



Mr E Williams
 Major Applications and Plans
 The Planning Inspectorate
 3D Eagle Wing
 Temple Quay House
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PINS Ref: EN010090
 DHA Ref: DHA/12321 Doc 13.1

20th November 2018

Dear Mr Williams

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

DOCUMENT 13.1 – APPLICANT’S SUBMISSIONS AT DEADLINE 6

I write further to the Examining Authority’s Rule 8 letter of the 24th July 2018 to summarise the submissions made by the applicant by Deadline 6 of the Examination programme.

Documents Submitted

The following documents have been submitted by the applicant:

| Applicant’s Ref | Document | Date |
|-------------------|---|--------------------------------|
| 1.2 | Application Guide | November 2018 |
| 2.1 | Revised dDCO (clean and tracked) | November 2018 |
| 2.3 | dDCO – Validation Report | November 2018 |
| 3.1 Appendix 10.2 | HRA Report | November 2018 |
| 13.1 | Deadline 6 Covering Letter | 20 th November 2018 |
| 13.2 | Schedule of Responses by the Applicant to submissions at Deadline 5 | November 2018 |

Application Guide (Document 1.2)

The Application Guide has been updated throughout to reflect the submissions made at Deadline 6; Volume 13 deals specifically with the Deadline 6 submissions.

Applicant’s Final Preferred DCO (Document 2.1)

A revised dDCO has been submitted (including clean and tracked versions) which reflects the applicant’s comments on the ExA’s preferred dDCO as well as the applicant’s comments on the ExQ2 at Deadline 5.

Environmental Statement (Document 3.1)

A revised version of the HRA Report (Document 3.1 – Appendix 10.2) has been submitted. Sections 2.5 and 6.37 of that report have been amended to reflect the fact that the ExA

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has proposed a Requirement relating to decommissioning and demolition. As such that Requirement does not currently form part of the dDCO although the applicant has not raised any issue to it being introduced should the ExA consider that to be required.

KCC Statement of Common Ground (SoCG) (Document 7.3) - Update

A draft SoCG between the applicant and KCC was submitted at Deadline 1, with the SoCG identifying two areas which remained under discussion; highways and archaeology.

The applicant provided an update regarding their SoCG with KCC in the Covering Letter relating to their post Deadline 4 submission, together with correspondence between the applicant and KCC regarding the SoCG. That correspondence demonstrates that the issue of archaeology has been resolved, as the applicant and KCC agree that Requirement 13 in the dDCO makes appropriate provision for the evaluation and possible investigation and reporting of any archaeology present on the site.

The applicant has then been seeking clarification from KCC regarding its Relevant and Written Representations, which indicate that a final Transport Assessment would need to be submitted. Since the applicant's post-D4 submission KCC have clarified their position regarding the provision of a Transport Assessment with their Deadline 5 submissions in response to the Examining Authority's Second Written Questions (ExQ2). The applicant has taken the opportunity at Deadline 6, within the schedule attached to this letter, to provide its comments on the KCC response to the ExQ2. There remains a difference between the parties on this point; KCC consider a final Transport Assessment to be required whilst the applicant considers that the Construction Traffic Management Plan and incorporated Travel Plan required to be provided under Requirement 8 of the dDCO is sufficient to capture an appropriate level of mitigation to address construction traffic.

The Applicant's Response to Deadline 5 Submissions

The applicant has noted the submissions by the EA and KCC at Deadline 5. Document 13.2 provides a schedule of responses by the applicant to those submissions, which addresses responses made at Deadline 5 by the EA and KCC to the ExQ2 and comments made by the EA and KCC on the ExA's preferred dDCO.

I trust this summary of the applicant's Deadline 6 submission is useful but would be pleased to discuss further should there be any queries at this stage.

Yours sincerely,

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

David Harvey
Director

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