made in the ES, the scope of the small-scale Travel Plan, and how this would be secured?	The preparation of a CTMP forms Requirement 8 within the draft DCO. The CTMP will include a small-scale Travel Plan.

Q1.8.8	Applicant	Paragraph 20.3.10 of the DAS [APP-058] and paragraphs 4.6.38-4.6.39 of the ES indicate that when operational K4 would only generate the need for occasional ad-hoc maintenance vehicles. As such it was stated that there was no need for a formal assessment as there would be no impact on the road network. Similarly, paragraph 3.17 of the Transport Assessment [APP-017] states that there is no requirement for any on-site staff when K4 is operational. Could the Applicant confirm whether or not this statement is contradicted by the annual maintenance requirement as set out in paragraph 2.9.11 of the ES [APP-009] which states that up to 50 contractors would be on site?	Paragraph 4.8.4 of the ES states 'As set out above, K4 will only generate a small number of vehicles associated with maintenance during operation. There is no requirement for any transport related mitigation measures when K4 is operational'. Maintenance visits will be irregular and will not be a daily occurrence, as explained in paragraphs 2.9.5 to 2.9.12 of the ES. The gas turbine will have minor maintenance once per annum and major maintenance once every 3 to 4 years with 10-15 technicians on site. The HRSG will be inspected and maintained on a yearly basis with up to 10 technicians on site. The steam turbine has typical inspection interval of 5 years for minor inspection and 10 years for major inspection with 10-15 technicians on site. The auxiliary boilers and medium pressure boiler will be inspected on a yearly basis with up to 10 technicians on site. These frequencies are rare, can be considered as irregular and will not have any lasting effect upon the operation of the highway network, thus no assessment is necessary.
Q1.8.9	Applicant	Reference is made throughout the application documents (including at paragraph 4.10.8 of the ES [APP-009]) to a proposed road link within the Kemsley Paper Mill site. Could the Applicant please confirm the current position with regard to the road link and provide a plan showing its location. What is the purpose of the proposed road and how would it affect traffic movements within and in the vicinity of the site?	A planning application has been made to Swale Borough Council for a new road within the Mill to improve HGV movement. The road is entirely within the Mill site and would replace an existing section of road which is difficult for HGVs to negotiate. The new road would not generate any traffic as such and it would simply improve the existing internal road network for HGVs.
Q1.8.10	Applicant	A total of approximately 15 abnormal indivisible loads (AIL) are predicted during construction (ES paragraph 4.6.4 [APP-009]).	The movements of AILs along the highway require permission from Highways England and this permission is separate to permissions granted via a DCO. After the detailed design of the equipment has been undertaken, the transport

		Has consideration been given to transportation by water for AILs? Have discussions taken place with the AIL team at Highways England? If not, why not. Has consideration been given to the use of rail infrastructure during construction as identified by SBC in their RR [RR-008]?	requirements can be identified and the AIL vehicle can then be determined. Before the detailed design, it is not possible to confirm the AIL vehicle and thus it is not possible to agree matters with the AIL team at Highways England. There have been a number of AILs to the area, associated with the wider site over the years and paragraph 3.23 of the Transport Assessment sets out a recent very large AIL to the nearby area, indicating that such large AILs can access the area. After the detailed design has been undertaken and prior to the delivery, the due permissions will be sought from Highways England through their normal process. There is not considered to be a viable means of bringing AILs to site via rail or barge.
Q1.8.11	Applicant	Paragraph 4.7.2 of the ES [APP-009] states that 'a Demolition Management Plan will be prepared and the transport related contents agreed with Highways Officers prior to decommissioning'. The Applicant is asked to confirm how this will this be secured through the DCO?	The Applicant is not able to say when or how the demolition of K4 might take place and as it does not form part of the development for which consent is sought it would not be appropriate to include a requirement relating to it. Any requirement for a Demolition Management Plan would be secured in the relevant consent authorising demolition.
Q1.8.12	Applicant	Figure 4.1 of the ES [APP-009] is a Site Location Plan. Whilst it identifies a number of the roads named in section 4 of the ES some are omitted. For example some of the roads named in Links 1-9 (paragraph 4.4.30) are not identified on Figure 4.1. Other roads which are not named on the plan include Grovehurst Road, Ridham Avenue, Reams Way, Lloyd Drive and Castle Road. The Applicant should review section 4 and revise Figure 4.1 to ensure that all named roads are included.	Figure 4.1 has been updated and submitted as part of Deadline 2.

Q1.8.13	Kent County Council	Paragraph 6.10 of the Transport Assessment [APP-017] states that construction HGV movements will be generated throughout the day and will be typically spread fairly evenly in terms of hourly movements. Would the highway authority please comment on this spread of HGV movements?	The applicant has reviewed this question and does not consider it necessary to comment.
9 - Water Environment			
Q1.9.1	Applicant Environment Agency	The ES, at paragraphs 2.7.4-2.7.6 [APP-009], indicates that any excess process water from the CHP will be conveyed to the Mill's existing Waste Water Treatment Facilities which is controlled by an EA permit. In addition the process water for K4 is intended to use ground water abstracted in accordance with an EA permit. The Applicant has indicated that there will be less excess water by way of volume comparing K4 with K1 and that less water will be abstracted. What evidence is there to support this position? In responding please quantify the volumes involved for the existing situation and for the proposed development. The Applicant and the EA are asked to confirm what discussions have taken place about the effect of the proposed development on the existing permit? This should be addressed in a response to this Question and in a Statement of Common Ground. Existing water abstraction and discharges are allowed under EA permits 9/40/02/0021/GR and EPR BJ74681C- V009, respectively, and it is anticipated that K4 could operate according to the terms of those permits. Please can the Applicant clarify whether the limits in the permits would allow for both K1 and K4 to operate together, and whether	Please see Q1.4.2.

		the period of time where both plants would operate simultaneously has been assessed, and if not provide such an assessment.	
Q1.9.2	Applicant Environment Agency	A piling risk assessment is proposed to be undertaken to identify an appropriate method of piling which would minimise any downward migration of contamination. This would be secured through R12(1) of the dDCO [APP- 005]. Could the Applicant and the EA comment on whether or not the reference in R12(1) provides sufficient guidance as to the scope of the piling risk assessment as a means of preventing downward migration of contamination?	See Q1.5.1 to Q1.5.3
Q1.9.3	Applicant Environment Agency	Paragraph 22.4.2 of the DAS [APP-058] refers to R11 and the reference to Table 9-17 of the ES which addresses mitigation measures during the operational phase. Although mentioned in paragraph 22.4.2, there is no mention of a Surface Water Management Plan in Table 9-17. This is referred to in Table 9-16 which addresses mitigation during the construction phase. The Applicant is asked whether Table 9.16 which also identifies the need for a Flood Management Plan should also be referenced in R11? If not, why not? Alternatively, is there a need for a separate requirement to address drainage during construction? Could the EA comment on the scope of Tables 9-16 and 9-17 as proposed mitigation measures?	Management of construction run-off is outlined within the CEMP Section 4.4.2. Specific details to be agreed with the EA are set out in the OCEMP secured by the DCO (Requirement 7). . Operational run-off to be managed by a surface water drainage scheme. Specific details of which to be secured within the DCO via requirement 11. The reference to a flood management plan is included in Table 9.17 with regard to the operational phase.

Q1.9.4	Applicant	Paragraph 4.1.5 of the Statement of Statutory Nuisances [APP-059] indicates that the ES [APP-009] sets out that various documents which should be produced and implemented to safeguard the water environment. The list does not correspond directly with Table 9-17 as the latter does not include an operational management plan. The Applicant is asked should Table 9-17 include reference to an operational management plan and if so what should the plan cover? Table 9-17 also references Flood Evacuation Plan. Why was this not referred to in paragraph 4.1.5 of the Statement of Statutory Nuisances?	Reference to an operational management plan is a discrepancy and has not been identified in the technical assessment. Reference to an operational management plan in the Statement of Statutory nuisance should state Flood Evacuation Plan. This has been amended in the Statement of Statutory Nuisance resubmitted at Deadline 2.
Q1.9.5	Applicant	Paragraphs 2.7.4 and 9.7.51 of the ES [APP-009] describe how K4 would use abstracted groundwater stored in the lagoons immediately south of the site. The Applicant is asked to explain why the lagoons were not included within the Order limits?	The tie in point for water from the lagoons is within the Order limits defined and so the lagoons themselves are not necessitated within the Order limits.
Q1.9.6	Applicant Environment Agency	As set out in paragraphs 9.3.3 and 9.3.28 of the ES [APP-009] the methodology for the assessment of development impacts is based on guidance provided in the Design Manual for Roads and Bridges. The Applicant and the EA are asked to comment on the appropriateness of this methodology for the assessment of hydrology and flood risk?	This is an industry standard approach, which also takes into consideration requirements stipulated within the NPPF, PPG ID 7 and the SuDS Manual (2015).
Q1.9.7	Environment Agency	Paragraph 9.4.18 of the ES [APP-009] indicates that the EA has confirmed that they have no record of groundwater flooding within the proposed development. Can the EA please confirm this?	This has been informed by the data received though the product 4 request to the EA.

Q1.9.8	Applicant	It is stated in paragraph 9.4.20 of the ES [APP-009] that an increase in impermeable area associated with the proposed development would increase the potential risk of uncontrolled surface water flood risk. Paragraph 9.7.6 indicates that a temporary increase in less permeable area may occur due to the construction compounds. Could the Applicant explain whether there would be any permanent increase in impermeable or less permeable surfacing as a result of the proposed development? Is the current surface of the construction compound area permeable?	This is an error and there will be no permanent or otherwise increase in impermeable area.
Q1.9.9	Applicant	Table 9-14 of the ES [APP-009] sets out standard mitigation measures to be adopted during the construction of the proposed development. The Applicant is asked to confirm whether or not these measures have been incorporated into the CEMP? If they have, please cross reference to where they can be found. If not, why not? Alternatively, should they be subject to a separate requirement in the DCO?	The specific measures listed in the documents provided in Table 9-14 are included at section 4.4.2 of the dCEMP.
Q1.9.10	Applicant	In Table 9-14 of the ES [APP-009] reference is made to a Decommissioning Plan including a Decommissioning Environmental Management Plan to be produced and agreed with the EA as part of the environmental permitting and site surrender process. The Applicant and the EA are asked for their views on how the Decommissioning Plan should be secured? Should it be the subject of a separate requirement? For clarity, does this relate to decommissioning of K1 or the proposed K4?	See response to Q.1.1.11. this relates to K4 only.

Q1.9.11	Environment Agency	Can the EA confirm that, as set out in paragraph 9.7.37 of the ES [APP-009] that there is no need for the proposed development to reduce existing run-off rates? If not, why not?	
Q1.9.12	Applicant	Chapter 9 of the ES [APP-009] does not provide an overall summary or conclusions regarding the water environment. The Applicant is asked to review whether or not there is a need for further comment.	Chapter 9 at Section 9.9 and 9.10 concludes no significant residual effects. This is the conclusion of the assessment.
Q1.9.13	Applicant	Table 9-16 of the ES [APP-009] refers to a Surface Water Management Plan in Appendix 9.2. However Appendix 9.2 contains flood risk data from the EA. Please could the Applicant please confirm whether they have produced a surface water management plan and provide the missing document if so.	Surface water management has been outlined in the FRA (Appendix 9.1).
Q1.9.14	Applicant	In respect of surface and foul water drainage, Requirement 11 of the dDCO requires written details of the surface and foul water drainage system and this includes the plans and strategies referenced in Table 9-17 of the ES (page 9-29). The Applicant is requested to provide copies of the draft plans described and if not available to explain why such draft plans cannot be provided during the Examination.	Both foul and surface water drainage will connect into the existing client operated system. These plans have not yet been prepared as it would be premature to do so before a detailed site layout has been completed.
Q1.9.15	Applicant	In its RR, [RR-002] the Environment Agency (EA) stated that there is no evidence that a Water Framework Directive (WFD) assessment has been carried out. Would the Applicant accept that no such assessment has been undertaken? Would the Applicant comment on the EA's reasoning why an assessment is required and if accepted, provide an assessment by Deadline 2, or if not agreeing with the EA's reasoning please explain why?	Please see the SOCG submitted as part of Deadline 1 which includes a WFD assessment.

