



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

REPORT on the IMPLICATIONS for EUROPEAN SITES

Proposed Kemsley Mill K4 Combined Heat and Power Generating Station

An Examining Authority report prepared with the
support of the Environmental Services Team

Planning Inspectorate Reference: EN010090

22 October 2018

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the proposed Kemsley Mill K4 Combined Heat and Power Generating Station

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1. INTRODUCTION

Background

- 1.1 DS Smith Paper Limited (the Applicant) has applied to the Secretary of State (SoS) for a development consent order (DCO) under section 37 of the Planning Act 2008 (as amended) for the proposed Kemsley Mill K4 Combined Heat and Power Generating Station (the application). The SoS has appointed an Examining Authority (ExA) to conduct an Examination of the application, to report its findings and conclusions, and to make a recommendation to the SoS as to the decision to be made on the application.
- 1.2 The relevant SoS is the competent authority for the purposes of the Habitats Directive¹ and the Habitats Regulations² for applications submitted under the Planning Act 2008 regime (as amended). The findings and conclusions on nature conservation issues reported by the ExA will assist the SoS in performing their duties under the Habitats Regulations.
- 1.3 This report compiles, documents and signposts information provided within the DCO application, and the information submitted throughout the Examination by both the Applicant and Interested Parties (IPs), up to 12 October 2018 in relation to potential effects on European Sites³. It is not a standalone document and should be read in conjunction with the Examination documents referred to herein. Where document references are presented in square brackets [] in the text of this report, that reference can be found in the Examination Library published on the National Infrastructure Planning website at the following link:
<http://infrastructure.planninginspectorate.gov.uk/document/EN010090-000295>
- 1.4 This report is issued to ensure that IPs, including the statutory nature conservation body, ie Natural England (NE) are consulted formally on Habitats Regulations matters. This process may be relied on by the SoS for the purposes of Regulation 61(3) of the Habitats Regulations. Following consultation the responses will be considered by the ExA in making their recommendation to the SoS and made available to the SoS along with this report. The RIES will not be revised following consultation.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as codified) (the 'Habitats Directive').

² The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).

³ The term European Sites in this context includes Sites of Community Importance (SCIs), Special Areas of Conservation (SACs) and candidate SACs (cSACs), Special Protection Areas (SPAs), possible SACs (pSACs), potential SPAs (pSPAs), Ramsar sites, proposed Ramsar sites, and any sites identified as compensatory measures for adverse effects on any of the above. For a full description of the designations to which the Habitats Regulations apply, and/ or are applied as a matter of Government policy, see PINS Advice Note 10.

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- 1.5 The Applicant has not identified any potential impacts on European sites in other EEA States⁴. Only UK European sites are addressed in this report.

Documents used to inform this RIES

- 1.6 The Applicant provided a No Significant Effects Report (NSER) entitled Kemsley Mill K4 Combined Heat and Power Generating Station: No Significant Effects HRA Report [APP-033] with the DCO application received on 6 April 2018. No matrices were provided.
- 1.7 The Applicant concluded within their DCO application that there would be no likely significant effects on any of the eight European sites screened. The NSER was provided by the Applicant in support of this conclusion.
- 1.8 In response to s51 advice [PD-001] issued by the Inspectorate following acceptance of the application on 26 April 2018, and as a result of the European Union Court of Justice 'People Over Wind' (PoW) judgement (C-323/17), the Applicant submitted a Habitats Regulations Assessment Report (HRAR) [AS-002] to the ExA on 14 June 2018. This replaced and superseded the NSER submitted with the application. It concluded that without the implementation of mitigation measures there could be likely significant effects on two of the eight European sites that had been screened. The HRAR did not include matrices.

Examination

- 1.9 In response to a request from the ExA contained in the Rule 6 letter [PD-005] issued on 18 June 2018, the Applicant submitted (for Deadline 1 (D1) on 31 July 2018) screening matrices for the eight sites considered in the HRA, and integrity matrices for two sites which were taken forward for appropriate assessment [REP1-005].
- 1.10 In response to ExA Questions and representations made by IPs during the Examination an updated HRA report containing updated screening and integrity matrices was submitted to the ExA on Friday 12 October (hereafter referenced as the October 2018 HRAR) [AS-022]. This replaced and superseded the NSER submitted on 14 June 2018. Unless indicated otherwise all subsequent references in this report to the assessment made under the Habitats Regulations are to the October 2018 HRAR [AS-022].
- 1.11 This report has been compiled with reference to the documents listed below. The matrices contained within the updated HRAR [AS-022] have been updated by the ExA, with the support of the Environmental Services Team of the Planning Inspectorate, and are included at Annex 1 of this report.

⁴ European Economic Area (EEA) States.

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Application Documents

- Kemsley Mill K4 Combined Heat and Power Generating Station: No Significant Effects HRA Report, dated April 2018 [APP-033]

Representations

- NE Relevant Representation (RR) [RR-005]
- Kent County Council (KCC) RR [RR-003]

Deadline 1 (D1)

- Written Statement of Applicant's case at Issue Specific Hearing 1 (ISH1) [REP1-004]
- Applicant's HRA Screening and Integrity Matrices [REP1-005]
- Applicant's Response to RRs [REP1-010]
- NE Written Representation (WR) [REP1-015]

Deadline 2 (D2)

- Updated ES Chapter 2 Figure 2.2d: Environmental Designations (National and European sites) [REP2-007]
- Updated ES Chapter 5 Appendix 5.4: Air Quality Assessment of Ecological Impacts [REP2-011]
- Updated ES Chapter 10 Figures 10.1a – 10.1h: Designated Sites Location Plans (European sites) [REP2-012 – REP2-019]
- Applicant's Comments on the Written Representations [REP2-029]
- Applicant's Response to Examining Authority's first Written Questions (ExQ1) – Part 1 [REP2-030]
- KCC Response to ExQ1 [REP2-033]
- NE Response to ExQ1 [REP2-034]

Deadline 3 (D3)

- Draft Development Consent Order [REP3-004]
- Applicant's Covering Letter [REP3-001]
- Applicant's Written Case ISH2 - Environmental Matters [REP3-015]

Deadline 4 (D4)

- NE Response to ExA ISH2 Questions [REP4-002]

Post-Deadline 4

- Habitats Regulations Assessment Report, October 2018 - Post Deadline Four Version [AS-022]

Statements of Common Ground (SoCGs)

- Draft SoCG with NE [REP1-002]
- Signed SoCG with Swale Borough Council (SBC) [REP1-008]
- Draft SoCG with KCC [REP1-017]
- Signed SoCG with NE [AS-023]

Other Documents

- Additional Submission: Habitats Regulations Assessment Report (June 2018 [AS-002]

Structure of this RIES

1.12 The remainder of this report is as follows:

- **Section 2** identifies the European sites that have been considered within the DCO application and during the Examination period, up to 22 October 2018. It provides an overview of the issues that have emerged during the Examination.
- **Section 3** identifies the European sites and qualifying features screened by the Applicant for potential likely significant effects, either alone or in-combination with other projects and plans. The section also identifies where IPs have disputed the Applicant's conclusions, together with any additional European sites and qualifying features screened for potential likely significant effects during the Examination.
- **Section 4** identifies the European sites and qualifying features which have been considered in terms of adverse effects on site integrity, either alone or in-combination with other projects and plans. The section identifies where IPs have disputed the Applicant's conclusions, together with any additional European sites and qualifying features considered for adverse effects on integrity during the Examination.
- **Annex 1** comprises the UK European sites and features screened into the HRA by the Applicant and considered during the Examination.
- **Annex 2** comprises screening matrices for likely significant effects
- **Annex 3** comprises matrices for those European sites and qualifying features for which it was considered that there could be potential adverse effects on the integrity of European sites.

2. OVERVIEW

European Sites Considered

- 2.1 The project is not connected with or necessary to the management for nature conservation of any of the European sites considered within the Applicant's assessment.
- 2.2 The European sites and features for which the UK is responsible that were identified in the Applicant's October 2018 HRAR and matrices [AS-022] for inclusion within the assessment are shown in Annex 1.
- 2.3 The Applicant identified eight European sites within 10km of the application site boundary that could be affected, based on the nature of the Project and the findings contained within the ES technical chapters:
- Swale SPA
 - Swale Ramsar site
 - Medway Estuary and Marshes SPA (ME&M SPA)
 - Medway Estuary and Marshes Ramsar site (ME&M Ramsar site)
 - Thames Estuary and Marshes SPA (TE&M SPA)
 - Thames Estuary and Marshes Ramsar site (TE&M Ramsar site)
 - Queendown Warren SAC (QW SAC)
 - Outer Thames Estuary SPA / pSPA (OTE SPA)

Although reference is made throughout the HRAR to both the OTE SPA and the OTE pSPA they were considered together as one site within the HRAR and screening matrices. This is appropriate as the pSPA which proposed an extension to the boundary of the SPA, to additionally protect little tern and common tern, was subsequently classified as part of the SPA in October 2017. All the references in the HRAR to the SPA and the pSPA in this report are therefore treated as if they were to the SPA only.

- 2.4 In their RR [RR-005] NE did not identify any other UK European site or European site features that could be affected by the project. The OTE SPA was not included in the list of sites that NE considered should be included in the assessment. NE did not express any fundamental reason why the project should not be permitted but did initially state that the Applicant had not provided sufficient evidence to support the finding of no adverse effects on nearby designated sites. NE held that the main impacts from the Proposed Development were to the Swale SPA and the Swale Ramsar site. The impacts occur as a result of increased noise during construction leading to disturbance; and increased airborne emissions leading to impacts on air quality during operation. NE were content that impacts from lighting and increased emissions to air and water during construction

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were not likely to be significant. This was on the basis that best practice construction measures and standard pollution prevention measures (as part of the Construction Environment Management Plan (CEMP)), respectively, were applied. NE's RR was submitted prior to the submission by the Applicant of the HRAR.

- 2.5 In their WR [REP1-015] and following submission of the June 2018 version of the HRAR [AS-002], NE stated their view that the HRAR is procedurally correct in the light of the PoW judgement. They reiterated the points made in their RR [RR-005] in relation to potential disturbance from construction noise at the Swale SPA and Ramsar site; and potential air quality impacts on Ramsar site habitats. They considered that in relation to disturbance from noise impacts further information was required on the bird use at the mouth of Milton Creek, which is to the south east of the project site and is a tributary of the Swale. The intertidal areas of Milton Creek are understood to be used by bird species that are a feature of the Swale SPA. This information would be necessary to support the conclusion in the HRAR that the conservation objectives of the Swale SPA and Swale Ramsar site would not be compromised. They also required confirmation that the Ramsar habitats would not be adversely impacted by increased airborne emissions and changes to air quality. They noted that the information contained in Tables C2 and C3 (NO_x concentrations and Nutrient N deposition, respectively) in ES Appendix 5.4 [APP-026] only considered the birds for which the SPAs are designated and not the habitat types for which the Ramsar sites are designated. They requested that consideration of these habitats was additionally included in Tables C2 and C3.
- 2.6 The Applicant provided for D2 an updated version of ES Chapter 5 Appendix 5.4: Air Quality Assessment of Ecological Impacts [REP2-011] to address the potential air quality impacts of the project on the identified Ramsar sites, as requested by NE in their WR [REP-015] (see above). In the Applicant's Comments on the Written Representations [REP2-029] they stated that reference to the updated appendix would be included in the SoCG to be agreed with NE.
- 2.7 In response to the concerns from NE about the potential effects of noise disturbance on the bird features of the Swale SPA and Ramsar site, the Applicant noted in their Comments on the Written Representations [REP2-029] that they had agreed with NE that a requirement restricting the total number of days that impact piling is permissible would be added to the dDCO to be submitted at D3 and would be reflected in the SoCG.
- 2.8 In the Applicant's Response to ExQ1 – Part 1 [REP2-030] it was explained that the proposed requirement in respect of impact piling would prohibit piling in the core bird wintering period during January and February and

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limit piling to no more than 10 days in total across November and December.