Q1.9.16	Kent County Council	Can Kent County Council as Lead Local Flood Authority confirm whether they are content with the scope, assessment, methodology and conclusions of the Flood Risk Assessment [APP-030]? If not, please provide details of the specific areas of concern and confirm how these should be addressed by the Applicant.	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.9.17	Applicant Environment Agency	The response of Southern Water in Appendix 3.2 of the ES [APP-013] makes a number of observations in respect of the proposed development. These relate to the location of foul sewers, their ownership, the potential need for an application for a connection to be made to the public foul and surface water drainage, the potential for an application for a connection to the public water main, and an assessment of the impact of proposed site activities during construction and when operational on public groundwater resources and surface water quality. Can the Applicant indicate where these matters have been addressed in the applications documents? If they have not been considered please provide a response to Southern Water's comments. The EA is also asked to comment.	Both foul and surface water drainage will connect into the existing client operated system. No new connections to Southern Water assets are require. The final detailed design of the plant is ongoing and the exact layout of the site is yet to be determined. The Applicant will approach Southern Water to agree the acceptability of the development in proximity to Southern Water's assets and advise the ExA accordingly in due course.
Q1.9.18	Applicant Environment Agency	In its RR [RR-005], NE raised the issue of process water being discharged into the Swale noting that it was not clear whether the Environmental Permit was issued before or after the Swale Estuary Marine Conservation Zone (MCZ) was designated. Consequently, NE recommended that an MCZ assessment of the discharge is carried out in accordance with the Marine and Coastal Access Act 2009. Could the Applicant and the EA comment on NE's	An MCZ Assessment has been completed, the conclusion of which is that there would be no effect on the MCZ as there is no pathway for such an effect to occur. This will be submitted as part of the Statement of Common Ground with the Natural England following Deadline 2.

		recommendation. If an assessment is necessary can the Applicant indicate when this will be provided.	
10 - Draft Development Consent Order			
		Annex F to the Rule 6 Letter dated 18 June 2018 provided notice of an Issue Specific Hearing (ISH) on the dDCO which was held on 17 July 2018 (ISH1). Table 1 to Annex G of that letter set out a schedule of issues and questions for examination at ISH1. The examination timetable provides that matters raised orally in response to that schedule are to be submitted in writing by Deadline 1: Tuesday 31 July 2018. Comments on any matters set out in those submissions are to be provided by Deadline 2: Tuesday 21 August 2018, which is the same as the deadline for responses to these questions. IPs who participated in ISH1 and consider that their issues have already been drawn to the ExA's attention do not need to reiterate their issues in response to the question below. IPs are requested to review the Deadline 1 written submissions arising from ISH1 before responding to the question below. Matters set out in Deadline 1 written submissions arising from ISH1 are best responded to in Deadline 2 comments rather than on responses to the following question, which aims to capture matters that were not raised at ISH1.	
Q1.10.1	IPs	With respect to matters raised in RRs or WRs but which were not discussed in ISH1 and in your view require changes to the dDCO please identify the changes that you require, referring to Articles, Requirements and any other provisions as necessary, providing your preferred drafting where possible and explain why it is proposed and what it aims to achieve.	The applicant has reviewed this question and does not consider it necessary to comment.

		Please cross-reference responses to this question to your RR, WR and to other questions in ExQ1 as necessary.	
11 - Other Matters			
Q1.11.1	Applicant	In section 6 of the application form [APP-003] the construction site is described as being 1.4ka of hardstanding in the south east part of the Paper Mill site. Elsewhere, in the ground condition desk study (Table 2.1 [APP-029] the site area is described as being 7.33ha whilst in paragraph 11.4.1 of the ES [APP-009] it is described as being 5.55ha. Could the Applicant please provide measurements of the area of land within the Order Limits / application boundary as shown on the Land Plan [APP-039] and the individual areas identified as Work Nos 1-5 as shown on the Works Plans [AS-003].	Order limits = 6.67ha., Work No. 1 = 0.86ha, Work No.2 = 3.96ha, Work No.3 = 2.05ha, Work No.4 = 0.66ha, Work No.5 = 0.12ha.
Q1.11.2	Applicant	The Applicant's covering latter [APP-001] states that the K4 plant would have a nominal power output of 68-83 Megawatts. Section 5 of the Application Form [APP-003] identifies that the plant would comprise a gas turbine of 52-57 Megawatts nominal power output, waste heat recovery boilers providing 105MWth steam and a steam turbine of 16MW nominal power output. Could the Applicant please confirm whether or not these two documents are consistent and explain the difference between the figures.	52-57MW power output plus 16MW power output totalling 68-73MW power output.

Q1.11.3	Applicant	R6 of the dDCO [APP-005] makes provision for the decommissioning of the existing gas-fired K1 CHP plant and as the Applicant's covering letter [APP-001] confirms, this would make K1 inoperable. However, no physical demolition of the structure is proposed as part of the DCO. Could the Applicant please demonstrate that the decommissioning of K1 has been fully addressed, as has the dual operation of K1 and K4, through the ES and HRA and explain why it is not proposed to demolish K1.	The decommissioning of K1 which constitutes making it in-operable only does not have the potential for adverse effects on the environment. The dual operation of K1 and K4 has the potential for effects on air quality (including consequential effects on ecology), noise, and the water environment. **Air quality -** This has been addressed in the air quality chapter at 5.6.30 -36. This air quality data has been used to inform the HRA. **Noise -**Were K1 and K4 operate concurrently at full capacity, their combined noise levels may be greater than that of K1 or K4 alone. Considering them against the operational criteria: the maximum increase of the two combined, however, can be no greater than +3 dB above that for the noisier alone, and in practice would be less than +3 dB. K1 during normal operations, and as previously modelled does not exceed the representative background, day or night at any residential receptor. Likewise, K4 during normal operations does not exceed the representative background, day or night. A maximum increase of both combined, therefore is no more than +3 dB above representative background, which is within the adopted criteria limit of +5 dB above background. **Water environment** - See Q1.4.2. **Ecology -** Noise levels from K1 and K4 during general operation are more or less constant. Therefore, even if relatively loud while operating together during the commissioning period, birds would habituate as there would not be the sudden, impulsive noise that might illicit a startle response. The resulting noise from K1 and K4 both operating could be no more than a 3 dB increase above the noise resulting from just the noisier of the two. This would not therefore result in a likely significant effect on the SPA and Ramsar sites. The only such noise of any consequence would

			be the steam release valves from the two facilities which would occur so rarely during commissioning as to be inconsequential. The future timing of and arrangements for demolition are commercial matters for the Applicant but are not priority considerations at present. The current priority for the Applicant is to secure the replacement of K1 with the authorised development, to ensure the continued operation of the paper mill. The demolition of K1 would be a substantial project in its own right and would require a significant amount of planning and preparation. The Applicant would need to consider, for example, complex matters such as the method and timing of demolition; how each piece of equipment is to be disposed of (for example, whether it is to be scrapped or sold); who would carry out the demolition (including potentially going through procurement processes for contractors) and dispose of, or buy, the equipment; and what consents and impact assessments are required. These matters have not been considered by the Applicant at this stage. The application documents have not assessed demolition and no statutory consultee has suggested that they should.
Q1.11.4	Applicant	The EM at paragraph 4.3 [APP-006] describes Work No 2 as comprising 'the retention, connection into and continued operation of a number of existing elements, the majority of which are in association with the K1 generating station'. Paragraph 2.9.1 of the ES [APP-009] describes K4 as being operational in the summer/Autumn of 2021 with the commissioning/decommissioning of K4/K1 anticipated as commencing 6 months earlier. Section 3.11 indicates that post-full commission of K4, K1 would be fully decommissioned, and that this would involve actions which	The K1 exhaust gas path consists of two flues within a single wind-shied connected to Waste Heat Recovery Boilers "A" and "B". Removing the interposing ducting effectively isolates the boilers from their exhaust gas paths. The K1 Gas Turbine unit is also equipped with a small blast stack for open cycle operation and this can be isolated internally via the installed diverting damper system (fuel blanking effectively prevents further operation, see below) . K4 has been designed with its own flue which is of a separate construction so is not impacted by removal of the K1 ducting.

		would effectively render the redundant K1 equipment inoperable, as it would be fully isolated from its associated fuel source and exhaust gas path. The Applicant is asked to explain how K1 and K4 could operate together if both plants would be unable to access the fuel source and exhaust gas path simultaneously. What would happen to the connections when K1 is decommissioned? Could K1 be fully decommissioned if connections between K1 and K4 are still required?	Secondly, the fuel supply (natural gas) enters the site from the grid station to a common receiving / conditioning station which in turn feeds gas to individual equipment local control skids. It is proposed to isolate and blank the gas lines from the central receiving / conditioning station to the relevant local skids. This allows the K1 "A" and "B" waste heat recovery boilers and the Gas Turbine to be permanently isolated / disconnected whilst enabling the gas supply to the package boilers and K4 to remain in service.
Q1.11.5	Applicant	Paragraph 15.3 of the DAS [APP-058] states that the proposed K4 CHP plant is expected to have a very high level of efficiency of circa 94%. Paragraph 2.5.19 of the ES [APP-009] describes the anticipated uptime for K4 alone as being circa 96%. Is there a discrepancy between these figures or do they represent different features? How have these figures been arrived at?	There is no discrepancy 96% uptime relates to the number of hours it can operate per annum. 94% efficiency relates to the efficiency of the process from inputs (gas) to output (steam and electricity).
Q1.11.6	Applicant	Can the Applicant please explain the comment in 2.7.3 of the ES [APP-009] that the export of electricity will be via the LP and MP manifolds?	This should say via the cable tray for electrical connection to 33kV switch yard to grid connection point shown a (t) on Figure 2.12. This has been corrected and an amended Chapter 2 submitted as part of Deadline 2.
Q1.11.7	Applicant	The Scoping Opinion (page 46) [APP-013] states that the potential for significant effects to the environment from electromagnetism / radiation should be scoped into the ES. The Applicant indicated in their response at Appendix 3.3 (page 24) [APP-014] indicated that as the design specification for all electrical equipment would be compliant with Council Recommendation 1999/519/EC or harmonised electromagnetic field (EMF) standards, EMF could be scoped out of the EIA.	Public Health England were subject to consultation as part of S56 and have confirmed in their relevant representation that they have no additional comments to make and they have chosen not to register an interest with the Planning Inspectorate. Moreover, these are legal regulations rather than simple standards and thus will be compliance necessitated and, on this basis, no likely significant effects are envisaged.