- 2.9 In KCC's response to EXQ1 [REP2-033] submitted for D2 they confirmed that they were satisfied on the basis of the information provided in the HRAR that the project is unlikely to result in a likely significant effect on the European sites alone or in combination with other developments.
- 2.10 NE, in their Response to ExQ1 [REP2-034], confirmed that they considered that the correct European sites and features had been identified in the HRAR and that they agreed with the conclusions of the Applicant's in-combination assessment. They stated that they were in ongoing discussion with the Applicant about the assessment of impacts to air quality and from noise. They noted that the Applicant's revised HRA report reflected that particular impacts could result in a likely significant effect on the features of some European sites and that mitigation measures had been proposed to avoid an adverse effect on the integrity.
- 2.11 The dDCO submitted at D3 [REP3-004] included Requirements 16(1) and 16(2) in respect of the prohibition and limitation on piling, as stated by the Applicant at D2.
- 2.12 The Applicant indicated, in the covering letter submitted with their D3 submissions [REP3-001], that the SoCG with NE would be finalised after the completion of air quality modelling at the end of September following selection of the boiler specification.
- 2.13 In response to a question from the ExA at ISH2, Appendix C of REP3-015 addressed cumulative effects from K4 together with the Wheelabrator Kemsley Generating Station (K3) and Wheelabrator Kemsley North (WKN) Waste to Energy Facility, for which a scoping request was received by the Planning Inspectorate in September 2018. It did not include an explicit reference to HRA in-combination effects but concluded that there was no potential for cumulative effects during the construction phase on designated sites, and made specific reference to the Swale SPA and Ramsar site. It was considered that the only possible cumulative operational effect would be from emissions to air but that it was not possible to undertake an assessment as insufficient data was available in respect of emissions resulting from WKN.
- 2.14 In response to a question from the ExA for ISH2 NE confirmed, in their submission for D4 [REP4-002], the features of the eight European sites that the Applicant considered in the HRAR. These are the features that are referenced throughout this RIES.
- 2.15 The Applicant submitted an updated version of the HRAR, including updated matrices [AS-022], and a signed SoCG with NE [AS-023] after D4 (but prior to D5).

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- 2.16 The integrity matrix for the Swale SPA wrongly included the Avocet, Redshank and Grey Plover as qualifying features of the SPA, and omitted to include the Breeding bird assemblage and the Waterbird assemblage (features as confirmed in NE's D4 submission [REP4-002]).
- 2.17 Decommissioning is not included in any of the matrices. The Applicant commented on this point in their response to ExA Q1.4.31 [REP2-030], in which the Applicant stated that decommissioning would take the form of making K4 inoperable and that they were not seeking consent to demolish either K4 or K1.
- 2.18 The ExA included a number of questions in relation to the updated HRAR and matrices in the Further Written Questions issued on 22 October 2018.
- 2.19 Paragraph 2.1.1 of the SoCG identified the designated sites which it was agreed were relevant to the DCO application. These included all the sites identified in the HRAR (and set out in this report above) except the OTE SPA. As explained above, NE did not include the OTE SPA in the list of sites identified in their RR [RR-005] that they considered should be included in the Applicant's HRA assessment.

HRA Matters Considered During the Examination

- 2.20 The Examination has focussed on concerns raised by NE in their WR [REP1-015] about:
- potential disturbance from construction noise; and
 - air quality during operation.
- 2.21 NE raised a concern that the modelled peak noise levels during construction could affect the bird features of the Swale SPA and Ramsar site if the 20ha of the SPA/Ramsar site that will experience these noise levels is used as a high tide roost or by significant numbers of birds for feeding. They requested that the Applicant provided further information on the bird use of the mouth of Milton Creek, in order to support the conclusion of the HRA that disturbance from increased noise would not compromise the objectives of the Swale SPA/Ramsar site.
- 2.22 NE agreed with the conclusions reached in the ES of no significant effects from changes to air quality on the European sites Appendix 5.4 (Air Quality Assessment of Ecological Impacts) [APP-026]. However, the Appendix did not address the specific habitat types for which the Ramsar sites identified in the HRAR are designated. NE requested that the Applicant provided an updated Appendix 5.4 that included this information. The Applicant provided an updated version for D2 [REP2-011].

3. LIKELY SIGNIFICANT EFFECTS

- 3.1 The Applicant has described how they have determined what would constitute a 'significant effect' within their HRAR [AS-002]. This follows EC guidance on habitats assessment (EC Guidance document: 'Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (2000)' and EC Guidance document: 'Assessment of plans and projects significantly affecting Natura 2000 sites (2001)').
- 3.2 The Applicant addressed potential in-combination effects in Section 7 of the HRAR and provided information on 22 projects that were considered in the in-combination assessment.
- 3.3 The scope of and conclusions reached in the in-combination assessment were agreed by NE [REP2-034] in their response to ExQ1. In response to Question ISH2:5 raised by the ExA, NE subsequently stated that they agreed with the scope of the in-combination assessment but considered that the conclusions needed to be checked in the light of the further information on air quality and noise. They also commented that they had agreed with the Applicant that the information about air quality impacts on Ramsar habitats would be submitted with the updated version of the HRAR, once the stack height had been finalised.
- 3.4 The Applicant's screening assessment [AS-002] concluded that the project would have **no likely significant effect**, either alone or in-combination with other projects or plans, on the qualifying features of the six European sites listed below:
- Medway Estuary and Marshes SPA
 - Medway Estuary and Marshes Ramsar site
 - Thames Estuary and Marshes SPA
 - Thames Estuary and Marshes Ramsar site
 - Queendown Warren SAC
 - Outer Thames Estuary SPA
- 3.5 NE noted that information in respect of air quality critical loads for the Ramsar sites features had not been included in ES Appendix 5.4 [REP2-011] and requested that it was provided. However, the Applicant's conclusions in relation to all of the above sites and their features **were not disputed** by any IPs during the Examination.
- 3.6 Following the submission by the Applicant of the updated ES Appendix 5.4 [REP2-011], it was formally stated in the SoCG between the Applicant and NE [AS-023] that the project would have no likely significant effect, either alone or in-combination with other projects or plans, on any European sites and their qualifying features.

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- 3.7 As a result of the screening assessment, the Applicant concluded that the project is **likely to give rise to significant effects**, either alone or in combination with other projects or plans, on the qualifying features, set out in Table 3.1 below, of the following European sites:
- Swale SPA
 - Swale Ramsar site
- 3.8 The Applicant's conclusion of potential likely significant effects on those European sites identified above and their qualifying features **were not disputed** by any IPs during the Examination.

Summary of HRA Screening outcomes during the Examination

- 3.9 A total of eight European sites were screened by the Applicant prior to Examination (see Annex 1). The Applicant concluded that there would be no likely significant effect on six of these European sites and their qualifying features, as identified above. The IPs did not dispute the Applicant's conclusion of no likely significant effects on these European sites and their qualifying features during the Examination.
- 3.10 It was confirmed in the signed SoCG between the Applicant and NE [AS-023], that was submitted post-Deadline 4 that NE agreed with the Applicant's conclusion of no likely significant effects on the six European sites, except the OTE SPA to which no reference was made and which NE did not include in the list of sites that they considered should be included in the assessment.
- 3.11 The Applicant concluded likely significant effects on two European sites (as set out in Table 3.1). The IPs did not dispute the Applicant's conclusion for these European sites and qualifying features. These sites are discussed further in Section 4 of this report.

Table 3.1: The Applicant’s screening exercise and degree of agreement with Interested Parties

Features	Screening result*: LSE alone or in combination?	Agreed with SCNB and other relevant parties?	Assessment of effects on integrity required?	Agreed with SNCB and other relevant parties?
<u>Swale SPA</u>				
Dark-bellied brent goose (non-breeding)	Yes	Yes [AS-023]	Yes	Yes [RR-005]
Dunlin (non-breeding)	Yes	Yes [AS-023]	Yes	Yes [RR-005]
Breeding bird assemblage	Yes	Yes [AS-023]	Yes	Yes [RR-005]
Waterbird assemblage (non-breeding)	Yes	Yes [AS-023]		
<u>Swale Ramsar site</u>				
Criterion 2 – Wetland plants and invertebrates	Yes	Yes [AS-023]	Yes	Yes [RR-005]
Criterion 5 – wintering waterfowl assemblage	Yes	Yes [AS-023]	Yes	Yes [RR-005]
Criterion 6 – Redshank, dark- bellied brent goose, grey plover (non- breeding)	Yes	Yes [AS-023]	Yes	Yes [RR-005]

*From Applicant’s HRAR and Screening Matrices [AS-022].

4. ADVERSE EFFECTS ON INTEGRITY

Conservation Objectives

- 4.1 The conservation objectives for the European sites assessed by the Applicant at the point of submission of the DCO application were set out within the Applicant's NSER [APP-033]. They were also included in the subsequent updated versions of the HRAR submitted in June 2018 [AS-002] and October 2018 [AS-022].

The Integrity Test

No Adverse Effects on Site Integrity

- 4.2 The Applicant concluded that the project will not adversely affect the integrity of the European sites listed below or any of their features:
- Swale SPA
 - Swale Ramsar site
- 4.3 The Applicant's conclusions in relation to the sites listed above and their features were not disputed by any IPs. It was confirmed in the signed SoCG between the Applicant and NE, submitted post-Deadline 4, that NE agreed with the Applicant's conclusion of no adverse effects on the integrity of any European site, and that there were no remaining matters that had not been agreed [AS-023].
- 4.4 Section 2.4 of the SoCG identifies the matters that were agreed between the Applicant and NE that informed the conclusion of no adverse effect on site integrity. These related to noise; air quality; light spill; and water quality and resources.
- 4.5 In respect of construction noise, it was agreed that a DCO Requirement would provide that no impact piling would take place between January and February inclusive, and that no more than 10 days impact piling in total would be permissible consecutively or otherwise between November and December. This was proposed to avoid disturbance to over-wintering birds that could compromise their ability to survive as a result of increased flight responses.
- 4.6 In respect of visual disturbance, it was agreed that there would be no adverse effect due to the distance between the Proposed Development and the Swale SPA and Ramsar site and screening offered by other buildings; and that the Marsh Harrier that breed in the reed beds adjacent to the site access road are expected to remain there as they have remained breeding in this location despite the proximity of industrial development and appear to have become habituated to the type of visual

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disturbance that could be anticipated during construction of the Proposed Development.

- 4.7 In respect of air quality it was agreed that adverse effects during construction would be avoided or reduced through application of measures contained within the CEMP [APP-011] and which would be secured in the DCO. It was also agreed that the data included in the updated ES Appendix 5.4 [REP2-011] demonstrated that the process contribution of the project during operation would be less than 1% of the critical loads/levels of the Ramsar habitats and therefore, a significant effect on the Swale Ramsar site is not anticipated.
- 4.8 In respect of light spill it was agreed that appropriate lighting design to avoid adverse effects on the Swale SPA and Ramsar site would be secured through Requirement 9 of the DCO.
- 4.9 In respect of water quality and resources, it was agreed that pollution prevention measures contained within the CEMP, secured in Requirement 7 of the DCO, would avoid an adverse effect on the Swale SPA and Ramsar site during construction. Additionally, it was agreed that, following a Water Framework Directive scoping exercise undertaken by the Applicant, there would not be significant effects on the Swale SPA and Ramsar site.
- 4.10 In the Applicant's response to ExA Q1.4.42 [REP2-030] about proposed mitigation measures referenced in the HRAR, the Applicant responded that all proposed mitigation would be secured via the CEMP and that the HRAR would be amended to reflect this and submitted alongside the SoCG to be agreed with NE. References to the CEMP were included in the finalised SoCG [AS-023] but were not included in the HRAR [AS-022].

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**ANNEX 1: UK EUROPEAN SITES AND
FEATURES SCREENED INTO THE
HRA BY THE APPLICANT AND
CONSIDERED DURING THE
EXAMINATION**

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Name of European Site	Features
Swale SPA	Dark-bellied brent goose (non-breeding) Dunlin (non-breeding) Breeding bird assemblage Waterbird assemblage (non-breeding)
Swale Ramsar site	Criterion 2 – Wetland plants and invertebrates Criterion 5 – wintering waterfowl assemblage Criterion 6 – Redshank, dark-bellied brent goose, grey plover (non-breeding)
Medway Estuary and Marshes SPA	Avocet (breeding and non-breeding) Dark-bellied brent goose (non-breeding) Dunlin (non-breeding) Grey plover (non-breeding) Knot (non-breeding) Pintail (non-breeding) Redshank (non-breeding) Ringed plover (non-breeding) Shelduck (non-breeding) Waterbird assemblage (non-breeding) Little tern (breeding) Breeding bird assemblage
Medway Estuary and Marshes Ramsar site	Criterion 2 – Wetland plants and invertebrates Criterion 5 – wintering waterfowl assemblage Criterion 6 – Grey plover, redshank, dark-bellied brent goose, shelduck, pintail, ringed plover, knot, dunlin (non-breeding)
Thames Estuary and Marshes SPA	Avocet (non-breeding) Black-tailed godwit (non-breeding)

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	<p>Dunlin (non-breeding) Grey plover (non-breeding) Hen harrier (non-breeding) Knot (non-breeding) Redshank (non-breeding) Ringed plover (non-breeding) Waterbird assemblage (non-breeding)</p>
Thames Estuary and Marshes Ramsar site	<p>Criterion 2 – Wetland plants and invertebrates Criterion 5 – wintering waterfowl assemblage Criterion 6 – Ringed plover, black-tailed godwit, grey plover, knot, dunlin, redshank (non-breeding)</p>
Outer Thames Estuary SPA	<p>Red-throated diver (non-breeding) Little tern (breeding) Common tern (breeding)</p>
Queendown Warren SAC	<p>H6210 – Semi natural grasslands and scrubland facies: on calcareous substrates (<i>Festuco-brometalia</i>) (important orchid sites); Dry grasslands and scrublands on chalk or limestone (important orchid sites).</p>

ANNEX 2: STAGE 1 MATRICES: SCREENING FOR LIKELY SIGNIFICANT EFFECTS

Stage 1 Matrices: Screening for Likely Significant Effect

This annex of the RIES identifies the European sites and features for which the Applicant's conclusions were disputed by Interested Parties. Therefore, revised screening matrices have been produced by the Planning Inspectorate

Key to Matrices:

- ✓ Likely significant effect cannot be excluded
- × Likely significant effect can be excluded
- C construction
- O operation
- D decommissioning

Information supporting the conclusions is detailed in footnotes for each table with reference to relevant supporting documentation.