		The Applicant is asked to demonstrate that Public Health England is content with this approach and that their scoping consultation response has been addressed.	
Q1.11.8	Applicant	The response of Southern Gas Networks as S42 Statutory Consultee in Appendix 3.4 of the ES [APP-015] makes reference to a gas main encroaching onto the DCO land a plan showing the route of the high pressure pipeline being enclosed. Can the Applicant please provide a copy of that plan?	The Southern Gas Network Plan and covering email is attached as Appendix 2. The applicant has been in further discussions with SGN regarding their asset and the draft DCO to be submitted at Deadline 3 will include an additional requirement which prevents any work involving excavation taking place within 3 metres of gas apparatus owned by SGN unless written consent is first obtained. SGN have reviewed and are satisfied with that proposed requirement.
Q1.11.9	Applicant	The response of UK Power Networks as S42 Statutory Consultee in Appendix 3.4 of the ES [APP-015] makes reference to the enclosure of records which show the electrical lines and / or electrical plant. These do not appear to have been provided. Can the Applicant please provide a copy of these records.	This is provided as Appendix 3.
Q1.11.10	Swale Borough Council	Paragraph 5.4.1 of the DAS [APP-058] indicates that no development consent obligations are proposed between the Applicant and the Council as none are considered necessary to make the proposed development acceptable in planning terms. Does the Council share this view? If not, what obligations would be required?	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.11.11	Applicant	Paragraph 6.6.4 of the ES [APP-009] states that it is expected that K4 would provide a 16% reduction in total net greenhouse gas emissions in its first operating year with a 22% reduction in intensity per MWh and a 12% reduction over an operating lifetime of around 25 years with an 18% reduction in intensity.	This is the change in GHG emissions with the Proposed Development compared to the future baseline (i.e. Table 6.6 subtracted from Table 6.5), divided by the future baseline (Table 6.5) to give a percentage change. So for the first operating year this is:

		Can the Applicant please explain how these figures have been derived?	362 ktCO2e - 306 ktCO2e = 56 ktCO2e reduction. 56 / 362 = 0.16*. The equivalent calculation applies to each of the other percentage reductions stated. *with calculation on un-rounded totals
Q1.11.12	Applicant	Paragraph 17.3.13 of the DAS [APP-058] states that it is 'anticipated that a suitable condition would be imposed in respect of contamination on any planning permission issued for the proposed internal road, which alongside [R12] ensures that the issue of potential contamination will be appropriately dealt with should the existing K4 site surface be broken up as part of works undertaken under a DCO or planning permission'. Can the Applicant please provide an update on this statement reflecting the evolving plans for the proposed road.	The road application is due to be determined by Swale Borough of the 22nd of August 2018. An update will be available at Deadline 3.
Q1.11.12	Environment Agency	Paragraph 17.3.13 of the DAS [APP-058] states that it is 'anticipated that a suitable condition would be imposed in respect of contamination on any planning permission issued for the proposed internal road, which alongside [R12] ensures that the issue of potential contamination will be appropriately dealt with should the existing K4 site surface be broken up as part of works undertaken under a DCO or planning permission'. Can the Applicant please provide an update on this statement reflecting the evolving plans for the proposed road.	The applicant has reviewed this question and does not consider it necessary to comment.
Q1.11.13	Applicant	Paragraph 2.8.2 of the ES [APP-009] states that spoil generated from the proposed development will be used on site.	In the event spoil is generated at the site during construction due to removal of concrete surfacing or trench excavation it is proposed that subject to the suitability of the material it will

		Can the Applicant please explain where will this spoil be used and for what purpose?	be used as sub base or fill material during the construction operations at the K4 site or at the wider paper mill site.
Q1.11.14	Applicant	Paragraph 6.3.38 of the ES [APP-009] indicates that the operational overlap between the existing K1 and the proposed development has not been assessed with reasons given. However, these reasons conflict with the approach adopted with respect to air quality in paragraph 5.6.30 of the ES. Can the Applicant please explain why.	Paragraphs 5.6.30 and 6.3.38 are consistent in noting that K1 and K4 could possibly operate simultaneously for a short period, in the order of months. The months when the overlap would occur are unknown. Therefore, the likely meteorological conditions during the period of overlap are unknown. Annual-mean NO2 concentrations and 99.79th percentile of hourly-mean NO2 concentrations have been predicted assuming that K4 and K1 would operate simultaneously, at full capacity for an entire year. By predicting pollutant concentrations for an entire year, all likely meteorological conditions have been considered. While both K1 and K4 are not expected to operate at full capacity during the period of overlap, it is not possible to estimate the likely proportions of output. The simultaneous operation of K1 and K4 at full capacity for an entire year is therefore a worse-case assumption in the context of the air quality assessment. For calculating GHG emissions over annual and multi-annual periods, this modelling limitation does not apply and realistic assumptions regarding possible overlap of K1 and K4 operation can be considered, which are set out in points (a) and (b) in paragraph 6.3.38.
Q1.11.15	Applicant	Paragraph 6.3.39 of the ES indicates that greenhouse gas emissions arising from the potential deconstruction of K1 following decommissioning are not within the scope of the assessment. Can the Applicant please explain why this is the case.	Deconstruction of K1 is not part of the development for which consent is sought, and a number of elements will be retained. See Work No. 2 and Work No. 5 of the draft DCO.

Q1.11.16	Applicant	Paragraph 6.7.1 of the ES [APP-009] indicates that construction stage effects are not considered to be material to the total life-cycle effect of the proposed development in the absence of construction or design information for the proposed development. The Applicant is asked to explain whether this is sufficient reason to conclude that the construction stage effects are not material particularly given the IEMA guidelines that all greenhouse gas emissions are potentially significant?	Paragraph 6.6.2 explains that, based on review of published life-cycle analyses of similar developments, construction-stage emissions are expected to account for around 1% of total life-cycle GHG emissions and on that basis are considered to be negligible and hence non-material/non-significant, as they would not significantly affect the overall carbon reductions and beneficial effect predicted. Nevertheless, as set out in paragraph 6.7.2, "in consideration of IEMA guidance that all GHG emissions are potentially significant, and government policy seeking GHG emissions reductions across all economic sectors including construction", further construction-stage mitigation measures to minimise GHG emissions have been recommended.
Q1.11.17	Applicant	Could the Applicant confirm what provision is currently made / required in the future for surplus energy to be provided to the National Grid? Have discussions taken place with the grid operator? If so, please explain what stage they have reached; if not, why not?	DS Smith currently has a connection agreement to import and export electricity via the grid. The Kemsley site electrical import capacity will remain as per the current agreement. The K4 electrical export capacity will also remain within the currently agreed capacity. DS Smith intends to open discussions to update the connection agreement to reflect changes to the legal entities but not to alter the agreed capacities.
Q1.11.18	Applicant	ES paragraph 2.8.16 describes a 20 month construction period. It is noted that the Traffic and Transport Chapter considers a construction period of 24 months with a peak construction period of an estimated 6 months, during which there would be an estimated 80 HGV and 250 car movements. Please could the Applicant explain the discrepancy and whether it has any implications for the assessments.	Paragraph 4.6.3 (Traffic and Transport chapter) of the ES sets out that the construction period will be 20 months which is consistent with the duration within paragraph 2.8.16 of the ES.

Q1.11.19	Applicant	Information in the ES regarding demolition activities in respect of K4 is unclear and should be clarified. Please could the Applicant confirm whether or not any demolition work is required in order to build K4. Where demolition work has been described in the ES chapters the Applicant should provide a description of the demolition activities and clarify whether it relates to K1 or K4. It is noted that the dDCO only makes reference to K1.	No demolition work is required to build K4. The demolition of K1 and K4 is not part of this DCO. Accordingly, the dDCO makes no reference to the demolition of K1 or K4, other than requirement 6(2) which confirms that the Applicant is not required to demolish any part of K1 as part of decommissioning it. The dDCO does include in Work Nos. (c) and (f) the demolition of any existing structures, which we understand would be limited to any existing minor structures in the footprint of K4.

APPENDIX 1

Q1.1.19 Summary Table of Effects Prior to and Post Mitigation

Appendix 1 - ExQ1.1.19 Summary table of effects prior to and post mitigation

Traffic and transport

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Construction phase	Negligible / Low	Negligible	Increase in traffic flows	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Traffic Noise and Vibration	short term	Negligible / slight adverse – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Disruption and Driver Delay	short term	Negligible / slight adverse – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Low	Increased Risk of Accidents	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Severance, Intimidation and Pedestrian Delay	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Dust and Dirt	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Visual Effects	short term	Negligible – not significant
Completed Development Effects					
None identified.					

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Construction phase	Negligible / Low	Negligible	Increase in traffic flows	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Traffic Noise and Vibration	short term	Negligible / slight adverse – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Disruption and Driver Delay	short term	Negligible / slight adverse – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Low	Increased Risk of Accidents	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Severance, Intimidation and Pedestrian Delay	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Dust and Dirt	short term	Negligible – not significant
Construction phase (Abnormal Indivisible Loads)	Negligible / Low	Negligible	Visual Effects	short term	Negligible – not significant
Completed Development Effects					
None identified					

Air Quality

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Increase in suspended particulate matter concentrations and deposited dust during the construction phase	Consideration has been given to all low, medium and high sensitivity receptors within 350 m of the site boundary	Low for Earthworks, Construction and Trackout	Adverse	Short-term	Potentially significant
Completed Development Effects					
Increase in NO_2 and CO concentrations during the operational phase	High	Negligible	Adverse	Long-term	Not significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Increase in suspended particulate matter concentrations and deposited dust during the construction phase	Consideration has been given to all low, medium and high sensitivity receptors within 350 m of the site boundary	Negligible	Adverse	Short-term	Not significant
Completed Development Effects					
N/A – no secondary mitigation required.					

Climate change

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Construction-stage GHG emissions	High	Negligible	Adverse	Short-term	Not significant
Completed Development Effects					
Operation-stage GHG emissions	High	-1,088 ktCO2e	Adverse	Long-term	Significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Demolition and Construction Effects					
Construction-stage GHG emissions	High	Negligible	Adverse	Short-term	Not significant
Completed Development Effects					
N/A – no mitigation required.					

Noise

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Construction noise	Medium – Residential & School Low - PRoW	Negligible	Adverse	Short term	Negligible – not significant
Construction vibration	Medium – Residential & School	Negligible	Adverse	Short term	Negligible – not significant
Completed Development Effects					
Operational noise – Normal operation	Medium – Residential & School Low – ProW	Negligible	Adverse	Long term	Negligible – not significant
Operational noise – With Dump Condenser	Medium – Residential & School Low – ProW	Minor	Adverse	Short term	Slight – not significant
Operational noise – Emergency steam release	Medium – Residential & School Low - PRoW	Minor	Adverse	Short term, exceptionally infrequent	Slight – not significant
Operational vibration	Medium – Residential & School	Negligible	Adverse	Long term	Negligible – not significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Construction noise	Medium – Residential & School Low - PRoW	Negligible	Adverse	Short term	Negligible – not significant
Construction vibration	Medium – Residential & School	Negligible	Adverse	Short term	Negligible – not significant
Completed Development Effects					
Operational noise – Normal operation	Medium – Residential & School Low – ProW	Negligible	Adverse	Long term	Negligible – not significant
Operational noise – With Dump Condenser	Medium – Residential & School Low – ProW	Minor	Adverse	Short term	Slight – not significant
Operational noise – Emergency steam release	Medium – Residential & School Low - PRoW	Minor	Adverse	Short term exceptionally infrequent	Slight – not significant
Operational vibration	Medium – Residential & School	Negligible	Adverse	Long term	Negligible – not significant

Ground conditions

Table 1 – Summary of Effects Prior to Mitigation – Ground Conditions

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Ground Contamination Effects on Human Health – Construction Workers	High	Low	Reversible, possible and direct	Short term	Minor adverse -not significant
Ground Contamination Effects on Human Health – Adjacent Site Users	High	Low	Reversible, possible and direct	Short term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Shallow Groundwater	Low	Low	Reversible, possible and direct	Short term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Lambeth Group)	Medium	Low	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Chalk)	High	Low	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Surface Water Quality and Ecological Receptors	High	Negligible	Irreversible, possible and indirect	Long term	Minor adverse -not significant
Ground Gas Effects on Human Health	High	Negligible	Reversible, possible and direct	Short term	Minor adverse -not significant
Completed Development Effects					
Ground Contamination	High	Negligible	Reversible, possible	Long term	Minor adverse -not

Effects on Human Health – Future Site Users			and direct		significant
Ground Contamination Effects on Human Health – Adjacent Site Users	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Shallow Groundwater	Low	Negligible	Reversible, possible and direct	Long term	Negligible – not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Lambeth Group)	Medium	Low	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Chalk)	High	Low	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Surface Water Quality and Ecological Receptors	High	Negligible	Irreversible, possible and indirect	Long term	Minor adverse -not significant
Ground Gas Effects on Human Health	High	Low	Reversible, possible and direct	Long term	Moderate adverse – potentially significant