Where an impact is not considered relevant for a feature of a European Site the cell in the matrix is formatted as follows:

n/a

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Stage 1 Matrix 1: The Swale SPA

Name of European Site	The Swale Special Protection Area																																			
EU Code	UK9012011																																			
Distance to Proposal site	275 m																																			
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality - dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species								
	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D						
Migratory Wintering species regularly occurring in internationally -important numbers over winter – Dark bellied brent geese	x	a		x	b		x	c		x	d		√	e		x	f		x	g		x	h		x	i		√	j		√	k		x	l	
Migratory Wintering species regularly occurring in internationally -important numbers over winter – Dunlin	x	a		x	b		x	c		x	d		√	e		x	f		x	g		x	h		x	i		√	j		√	k		x	l	

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Regularly supporting over 20,000 waterfowl over winter	x a	x a		x b	x b		x c	x c		x d	x d		√ e	x f		x g	x h		x i	x i		√ j	√ j		√ k	√ k		x l	x l
Diverse assemblage of breeding birds	x a	x a		x b	x b		x c	x c		x d	x d		√ e	x f		x g	x h		x i	x i		√ j	√ j		√ k	√ k		x l	x l

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the SPA, the DCO application will result in no change to current management regimes of any supporting habitat of The Swale SPA during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).
c.	The site is already developed land and >200 m from The Swale SPA. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 275 m from The Swale SPA and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the Swale SPA site is over 275 metres to the north east of the Proposal site and therefore outside the area potentially most affected. However, likely significant effects cannot be excluded without further assessment and/or application of mitigation as necessary.
f.	No dust-generating activities are associated with the operational of the proposed K4. Therefore, no likely significant effect is predicted on any interest feature.

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g.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
h.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
i.	The Proposal site is currently hard standing and drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the Swale SPA or area which supports an SPA species, including to the reedbed to the east of the Proposal Site, will occur as a result of the proposed development (ref HRAR para 5.44).
j.	In the absence of mitigation, likely significant effects on The Swale SPA due to changes in water quality cannot be excluded due to the relatively close proximity of the nearest boundary to the proposed site.
k.	Because of the relative complexity of these issues, and their ability to have impacts on waterbirds within several hundred metres depending on the nature of the activity and the receptors, likely significant effects due to disturbance cannot be excluded at The Swale SPA without further assessment and/or application of mitigation as necessary.
l.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).

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Stage 1 Matrix 2: The Swale Ramsar

Name of European Site	The Swale Ramsar																													
EU Code	N/A																													
Distance to Proposal site	275 m																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality - dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Ramsar Criterion 2 - Nationally rare and scarce plant species	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		√ _e	x _f		x _g	x _h		x _i	x _i		√ _j	√ _j		√ _k	√ _k		x _l	x _l	
Ramsar Criterion 2 - Red Data Book invertebrates	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		√ _e	x _f		x _g	x _h		x _i	x _i		√ _j	√ _j		√ _k	√ _k		x _l	x _l	
Ramsar Criterion 5 – Overwinter assemblage of international importance	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		√ _e	x _f		x _g	x _h		x _i	x _i		√ _j	√ _j		√ _k	√ _k		x _l	x _l	

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Ramsar Criterion 6 - Numbers of International Importance during spring/autum n passage Redshank	x a	x a		x b	x b		x c	x c		x d	x d		√ e	x f		x g	x h		x i	x i		√ j	√ j		√ k	√ k		x l	x l	
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Dark bellied brent geese	x a	x a		x b	x b		x c	x c		x d	x d		√ e	x f		x g	x h		x i	x i		√ j	√ j		√ k	√ k		x l	x l	
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Grey Plover	x a	x a		x b	x b		x c	x c		x d	x d		√ e	x f		x g	x h		x i	x i		√ j	√ j		√ k	√ k		x l	x l	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. No habitat occurs on site that could support interest feature invertebrates or plants. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the Ramsar site, the DCO application will result in no change to current management regimes of any supporting habitat of The Swale Ramsar during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).

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c.	The site is already developed land and >200 m from The Swale Ramsar. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 275 m from The Swale Ramsar and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the Swale Ramsar site is over 275 metres to the north east of the Proposal site and therefore outside the area potentially most affected. However, likely significant effects cannot be excluded without further assessment and/or application of mitigation as necessary.
f.	No dust-generating activities are associated with the operational of the proposed K4. Therefore, no likely significant effect is predicted on any interest feature.
g.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
h.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
i.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the Swale Ramsar will occur as a result of the proposed development (ref HRAR para 5.44).
j.	In the absence of mitigation, likely significant effects on The Swale Ramsar due to changes in water quality cannot be excluded due to the relatively close proximity of the nearest boundary to the proposed site.
k.	Because of the relative complexity of these issues, and their ability to have impacts on waterbirds within several hundred metres depending on the nature of the activity and the receptors, likely significant effects due to disturbance cannot be excluded at The Swale Ramsar without further assessment and/or application of mitigation as necessary.
l.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).

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Stage 1 Matrix 3: Medway Estuary and Marshes SPA

Name of European Site	Medway Estuary and Marshes SPA																													
EU Code	UK9012031																													
Distance to Proposal site	2.1 km																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality - dust			Air quality – emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Regularly supporting more than 1% of the GB breeding population of an Annex 1 species in summer – Avocet	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	
Regularly supporting more than 1% of the GB breeding population	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	

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Migratory Species Regularly Wintering in Numbers of European Importance - Knot	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Migratory Species Regularly Wintering in Numbers of European Importance - Dunlin	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Regularly supports in winter a diverse assemblage of wintering species	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Regularly supports over 20,000 waterfowl	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Diverse assemblage of breeding migratory waterfowl	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the SPA, the DCO application will result in no change to current management regimes of any supporting habitat of the SPA during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).
c.	The site is already developed land and >2 km from the Medway Estuary & Marshes SPA. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 2.1 km from the Medway Estuary and Marshes SPA and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the SPA site is over 2 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the SPA or area which supports an SPA species will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the SPA, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the SPA, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).

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k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).
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Stage 1 Matrix 4: Medway Estuary and Marshes Ramsar

Name of European Site	Medway Estuary and Marshes Ramsar																													
EU Code	N/A																													
Distance to Proposal site	2.1 km																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality - dust			Air quality – emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Ramsar Criterion 2 - Nationally rare and scarce plant species	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 2 - Red Data Book invertebrates	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 5 – Overwinter assemblage of international importance	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

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Ramsar Criterion 6 - Regularly on Passage in Numbers of International Importance – Grey Plover	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Species Regularly on Passage in Numbers of International Importance – Common Redshank	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Dark-bellied Brent Goose	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Shelduck	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Regularly	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the Ramsar, the DCO application will result in no change to current management regimes of any supporting habitat of the Ramsar during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).
c.	The site is already developed land and >2 km from the Medway Estuary & Marshes Ramsar. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 2.1 km from the Medway Estuary and Marshes Ramsar and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the Ramsar site is over 2 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the Ramsar or area which supports a Ramsar species will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the Ramsar, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the Ramsar, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).
k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site,

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	as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).
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Stage 1 Matrix 5: Thames Estuary and Marshes SPA

Name of European Site	Thames Estuary and Marshes SPA																													
EU Code	UK9012021																													
Distance to Proposal site	10 km																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality – dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Annex 1 Species Regularly Wintering in Numbers of European Importance - Avocet	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Annex 1 Species Regularly Wintering in Numbers of European Importance – Hen harrier	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

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Migratory species regularly occurring on passage – Ringed plover	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Migratory Species Regularly Wintering in Numbers of European Importance - Dunlin	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Migratory Species Regularly Wintering in Numbers of European Importance - Knot	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Migratory Species Regularly Wintering in Numbers of European Importance – Black-tailed godwit	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

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Migratory Species Regularly Wintering in Numbers of European Importance - Redshank	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Migratory Species Regularly Wintering in Numbers of European Importance - Grey plover	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Assemblage regularly supporting over 20,000 waterfowl	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the SPA, the DCO application will result in no change to current management regimes of any supporting habitat of the SPA during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).

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c.	The site is already developed land and 10 km from the Thames Estuary & Marshes SPA. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 10 km from the Thames Estuary and Marshes SPA and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the SPA site is 10 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30 -5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the SPA or area which supports an SPA species will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the SPA, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the SPA, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).
k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).

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Stage 1 Matrix 6: Thames Estuary and Marshes Ramsar

Name of European Site	Thames Estuary and Marshes Ramsar																													
EU Code	N/A																													
Distance to Proposal site	10 km																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality – dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Ramsar Criterion 2 - Nationally rare and scarce plant species	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 2 - Red Data Book invertebrates	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 5 – Overwinter assemblage of international importance	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

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Ramsar Criterion 6 - Species Regularly occurring on passage in Numbers of International Importance - Ringed plover	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Species Regularly Wintering in Numbers of International Importance - Knot	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Species Regularly Wintering in Numbers of International Importance - Dunlin	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	
Ramsar Criterion 6 - Species Regularly Wintering in Numbers of International Importance - Ringed	x a	x a		x b	x b		x c	x c		x d	x d		x e	x e		x f	x g		x h	x h		x i	x i		x j	x j		x k	x k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the Ramsar, the DCO application will result in no change to current management regimes of any supporting habitat of the Ramsar during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).
c.	The site is already developed land and 10 km from the Thames Estuary & Marshes Ramsar. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 10 km from the Thames Estuary and Marshes Ramsar and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the Ramsar site is 10 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the Ramsar or area which supports a Ramsar species will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the Ramsar, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the Ramsar, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).
k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site,

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	as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).
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Stage 1 Matrix 7: Outer Thames Estuary SPA

Name of European Site	Outer Thames Estuary SPA																													
EU Code	UK9020309																													
Distance to Proposal site	10 km																													
European site features	Direct loss or damage of habitats used by interest species			Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality - dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species		
	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Red throated diver	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	
Common tern	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	
Little tern	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
b.	Given the distance from the SPA, the DCO application will result in no change to current management regimes of any supporting habitat of the SPA during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).

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c.	The site is already developed land and 10 km from the Thames Estuary & Marshes SPA. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 10 km from the Thames Estuary and Marshes SPA and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the SPA site is 10 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the SPA or area which supports a SPA species will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the SPA, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the SPA, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).
k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).

Stage 1 Matrix 8: Queendown Warren SAC

Name of European Site	Queendown Warren SAC																													
EU Code	UK0012833																													
Distance to Proposal site	10 km																													
European site features	Direct loss or damage of habitats used by interest species	Change in Habitat Management Regime			Loss of future space to allow for managed realignment			Urbanisation			Air quality – dust			Air quality - emissions			Hydrological Changes			Water quality			Disturbance			Introduction or spread of non-native invasive species				
	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D	C	O	D
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites)	x _a	x _a		x _b	x _b		x _c	x _c		x _d	x _d		x _e	x _e		x _f	x _g		x _h	x _h		x _i	x _i		x _j	x _j		x _k	x _k	