Table 2 – Summary of Effects After Mitigation – Ground Conditions

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Ground Contamination Effects on Human Health – Construction Workers	High	Negligible	Reversible, possible and direct	Short term	Minor adverse -not significant
Ground Contamination Effects on Human Health – Adjacent Site Users	High	Negligible	Reversible, possible and direct	Short term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Shallow Groundwater	Low	Negligible	Reversible, possible and direct	Short term	Negligible – not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Lambeth Group)	Medium	Negligible	Reversible, possible and direct	Long term	Negligible – not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Chalk)	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Surface Water Quality and Ecological Receptors	High	Negligible	Irreversible, possible and indirect	Long term	Minor adverse -not significant
Ground Gas Effects on Human Health	High	Negligible	Reversible, possible and direct	Short term	Minor adverse -not significant
Completed Development Effects					
Ground Contamination Effects on Human Health – Future Site	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant

Users					
Ground Contamination Effects on Human Health – Adjacent Site Users	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Groundwater – Shallow Groundwater	Low	Negligible	Reversible, possible and direct	Long term	Negligible – not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Lambeth Group)	Medium	Negligible	Reversible, possible and direct	Long term	Negligible – not significant
Ground Contamination Effects on Groundwater – Deep Groundwater (Chalk)	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant
Ground Contamination Effects on Surface Water Quality and Ecological Receptors	High	Negligible	Irreversible, possible and indirect	Long term	Minor adverse -not significant
Ground Gas Effects on Human Health	High	Negligible	Reversible, possible and direct	Long term	Minor adverse -not significant

Water environment

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Impacts which may affect temporary (decommissioning of K1 and construction) flood risk.	High.	Low.	Adverse	Short term	Minor adverse -not significant
The impact of decommissioning of K1 and construction on surface water resources.	High	Negligible	Adverse	Short term	Minor adverse -not significant
The impact of decommissioning of K1 and construction on-site drainage network.	High	Negligible	Adverse	Short term	Negligible adverse – not significant
Completed Development Effects					
Impact of operation on flood risk	High	Negligible	Adverse	Long term	Minor adverse -not significant
Impact of operation on surface watercourses.	High	Negligible	Adverse	Long term	Minor adverse -not significant
Impact on groundwater resources	High	Negligible	Beneficial	Long term	Negligible – not significant
Impact of hot water discharge to the Swale	High	Negligible	Adverse	Long term	Minor adverse -not significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Impacts which may affect temporary (decommissioning of K1 and construction) flood risk.	High.	Low.	Adverse	Short term	Minor adverse -not significant
The impact of decommissioning of K1 and construction on surface water resources.	High	Negligible	Adverse	Short term	Minor adverse -not significant
The impact of decommissioning of K1 and construction on-site drainage network.	High	Negligible	Adverse	Short term	Negligible – not significant
Completed Development Effects					
Impact of operation on flood risk	High	Negligible	Adverse	Long term	Minor adverse -not significant
Impact of operation on surface watercourses.	High	Negligible	Adverse	Long term	Minor adverse -not significant
Impact on groundwater resources	High	Negligible	Beneficial	Long term	Negligible – not significant
Impact of hot water discharge to the Swale	High	Negligible	Adverse	Long term	Minor adverse -not significant

Ecology

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
The Swale SPA – Light spill	Very High	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – Air quality	Very High	Negligible	Dust generation leading to changes in habitat chemical composition	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – disturbance from people / plant	Very High	Negligible	Disturbance from movement causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – Recreational disturbance	Very High	Negligible	Disturbance from humans causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – Noise / vibration	Very High	Negligible	Disturbance from noise/vibration animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – Overshadowing / line of sight	Very High	Negligible	Shadowing of habitats changing microclimate	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA – Flight lines	Very High	Negligible	Risk of collision between birds and buildings	Short-term (duration of construction)	Negligible - Not significant
The Swale SPA –	Very High	Negligible	Increases in pollution	Short-term (duration	Negligible - Not

Water quality			leading to alterations in oxygen content/direct toxicity of animals	of construction)	significant
The Swale SPA – Hydrology	Very High	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Light spill	Very High	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Air quality	Very High	Negligible	Dust generation leading to changes in habitat chemical composition	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – disturbance from people / plant	Very High	Negligible	Disturbance from movement causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Recreational disturbance	Very High	Negligible	Disturbance from humans causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Noise / vibration	Very High	Negligible	Disturbance from noise/vibration animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Overshadowing / line of sight	Very High	Negligible	Shadowing of habitats changing microclimate	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar –	Very High	Negligible	Risk of collision	Short-term (duration	Negligible - Not

Flight lines			between birds and buildings	of construction)	significant
The Swale Ramsar – Water quality	Very High	Negligible	Increases in pollution leading to alterations in oxygen content/direct toxicity of animals	Short-term (duration of construction)	Negligible - Not significant
The Swale Ramsar – Hydrology	Very High	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Short-term (duration of construction)	Negligible - Not significant
Medway Estuary and Marshes SPA – noise / dust	Very High	No effect	N/A	N/A	Negligible - Not significant
Medway Estuary and Marshes Ramsar – noise / dust	Very High	No effect	N/A	N/A	No effect – not significant
Thames Estuary and Marshes SPA – noise / dust / lighting	Very High	No effect	N/A	N/A	No effect – not significant
Outer Thames Estuary SPA – all impacts	Very High	No effect	N/A	N/A	No effect – not significant
Queensdown Warren SAC – all impacts	Very High	No effect	N/A	N/A	No effect – not significant
Swale Estuary MCZ – Drainage	High	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Short-term (duration of construction)	Negligible – not significant
The Swale SSSI – Light spill	High	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Air quality	Very High	Negligible	Dust generation leading to changes in habitat chemical	Short-term (duration of construction)	Negligible - Not significant

			composition		
The Swale SSSI – disturbance from people / plant	High	Negligible	Disturbance from movement causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Recreational disturbance	High	Negligible	Disturbance from humans causing animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Noise / vibration	High	Negligible	Disturbance from noise/vibration animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Overshadowing / line of sight	High	Negligible	Shadowing of habitats changing microclimate	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Flight lines	High	Negligible	Risk of collision between birds and buildings	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Water quality	High	Negligible	Increases in pollution leading to alterations in oxygen content/direct toxicity of animals	Short-term (duration of construction)	Negligible - Not significant
The Swale SSSI – Hydrology	High	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Short-term (duration of construction)	Negligible - Not significant
Medway Estuary and Marshes SSSI – habitat loss	High	No effect	N/A	N/A	No effect – not significant
Medway Estuary and Marshes SSSI – Noise	High	No effect	N/A	N/A	No effect – not significant.

Medway Estuary and Marshes SSSI – Lighting	High	No effect	N/A	N/A	No effect – not significant
Medway Estuary and Marshes SSSI – Disturbance from people and plant movement	High	No effect	N/A	N/A	No effect – not significant
Elmley Island NNR – Dust / noise	High	Negligible	Disturbance from noise/vibration animals to flee, increasing energetic requirements. Dust changing chemical composition of habitats	Short-term (duration of construction)	Negligible – not significant
Breeding birds (Non-SPA) – Noise	Low	No effect	N/A	N/A	No effect – not significant
Milton Creek LWS – Habitat loss	Medium	No effect	N/A	N/A	No effect – not significant
Milton Creek LWS – Drainage	Medium	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Short-term (duration of construction)	Negligible - Not significant
Milton Creek LWS – Lighting	Medium	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Short-term (duration of construction)	Negligible - Not significant
Milton Creek LWS – Air quality	Medium	Negligible	Dust generation leading to changes in habitat chemical composition	Short-term (duration of construction)	Negligible - Not significant
Milton Creek LWS – People and plant movement	Medium	Negligible	Disturbance from people/vehicle movement animals to	Short-term (duration of construction)	Negligible - Not significant

			flee, increasing energetic requirements		
Milton Creek LWS – Noise	Medium	Negligible	Disturbance from noise/vibration-generating activities animals to flee, increasing energetic requirements	Short-term (duration of construction)	Negligible - Not significant
Completed Development Effects					
The Swale SPA - Drainage	Very High	Negligible	Changes in fresh-water flows into saline ecosystems	Long-term	Negligible – Not Significant
The Swale SPA – Light spill	Very High	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Long-term	Negligible – Not Significant
The Swale SPA – Disturbance from people and plant	Very High	Negligible	Disturbance from people/vehicle movement animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
The Swale SPA – Recreational disturbance	Very High	Negligible	Disturbance from humans causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
The Swale SPA – Operational noise	Very High	Negligible	Disturbance from sudden noise (steam valve release) causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant

The Swale SPA – Air quality	Very High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long-term	Negligible – Not Significant
The Swale SPA – Overshadowing / line of sight	Very High	Negligible	Shadowing of habitats changing microclimate	Long-term	No impact – Not Significant
The Swale SPA – Flight lines	Very High	No impact	N/A	N/A	Negligible – Not Significant
The Swale Ramsar - Drainage	Very High	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Long-term	Negligible – Not Significant
The Swale Ramsar – Light spill	Very High	Negligible	Lighting on designated habitats interfering with diurnal rhythm of wildlife	Long-term	Negligible – Not Significant
The Swale Ramsar – Disturbance from people and plant	Very High	Negligible	Disturbance from movement of people and vehicles causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
The Swale Ramsar – Recreational disturbance	Very High	Negligible	Disturbance from human activity causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
The Swale Ramsar – Operational noise	Very High	Negligible	Disturbance from sudden noise (steam valve release) causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant

The Swale Ramsar – Air quality	Very High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long-term	Negligible – Not Significant
The Swale Ramsar – Overshadowing / line of sight	Very High	Negligible	Shadowing of habitats changing microclimate	Long-term	No impact – Not Significant
The Swale Ramsar – Flight lines	Very High	No impact	N/A	N/A	No impact – Not Significant
Medway Estuary and Marshes SPA – Air quality	Very High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long-term	No impact – Not Significant
Medway Estuary and Marshes SPA – Flight lines	Very High	No impact	N/A	N/A	Negligible – Not Significant
Medway Estuary and Marshes SPA – Noise / light / human disturbance	Very High	No impact	N/A	N/A	No impact – Not Significant
Medway Estuary and Marshes Ramsar – Air quality	Very High	No impact	N/A	N/A	No impact – Not Significant
Medway Estuary and Marshes Ramsar – Flight lines	Very High	No impact	N/A	N/A	Negligible – Not Significant
Medway Estuary and Marshes Ramsar – Noise / light / human disturbance	Very High	Negligible	Disturbance from movement of people and vehicles causing animals to flee, increasing energetic requirements	Short-term	No impact – Not Significant
Thames Estuary and	Very High	No impact	N/A	N/A	No impact – Not

Marshes SPA – Air quality					Significant
Thames Estuary and Marshes Ramsar – Air quality	Very High	No impact	N/A	N/A	No impact – Not Significant
Outer Thames Estuary SPA – all impacts	Very High	No impact	N/A	N/A	No impact – Not Significant
Swale Estuary MCZ - Drainage	High	No impact	N/A	N/A	Negligible – Not Significant
Swale SSSI – Air quality	High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long term	Negligible – Not Significant
Medway Estuary and Marshes SSSI – Air quality	High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long term	No impact – Not Significant
Elmley Island NNR– Air quality	High	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long term	Negligible – Not Significant
Elmley Island NNR– Operational Noise	High	Negligible	Disturbance from sudden noise (steam valve release) causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
Milton Creek LWS - Drainage	Medium	Negligible	Increased fresh water flow into saline system leading to changes in benthic environment	Long-term	Negligible – Not Significant
Milton Creek LWS –	Medium	Negligible	Lighting on designated	Long-term	Negligible – Not

Light spill			habitats interfering with diurnal rhythm of wildlife		Significant
Milton Creek LWS – Disturbance from people / vehicle movement	Medium	Negligible	Disturbance from movement of people and vehicles causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
Milton Creek LWS - Noise	Medium	Negligible	Disturbance from sudden noise (steam valve release) causing animals to flee, increasing energetic requirements	Short-term	Negligible – Not Significant
Milton Creek LWS – Air quality	Medium	Negligible	Emissions to air resulting in direct toxicity to plants or changes in soil chemistry	Long term	Negligible – Not Significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
No mitigation is required. Best practice dust suppression is identified through the air quality assessment and transposed into the CEMP secured as Requirement 7.					