Evidence supporting conclusions

a.	No likely significant effect from direct loss of habitat on any interest feature. The Proposal Site comprises hard standing and is an active area of the Paper Mill. Therefore, it does not support habitat suitable for any citation species (ref HRAR para 5.4 – 5.11).
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b.	Given the distance from the SAC, the DCO application will result in no change to current management regimes of the Annex I habitat for which the SAC is designated during either the construction or operation of the CHP (ref HRAR para 5.12 – 5.16).
c.	The site is already developed land and 10 km from the SAC. No loss of land for managed realignment is therefore expected (ref HRAR para 5.17 – 5.19).
d.	The Proposal Site is 10 km from the SAC and set against a backdrop of existing industrial buildings. No likely significant effect on any interest feature from increased urbanisation is therefore predicted (ref HRAR para 5.20 – 5.24).
e.	Based on studies elsewhere, it is anticipated that the majority of dust generated during construction would be deposited in the area immediately surrounding the source (up to 50 metres away) and that no change in level of exposure is expected beyond 300 metres from the site. The boundary of the SAC is 10 km to the north east of the Proposal Site and therefore outside the area potentially affected by any dust. Therefore, no likely significant effect is predicted on any interest feature.
f.	As set out in Chapter 5 of the ES, the number of HGV movements associated with such construction is below the 100-movement threshold that would necessitate further assessment. Therefore, no likely significant effect is predicted from traffic emissions during construction (ref HRAR para 5.30-5.31).
g.	No likely significant effects from operational emissions are predicted on any interest feature or supporting habitat as all process contributions are <1% and/or the predicted environmental concentration is less than the Environmental Quality Standard (ref HRAR para 5.35 – 5.40).
h.	The Proposal site is currently drained via a series of drainage channels which are already in place and being used as part of the existing K1. K4 will use the same system. Therefore, no hydrological changes to terrestrial areas of the SAC will occur as a result of the proposed development (ref HRAR para 5.44).
i.	Given the distance between the proposal site and the SAC, no changes to water quality are anticipated (ref HRAR para 5.43).
j.	Given the distance between the proposal site and the SAC, no likely significant effect on any interest feature is predicted from disturbance (ref HRAR para 5.46).
k.	The only non-native invasive species currently known to be in the area, though not on the Proposal site, is Japanese Knotweed. No importation of material is required to build K4 and no final planting is proposed that could inadvertently import non-native invasive to site, as such no likely significant effect is predicted (ref HRAR para 5.47 – 5.48).

ANNEX 3: STAGE 2 MATRICES: ADVERSE EFFECT ON INTEGRITY

Stage 2 Matrices: Adverse Effect on Integrity

This annex of the RIES identifies the European sites and features for which the Applicant's conclusions with regards to adverse effects on integrity were disputed by Interested Parties. Therefore revised integrity matrices have been produced by the Planning Inspectorate.

Key to Matrices:

- ✓ Likely significant effect cannot be excluded
- × Likely significant effect can be excluded
- C construction
- O operation
- D decommissioning

Information supporting the conclusions is detailed in footnotes for each table with reference to relevant supporting documentation.

Where an impact is not considered relevant for a feature of a European Site the cell in the matrix is formatted as follows:

n/a

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Stage 2 Matrix 9: The Swale SPA

Name of European Site	The Swale SPA																			
EU Code	UK9012011																			
Distance to Proposal site	275 m																			
European site features	Air Quality - dust		Water quality			Disturbance – Activity			Disturbance – Recreation			Disturbance – Noise			Disturbance - Lighting			In-combination effects		
	<i>C</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Regularly supporting more than 1% of the GB breeding population of an Annex 1 species in summer – Avocet	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	
Regularly used by 1% or more of the GB population of an Annex 1 species during passage – Redshank	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	

Waterbird Assemblage																			
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Evidence supporting conclusions

a.	<p>Whilst studies suggest most dust from construction of the proposed project would be deposited in the area immediately surrounding the source (up to 50 m, which is outside the boundary of the Swale SPA), and that no change in level of exposure is expected beyond 300 m from the site, this does mean that some impacts are possible within the Swale SPA boundary, which is located 275 m to the north east of the Proposal site.</p> <p>To ensure compliance with relevant standards and guidelines relating to dust and airborne particulate matter, various techniques not relating to the avoidance or reduction in effect on a European site will be implemented during the construction phase. This will ensure that dust is managed in line with good practice such that a conclusion of no adverse effect on integrity, once mitigation is incorporated, can be reached (ref HRAR – para 6.2-6.4).</p>
b.	<p>A site-wide surface water pollution prevention system will be developed to prevent the discharge of any contaminated surface water from the site. The overall philosophy for the design of the surface water pollution prevention system for the site is to manage surface water sustainably and to ensure that discharged waters do not constitute a pollution risk.</p> <p>Process water from the Proposed Development will be neutralised in a desiccated sump and transferred to the existing waste water treatment plant within the Mill site. This is operated under an existing permit (EPR BJ74681C-V009) which sets pH and water temperature limits (amongst others) for discharge into The Swale (ref ES Chapter 9). The volume of water discharged will not be any higher than the levels of that which currently exist.</p> <p>Therefore, a conclusion of no adverse effect on integrity can be reached, once this mitigation is included (ref HRAR – 6.5-6.10).</p>
c.	<p>It is considered there is a limited potential for disturbance to waterbirds to be caused by activity associated with the Proposal when account is taken of the fact that, given the distance to The Swale from the proposal site and existing, intervening buildings. On this basis, a conclusion of no adverse effect on integrity can be reached (ref HRAH – 6.13 - 6.18).</p>
d.	<p>The potential for disturbance to SPA Citation species from recreational activities by either construction or subsequent</p>

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	<p>operational staff is considered low. Whilst there is access to the Saxon Shore Way from the wider Kemsley Paper Mill, currently very little or no use is made of this by Kemsley Mill staff. It is possible that there will be increased recreational usage made of the Saxon Shore Way during both construction of the site, as Sittingbourne is within potential travel distance over lunch break. However, it should be borne in mind that Milton Creek is outside the SPA and that dogs will not be permitted on site. It is anticipated that few if any construction and operational staff will access the Swale SPA. On this basis, no adverse effect on integrity is predicted (ref HRAH – 6.19 – 6.21).</p>
<p>e.</p>	<p>Modelling of the noise levels expected during the loudest operation during construction (percussive impact piling) has been undertaken with contours of anticipated L_{Amax} levels (in dB) plotted. These show that the reedbed that supports breeding Marsh Harrier (part of the breeding bird assemblage) would be subject to noise levels between 50 and 55 dB_{LAmax}, which is below the impact threshold. Therefore, it is highly unlikely that noise disturbance during construction would have any significant effect on the Marsh Harrier population and therefore the conservation objectives for this species listed in Section 4 are not compromised. The main intertidal areas of the Swale SPA used by wintering citation birds recorded by the foreshore monitoring are over 275 m from the source of significant noise events. Modelling of the noise generated by the loudest events during construction (percussive piling) has been undertaken. The resulting noise contours have been plotted with the nearby designated sites shown, the highest noise that would be received by birds using the SPA is between 65 and 70 dB_{LAmax}, covering an area of some 20 ha within the designated site, essentially at the mouth of the Milton Creek. This equates to 0.32% of the 6,514 ha site. In order to avoid impacts to the SPA, a suitable piling strategy has been agreed with Natural England. On this basis, it can be concluded there will be no adverse impacts on the integrity of the SPA (ref HRAR – para 6.30).</p>
<p>f.</p>	<p>Under normal operating conditions, the Proposed Development will produce a low hum, rather than any loud, sudden noises that might elicit a disturbance response from nearby interest-feature birds using the intertidal areas of The Swale. It will furthermore not result in noise levels of greater than 55 dB_{LAmax} within the SPA. On this basis, no adverse effect on integrity is predicted (ref HRAR – para 6.33 – 6.35).</p>
<p>g.</p>	<p>Given the distance of the proposed development to the SPA, and that there is further development between the Proposal Site and designated site, light from the proposed development does not have the potential to illuminate either the terrestrial or inter-tidal habitats above that which it is currently. All lighting will be designed as per best practice standards to ensure that no additional light spill above the current situation would occur. On this basis, no adverse effect on integrity is predicted (ref HRAR – 6.36 – 6.38).</p>
<p>h.</p>	<p>The in-combination assessment has concluded that there are no adverse effects on the integrity of designated sites, either because there are no ecological pathways via which to do this, or because the in-combination modelling (for noise, air, etc) do not exceed the maximum thresholds. Therefore, no adverse effect on integrity is predicted (ref HRAR Section 7).</p>