Landscape and Visual Effects

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Sittingbourne: Industrial/ Commercial. Daytime and night time effect on townscape character.	Low	Small to Negligible	Direct, adverse	Short term	Slight to Negligible – not significant
Sittingbourne: Residential. Daytime and night time effect on townscape character.	Low	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Chetney and Greenborough Marshes. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Elmley Marshes. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Elmley Marshes. Daytime and night time effect on	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant

landscape character (including SLA & AHLV Kent level).					
Elmley Island. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
South Sheppey Marshes and Mudflats. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Lower Halstow Clay Farmlands. Daytime and night time effect on landscape character (including AHLV Swale level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Iwade Arable Farmlands. Daytime and night time effect on landscape character.	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Teynham Fruit Belt. Daytime and night time effect on landscape character (including AHLV Swale level)	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant

Luddeham and Conyer Marshes. Daytime and night time effects on landscape character. (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Short term	Negligible – Not Significant
Walkers using the Saxon Shore Way long distance path. Daytime and night time effects on view. (Viewpoints 1, 2, 3, 4, 5 and 9).	High	Small to Negligible depending on proximity	Direct, adverse	Short term	Slight to Negligible – not significant
Occupiers of vehicles using Swale Way. Daytime and night time effects on views. (Viewpoints 6 & 7).	Low	Negligible to Small	Direct, adverse	Short term	Negligible – Not Significant
Pedestrians using roadside footway on Swale Way. Daytime and night time effects on views. (Viewpoints 6 & 7).	Medium	Negligible to Small	Direct, adverse	Short term	Slight – not significant
Completed Development Effects					
Sittingbourne: Industrial/ Commercial. Daytime and night time effect on townscape character.	Low	Small to Negligible	Direct, adverse	Long term	Slight to Negligible - not significant

Sittingbourne: Residential. Daytime and night time effect on townscape character.	Low	Negligible	Indirect, adverse	Long term	Negligible – Not Significant
Chetney and Greenborough Marshes. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
Elmley Marshes. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
Elmley Island. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
South Sheppey Marshes and Mudflats. Daytime and night time effect on landscape character (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
Lower Halstow Clay	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant

Farmlands. Daytime and night time effect on landscape character (including AHLV Swale level).					
Iwade Arable Farmlands. Daytime and night time effect on landscape character.	Medium	Negligible	Indirect, adverse	Long term	Negligible – not significant
Teynham Fruit Belt. Daytime and night time effect on landscape character (including AHLV Swale level)	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
Luddeham and Conyer Marshes. Daytime and night time effects on landscape character. (including SLA & AHLV Kent level).	Medium	Negligible	Indirect, adverse	Long term	Slight – not significant
Walkers using the Saxon Shore Way long distance path. Daytime and night time effects on view. (Viewpoints 1, 2, 3, 4, 5 and 9).	High	Small to Negligible depending on proximity	Direct, adverse	Long term	Moderate to Slight - significant
Occupiers of vehicles using Swale Way. Daytime and night time effects on views.	Low	Small	Direct, adverse	Long term	Negligible – not significant

(Viewpoints 6 & 7).					
Pedestrians using roadside footway on Swale Way. Daytime and night time effects on views. (Viewpoints 6 & 7).	Medium	Negligible	Direct, adverse	Long term	Slight – not significant
People using open space at Church Marshes Country Park. Daytime and night time effects on views. (Viewpoint 8).	High	Negligible	Direct, adverse	Long term	Negligible – not significant
Occupiers of residential properties at Tonge Corner. Daytime and night time effects on views. (Viewpoint 10).	High	Negligible	Direct, adverse	Long term	Slight – not significant
People using open space at Elmley Marshes Nature Reserve. Daytime and night time effects on views. (Viewpoint 11).	High	Negligible	Direct, adverse	Long term	Slight – not significant
Occupiers of vehicles using Barge Way. Daytime and night time effects on views (Viewpoint 12).	Low	Negligible	Direct, adverse	Long term	Negligible – not significant

Employees within industrial premises at Kemsley. Daytime and night time effects on views.	Low	Negligible to Medium	Direct, adverse	Long term	Negligible to Slight – not significant
Occupants of vessels on the Swale. Daytime and night time effects on view.	Medium to Low	Negligible to Small	Direct, adverse.	Long term	Negligible to Slight – not significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
No mitigation proposed.					

Heritage and archaeology

Table 1 – Summary of Effects Prior to Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Effect on undesignated archaeological remains	Low	High	Averse	Permanent	Minor adverse – not significant
Historic landscape	Low	High	Adverse	Short term	Minor adverse – not significant
Scheduled Monuments					
Castle Rough	Highest	No change	No change	Short term	No change
Murston Old Church	Highest	No change	No change	Short term	No change
WWII heavy anti-aircraft gun site	Highest	No change	No change	Short term	No change
Listed buildings					
Little Murston Farmhouse (LEN 1061035)	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Holy Trinity Milton (LEN 1061036)	Highest	Negligible	Adverse	Short term	Minor Adverse – not significant
All Saints Iwade (LEN 1069380)	Highest	No Change	Adverse	Short term	No Change
Further Grade II Listed Buildings (ES paragragh 12.6.36 and in answer to Inspectors Question number Q.1.3.2)	High	No Change	Adverse	Short term	No Change
Mere Court & East Hall (ES paragraph 12.6.37)	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Tonge Court	High	Negligible	Adverse	Short term	Minor Adverse – not

Farmhouse (LEN 1069270)					significant
Kingshill Farmhouse & Barn (LENs 1258073 and 1243080)	High	No Change	Adverse	Short term	No Change
Church of St Giles (LEN 1322821)	Highest	No Change	Adverse	Short term	No Change
Little Murston Farmhouse (LEN 1061035)	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Holy Trinity Milton (LEN 1061036)	Highest	Negligible	Adverse	Short term	Minor Adverse – not significant
All Saints Iwade (LEN 1069380)	Highest	No Change	Adverse	Short term	No Change
Further Grade II Listed Buildings (ES paragragh 12.6.36 and in answer to Inspectors Question number Q.1.3.2)	High	No Change	Adverse	Short term	No Change
Mere Court & East Hall (ES paragraph 12.6.37)	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Tonge Court Farmhouse (LEN 1069270)	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Kingshill Farmhouse & Barn (LENs 1258073 and 1243080)	High	No Change	Adverse	Short term	No Change
Church of St Giles (LEN 1322821)	Highest	No Change	Adverse	Short term	No Change
<u>Conservation Areas</u>					
Milton Regis High Street	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Sittingbourne High	High	Negligible	Adverse	Short term	Minor Adverse – not

Street					significant
Tonge	High	Negligible	Adverse	Short term	Minor Adverse – not significant
Completed Development Effects					
Historic landscape	Low	High	Adverse	Long term	Minor Adverse – not significant
Listed buildings					
Little Murston Farmhouse (LEN 1061035)	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Holy Trinity Milton (LEN 1061036)	Highest	Negligible	Adverse	Long term	Minor Adverse – not significant
All Saints Iwade (LEN 1069380)	Highest	No Change	Adverse	Long term	No Change
Further Grade II Listed Buildings (ES paragragh 12.6.36 and in answer to Inspectors Question number Q.1.3.2)	High	No Change	Adverse	Long term	No Change
Mere Court & East Hall (ES paragraph 12.6.37)	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Tonge Court Farmhouse (LEN 1069270)	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Kingshill Farmhouse & Barn (LENs 1258073 and 1243080)	High	No Change	Adverse	Long term	No Change
Church of St Giles (LEN 1322821)	Highest	No Change	Adverse	Long term	No Change
Little Murston Farmhouse (LEN 1061035)	High	Negligible	Adverse	Long term	Minor Adverse – not significant

Holy Trinity Milton (LEN 1061036)	Highest	Negligible	Adverse	Long term	Minor Adverse – not significant
All Saints Iwade (LEN 1069380)	Highest	No Change	Adverse	Long term	No Change
Further Grade II Listed Buildings (ES paragragh 12.6.36 and in answer to Inspectors Question number Q.1.3.2)	High	No Change	Adverse	Long term	No Change
Mere Court & East Hall (ES paragraph 12.6.37)	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Tonge Court Farmhouse (LEN 1069270)	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Kingshill Farmhouse & Barn (LENs 1258073 and 1243080)	High	No Change	Adverse	Long term	No Change
Church of St Giles (LEN 1322821)	Highest	No Change	Adverse	Long term	No Change
Conservation Areas					
Milton Regis High Street	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Sittingbourne High Street	High	Negligible	Adverse	Long term	Minor Adverse – not significant
Tonge	High	Negligible	Adverse	Long term	Minor Adverse – not significant

Table 2 – Summary of Effects After Mitigation

Effect Identified	Receptor Sensitivity	Impact Magnitude	Nature	Duration	Degree of Effect
Construction Effects					
Effect on undesignated archaeological remains	Low	High	Averse	Permanent	Minor Adverse – not significant
Completed Development Effects					
No mitigation proposed.					

APPENDIX 2

Q1.11.8 Southern Gas Networks Covering Email, Scheme Plan and Infrastructure Plan

Alexander Payne

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

Follow Up Flag: Follow up
Flag Status: Flagged

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").

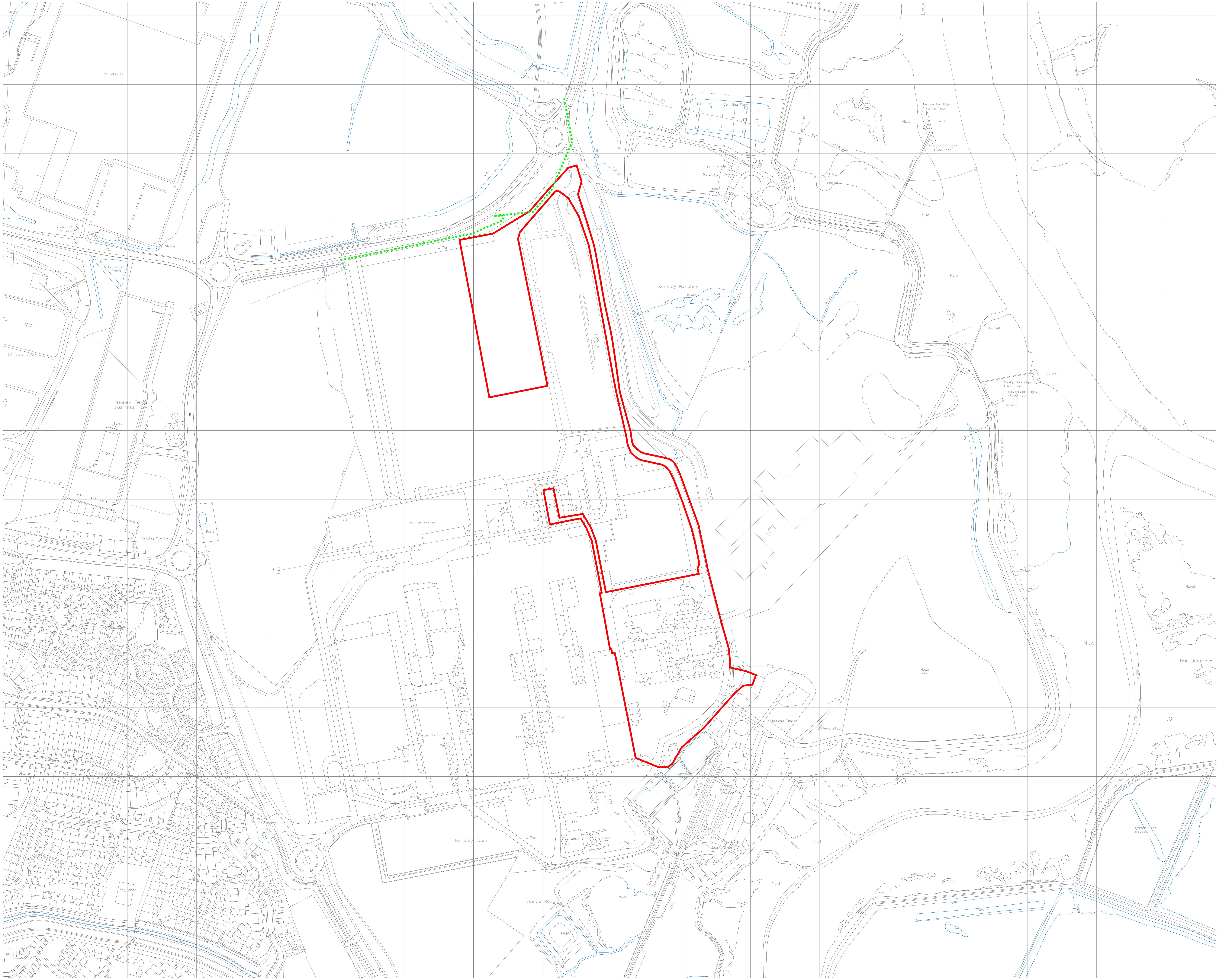
You will note that the Gas Main encroaches into the DCO Land. As such please can you confirm the nature, and scope, of your client's development, which shall be carried out pursuant to the Development Consent Order, so that SGN can determine whether the same will adversely affect the Gas Main.

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,
4th Floor, 1 Forbury Place, Forbury Road, Reading, RG1 3JH



DS Smith

Legend

Application boundary

Notes
1. This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.
2. If received electronically it is the recipients responsibility to print to correct scale. Only written dimensions should be used.

RPS dha environment

rpsgroup.com

Kemsley K4

S42 Consultation

Title: Site Location Plan

Scale 1: 2,500 @ A1

0 50 100 150 200 Metres

Date: Jan 2018
Author: R.Massey

Doc reference
10392-0024-002

Figure number
2

APPENDIX 3

Q1.11.9 UK Power Networks Covering Letter and Record of electrical lines and/or electrical plant

Registered Office:
Newington House
237 Southwark Bridge Road
London SE1 6NP

Registered in England and Wales No: 3870728

Company:
UK Power Networks (Operations)
Limited

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

Registered Office:
Newington House
237 Southwark Bridge Road
London SE1 6NP

Registered in England and Wales No: 3870728

Company:
UK Power Networks (Operations) Limited

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

Registered Office:
Newington House
237 Southwark Bridge Road
London SE1 6NP

Registered in England and Wales No: 3870728

Company:
UK Power Networks (Operations) Limited

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.

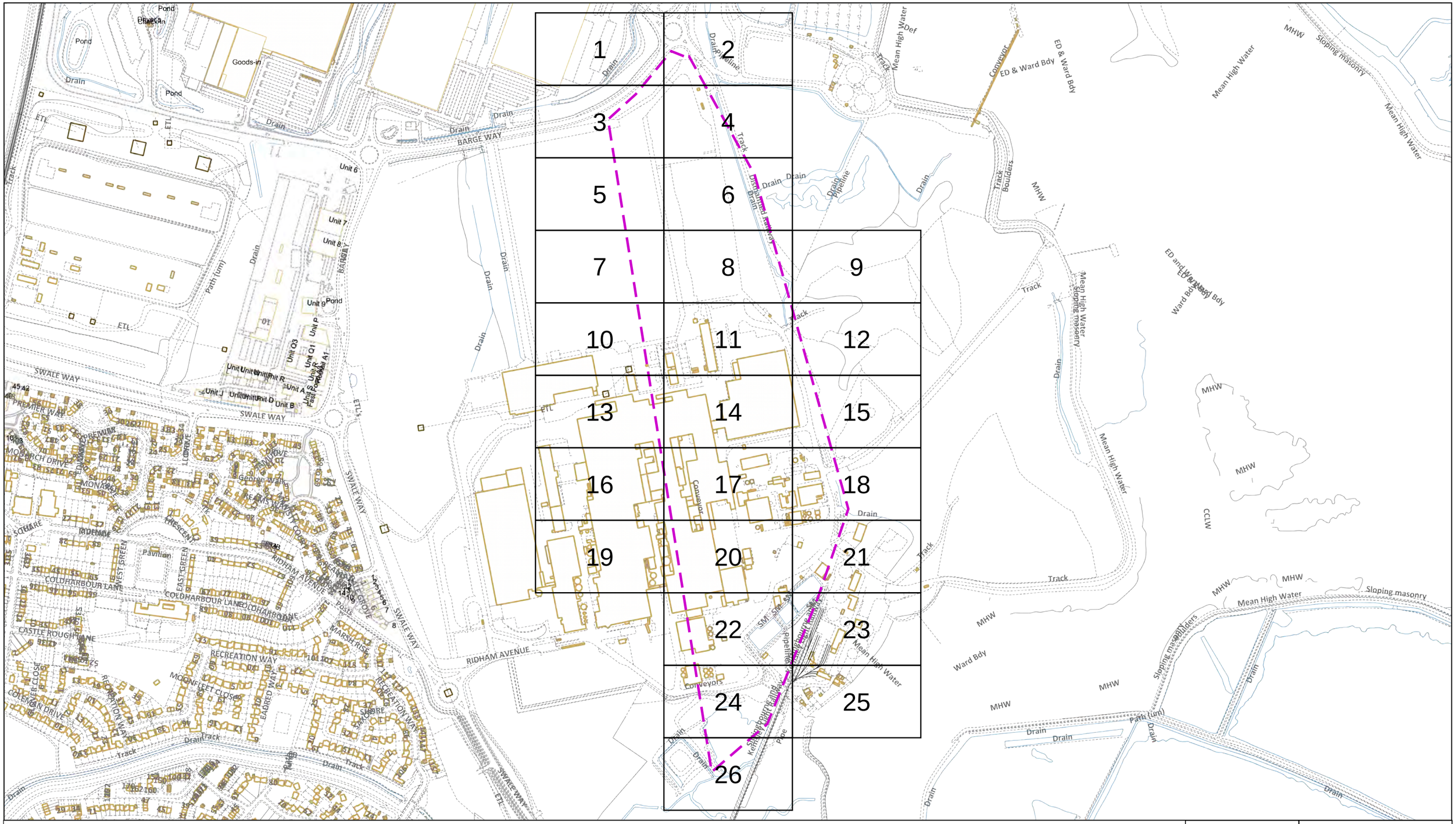
If given a reasonable period of prior notice UK Power Networks will attend on site without charge to advise how and where "goal posts" should be erected. If you wish to use this service, in the first instance please telephone: 0845 6014516 between 08:30 and 17:00 Monday to Friday.

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.



Dig Sites Area: Line:

The quality and accuracy of any print will depend on your printer, your computer and its print settings. Measurements scaled from this plan may not match measurements between the same points on the ground.

This plan must be used with the attached 'Symbols' document.

Date Requested: 05/03/2018
Job Reference: 12225688
Site Location: 590799 165696
Requested by:
Mr David Harvey
Your Scheme/Reference: K4

Scale: 1:5638 (When plotted at A3)

1. The position of the apparatus shown on this drawing is believed to be correct but the original landmarks may have been altered since the apparatus was installed.
2. The exact position of the apparatus should be verified – use approved cable avoidance tools prior to excavation using suitable hand tools.
3. It is essential that trial holes are carefully made avoiding the use of mechanical tools or picks until the exact location of all the cables have been determined.
4. It must be assumed that there is a service cable into each property, lamp column and street sign, etc.
5. All cables must be treated as being live unless proved otherwise by UK Power Networks.
6. The information proved must be given to all people working near UK Power Networks plant and equipment. Do not use plans more than 3 months after the issue date for excavation purposes.
7. Please be aware that electric cables/lines belonging to other owners of licensed electricity distribution systems may be present and it is your responsibility to identify their location.

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 persons or causes personal injury to a person.
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 for any loss, damage, cost, 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. This plan has been provided to you on the basis of the terms of use set out in the covering letter that accompanies this plan. If you do not accept and/or do not understand the terms of use set out in the covering letter you must not use the plan and must return it to the sender of the letter.
5. 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.

N W E S

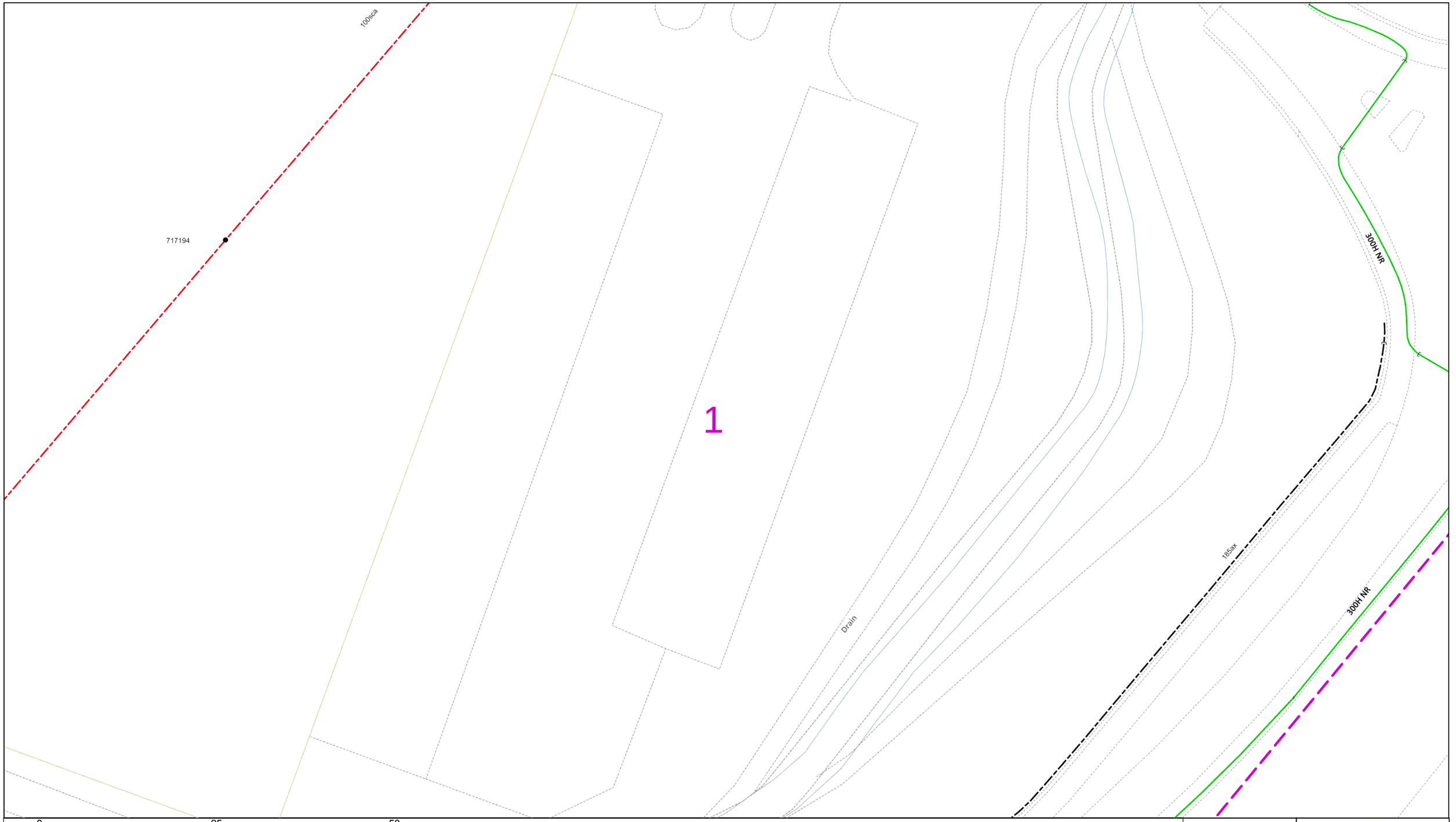
UK Power Networks

IF IN DOUBT - ASK!
PHONE 0800 056 5866
EMERGENCY - If you damage a cable or line
Phone 0800 783 8838
(24hrs) URGENTLY

LOOK OUT LOOK UP

ALWAYS LOOK UP BEFORE YOU START WORK
Refer to HSE Guidance note GS6

Maps produced at 1:2500 scale are Geo-Schematics which show LV mains cables and overhead lines (in some cases all voltages). Prior to carrying out excavations you must refer to the 1:500 records to determine the location of all known underground plant and equipment.