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Stage 2 Matrix 10: The Swale Ramsar

Name of European Site	The Swale Ramsar																			
EU Code	N/A																			
Distance to Proposal site	275 m																			
European site features	Air Quality - dust		Water quality			Disturbance – Activity			Disturbance – Recreation			Disturbance – Noise			Disturbance - Lighting			In-combination effects		
	<i>C</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>	<i>C</i>	<i>O</i>	<i>D</i>
Ramsar Criterion 2 - Nationally rare and scarce plant species	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	
Ramsar Criterion 2 - Red Data Book invertebrates	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	
Ramsar Criterion 5 – Overwinter assemblage of international importance	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	
Ramsar Criterion 6 - Regularly Wintering in	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	

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Numbers of International Importance Redshank																				
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Dark bellied brent geese	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	
Ramsar Criterion 6 - Regularly Wintering in Numbers of International Importance - Grey Plover	x a		x b	x b		x c	x c		x d	x d		x e	x f		x g	x g		x h	x h	

Evidence supporting conclusions

a.	<p>Whilst studies suggest most dust from construction of the proposed project would be deposited in the area immediately surrounding the source (up to 50 m, which is outside the boundary of the Swale Ramsar), and that no change in level of exposure is expected beyond 300 m from the site, this does mean that some impacts are possible within the Swale Ramsar boundary, which is located 275 m to the north east of the Proposal site.</p> <p>To ensure compliance with relevant standards and guidelines relating to dust and airborne particulate matter, various techniques not relating to the avoidance or reduction in effect on a European site will be implemented during the construction phase. This will ensure that dust is managed in line with good practice such that a conclusion of no adverse effect on integrity, once mitigation is incorporated, can be reached (ref HRAR – para 6.2-6.4).</p>
b.	A site-wide surface water pollution prevention system will be developed to prevent the discharge of any contaminated surface

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	<p>water from the site. The overall philosophy for the design of the surface water pollution prevention system for the site is to manage surface water sustainably and to ensure that discharged waters do not constitute a pollution risk.</p> <p>Process water from the Proposed Development will be neutralised in a desiccated sump and transferred to the existing waste water treatment plant within the Mill site. This is operated under an existing permit (EPR BJ74681C-V009) which sets pH and water temperature limits (amongst others) for discharge into The Swale (ref ES Chapter 9). The volume of water discharged will not be any higher than the levels of that which currently exist.</p> <p>Therefore, a conclusion of no adverse effect on integrity can be reached, once this mitigation is included (ref HRAH – 6.5-6.10).</p>
c.	<p>It is considered there is a limited potential for disturbance to waterbirds to be caused by activity associated with the Proposal when account is taken of the fact that, given the distance to The Swale from the proposal site and existing, intervening buildings. On this basis, a conclusion of no adverse effect on integrity can be reached (ref HRAH – 6.13 - 6.18).</p>
d.	<p>The potential for disturbance to Ramsar Citation species from recreational activities by either construction or subsequent operational staff is considered low. Whilst there is access to the Saxon Shore Way from the wider Kemsley Paper Mill, currently very little or no use is made of this by Kemsley Mill staff. It is possible that there will be increased recreational usage made of the Saxon Shore Way during both construction of the site, as Sittingbourne is within potential travel distance over lunch break. However, it should be borne in mind that Milton Creek is outside the Ramsar and that dogs will not be permitted on site. It is anticipated that few if any construction and operational staff will access the Swale Ramsar. On this basis, no adverse effect on integrity is predicted (ref HRAH – 6.19 – 6.21).</p>
e.	<p>The main intertidal areas of the Swale Ramsar used by wintering citation birds recorded by the foreshore monitoring are over 275 m from the source of significant noise events. Modelling of the noise generated by the loudest events during construction (percussive piling) has been undertaken. The resulting noise contours have been plotted with the nearby designated sites shown, the highest noise that would be received by birds using the Ramsar is between 65 and 70 dBL_{Amax}, covering an area of some 20 ha within the designated site, essentially at the mouth of the Milton Creek. This equates to 0.32% of the 6,514 ha site. In order to avoid impacts to the Ramsar, a suitable piling strategy has been agreed with Natural England. On this basis,, it can be concluded there will be no adverse impacts on the integrity of the Ramsar (ref HRAR – para 6.30).</p>
f.	<p>Under normal operating conditions, the Proposed Development will produce a low hum, rather than any loud, sudden noises that might elicit a disturbance response from nearby interest-feature birds using the intertidal areas of The Swale. It will furthermore not result in noise levels of greater than 55 dBL_{Amax} within the Ramsar. On this basis, no adverse effect on integrity is predicted (ref HRAR – para 6.50 – 6.52).</p>
g.	<p>Given the distance of the proposed development to the Ramsar, and that there is further development between the Proposal</p>

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	Site and designated site, light from the proposed development does not have the potential to illuminate either the terrestrial or inter-tidal habitats above that which it is currently. All lighting will be designed as per best practice standards to ensure that no additional light spill above the current situation would occur. On this basis, no adverse effect on integrity is predicted (ref HRAR – 6.53 – 6.55).
h.	The in-combination assessment has concluded that there are no adverse effects on the integrity of designated sites, either because there are no ecological pathways via which to do this, or because the in-combination modelling (for noise, air, etc) do not exceed the maximum thresholds (ref HRAR Section 7).