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metres

Dig Sites Area: Line:

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Date Requested: 05/03/2018
Job Reference: 12225688
Site Location: 590799 165696
Requested by:
Mr David Harvey
Your Scheme/Reference: K4

Scale: 1:500 (When plotted at A3)

1. The position of the apparatus shown on this drawing is believed to be correct but the original landmarks may have been altered since the apparatus was installed.
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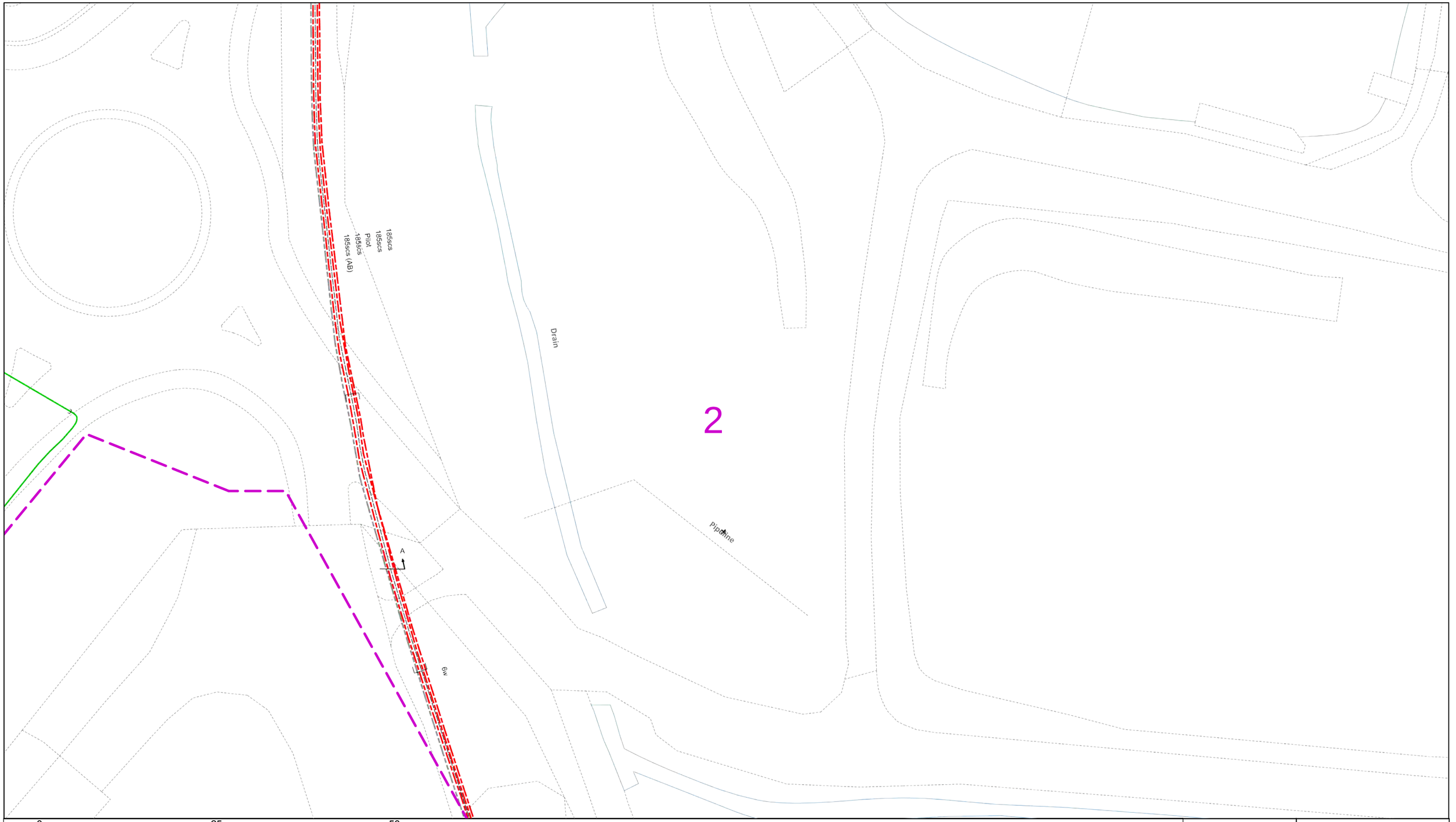

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metres

Dig Sites Area: Line:

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Job Reference: 12225688
Site Location: 590799 165696
Requested by:
Mr David Harvey
Your Scheme/Reference: K4

Scale: 1:500 (When plotted at A3)

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0 25 50
metres

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Requested by:
Mr David Harvey
Your Scheme/Reference: K4

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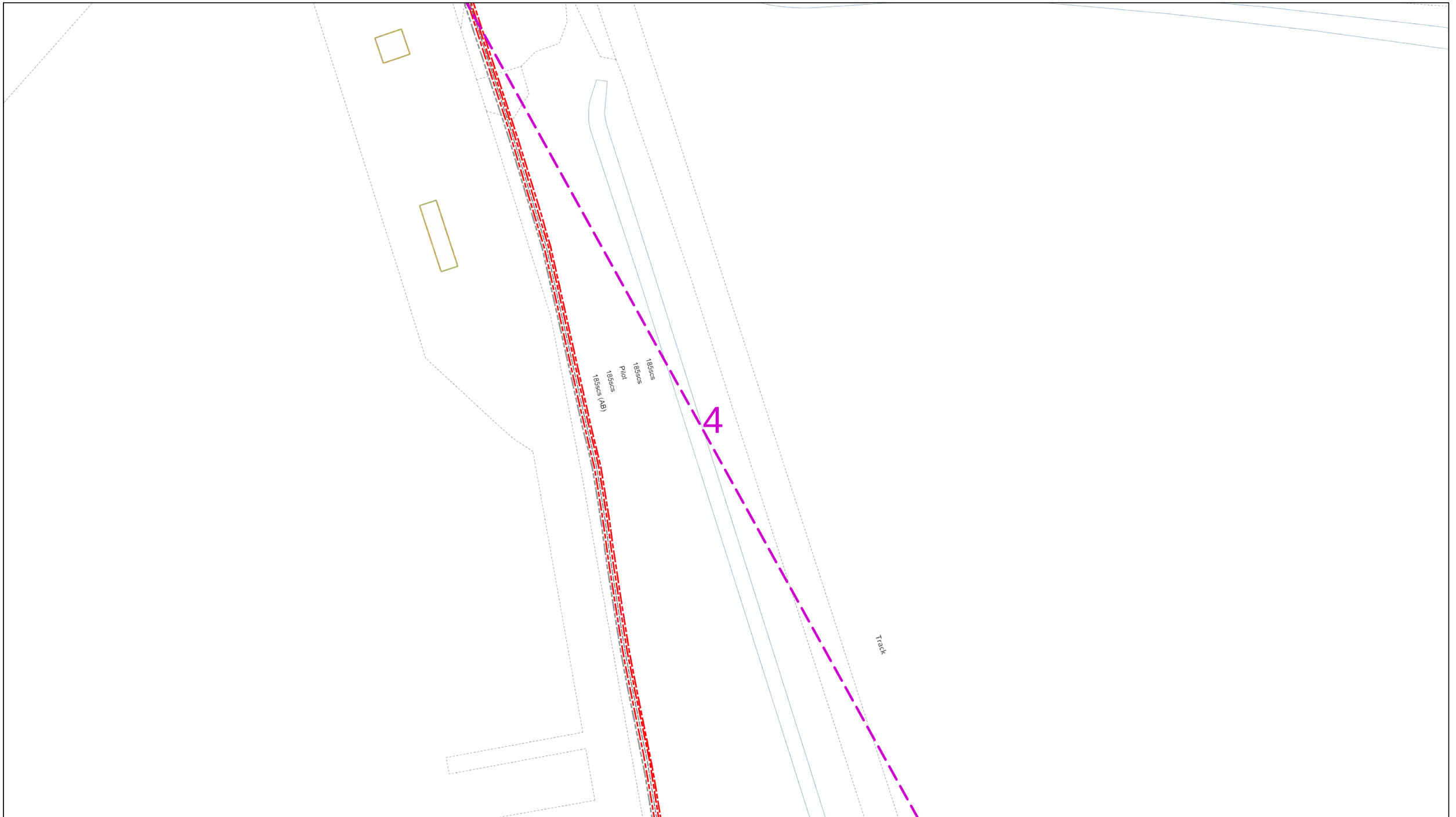

0 25 50

metres

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Date Requested: 05/03/2018
Job Reference: 12225688
Site Location: 590799 165696
Requested by:
Mr David Harvey
Your Scheme/Reference: K4

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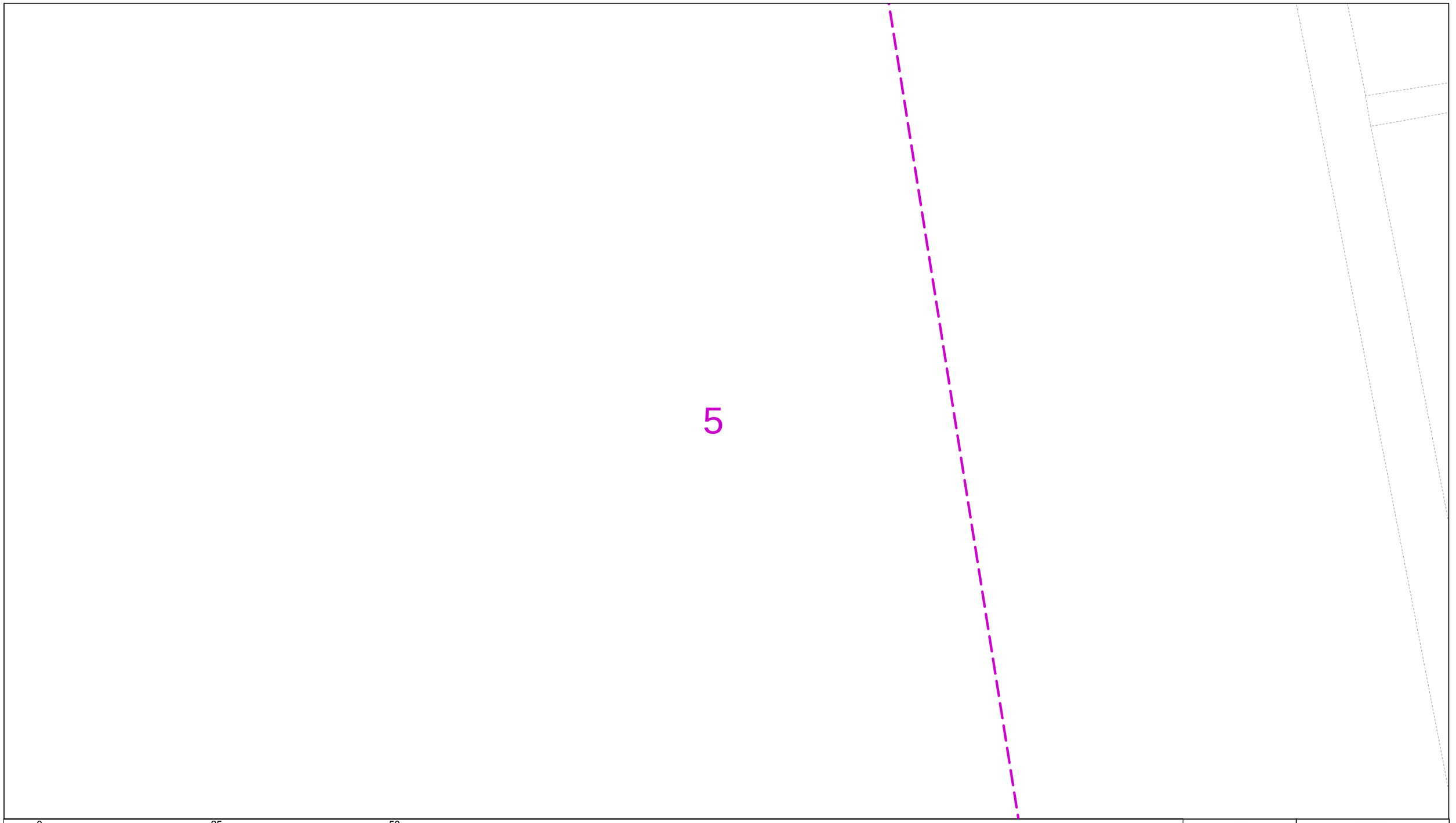

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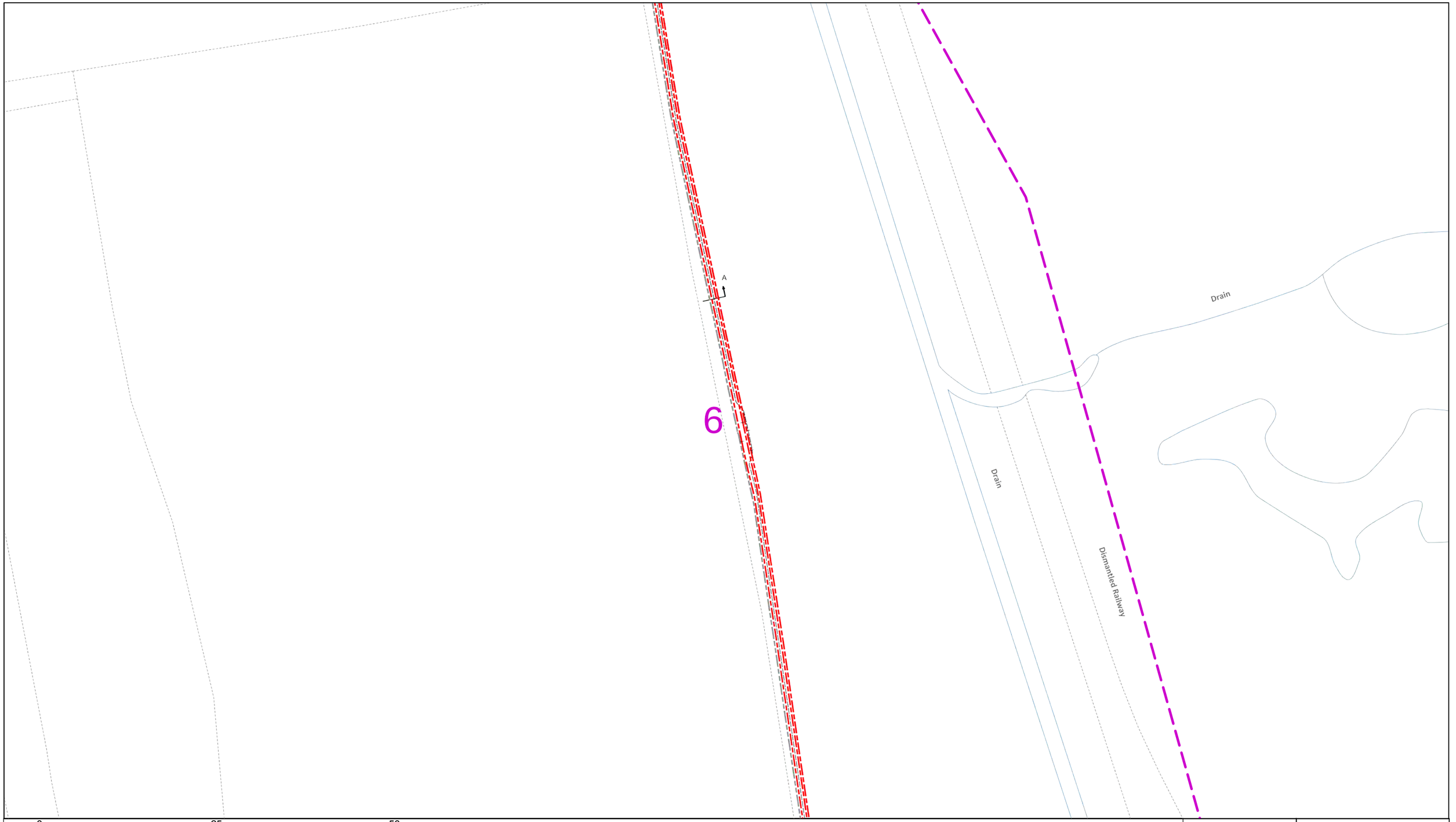

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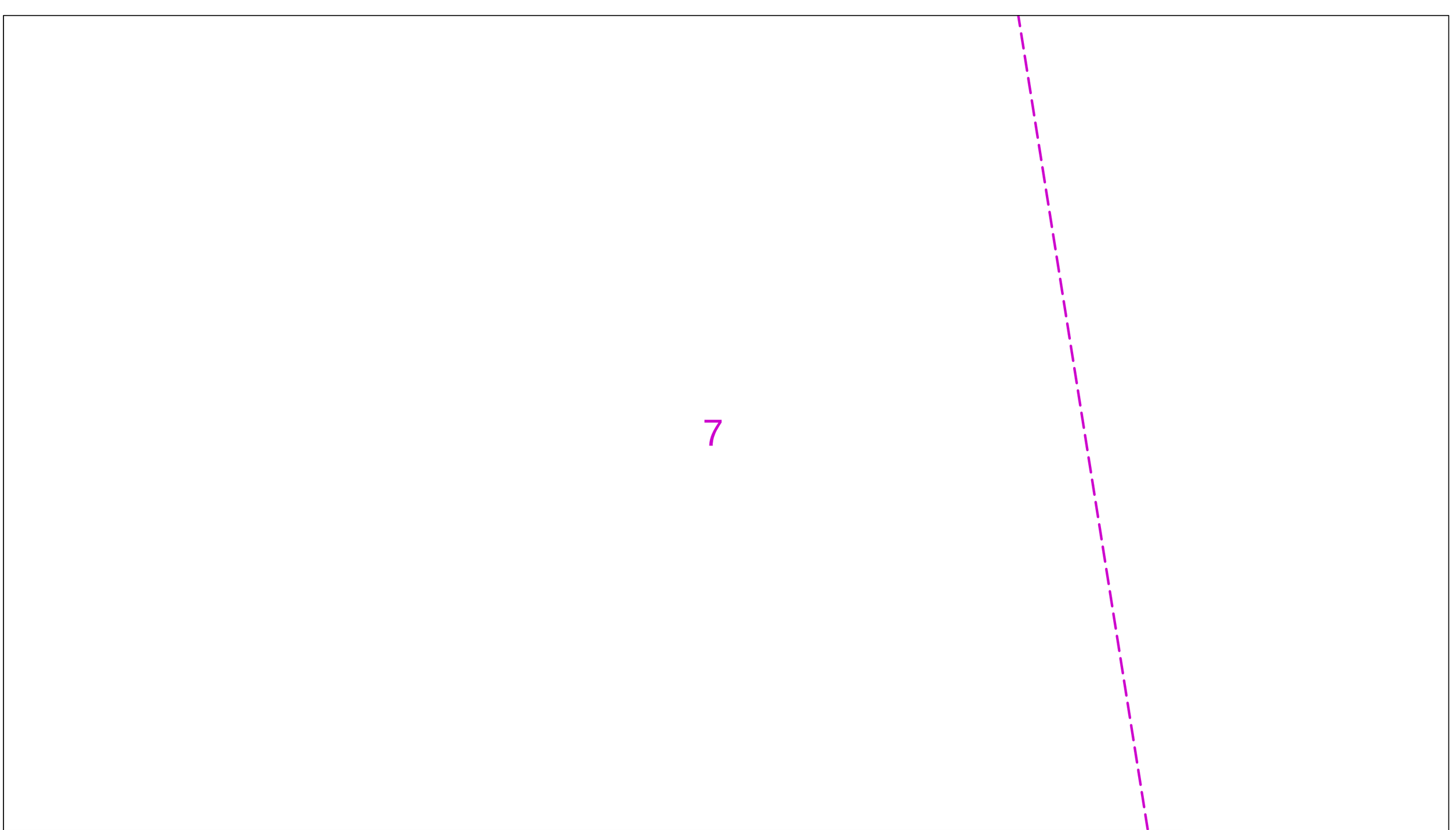

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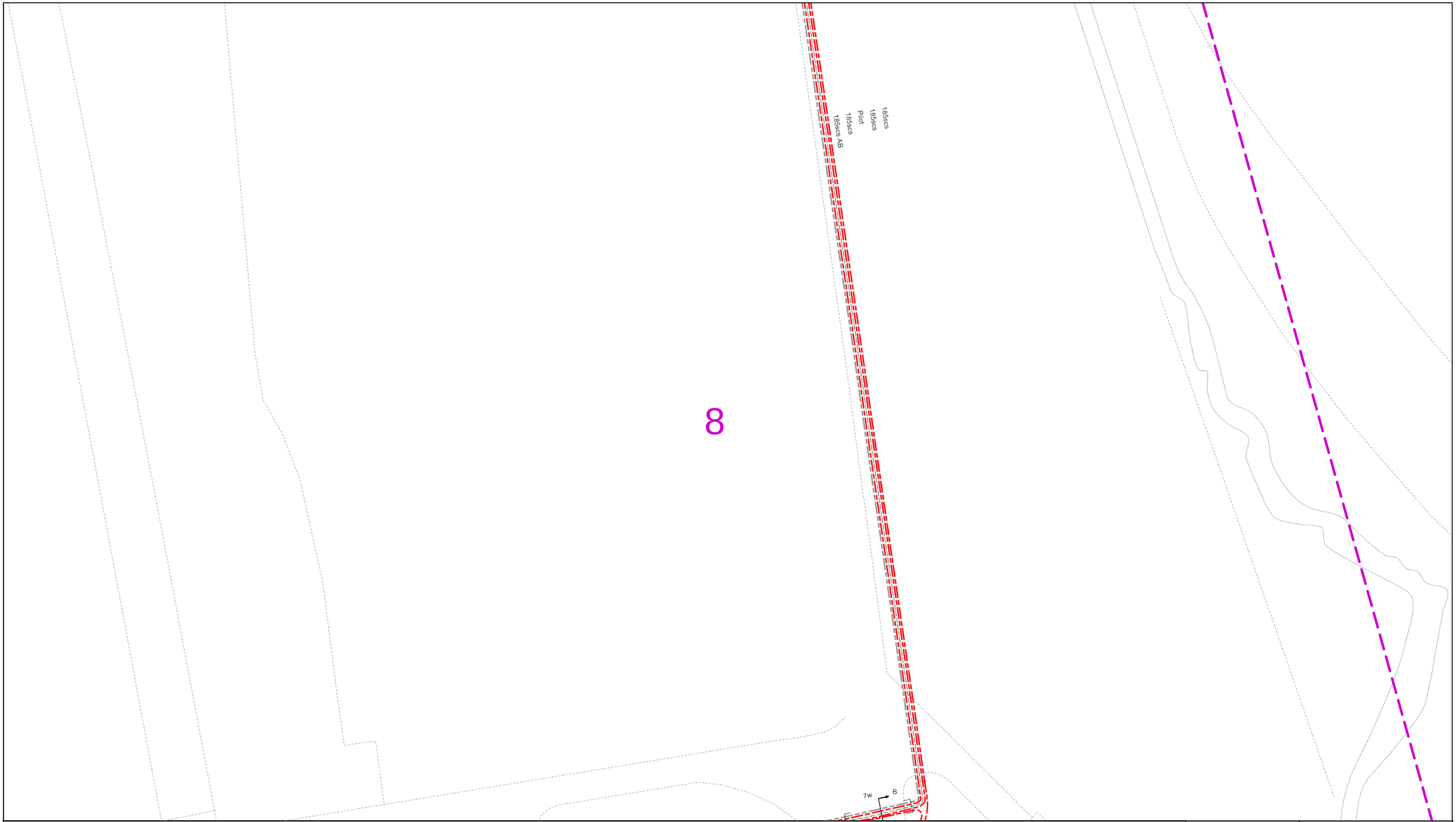

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