



Ms S Evans
Major Applications and Plans
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
Temple Quay
Bristol
BS1 6PN

PINS Ref: EN010090
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7th December 2018

Dear Ms Evans

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

DOCUMENT 14.1 – APPLICANT’S SUBMISSIONS FOLLOWING DEADLINE 7

I write further to our conversation following Deadline 7, during which I noted that a discrepancy had been identified regarding the height stated for the Gas Turbine building (Work No1 (c)) at submission. That discrepancy had arisen due to account not being taken of an air inlet structure which will sit on the top of the gas turbine building, thereby increasing its overall height.

Since submission, and therefore throughout the examination of the K4 application, the height parameter stated for the gas turbine has been 9.9m. The addition of the air inlet structure will increase the required height parameter to 14.5m.

The applicant regrets that this discrepancy has not been identified earlier in the examination programme. However it is considered by the applicant to be an acceptable change to make to the proposed scheme at this stage in the examination process, on the basis that it is a change to a single element of the proposed scheme which as discussed below does not give rise to any materially different environmental effects to those previously identified. We recognise that the Examining Authority will want to give interested parties the opportunity to review and comment on the proposed change and have made this submission as quickly as possible after this issue was identified in order to provide as much time as possible for that process to take place within the 6 month examination period.

Environmental Effects

The proposed change to the height of the gas turbine has been assessed by the individual authors of the relevant topic specific chapters within the ES, who have provided the following responses:

- **Air Quality**

Paragraph 5.3.33 of Chapter 5 Air Quality states “The movement of air over and around buildings generates areas of flow circulation, which can lead to increased ground level concentrations in the building wakes. Where building heights are

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t. 01622 776226 **e.** info@dhaplanning.co.uk **w.** www.dhaplanning.co.uk

Maidstone Office, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN

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greater than about 30 - 40% of the stack height, downwash effects can be significant." The revised height of the Gas Turbine building is c.14.5m, approximately 20% of the recommended 70 m minimum stack height for K4. As such the revised Gas Turbine building is unlikely to significantly change the magnitude of the predicted concentrations. Furthermore the Gas Turbine building is adjacent to the HSRG building which, at a height of 35.2 m, will be the dominant building affecting the K4 plume. On that basis, the change in Gas Turbine building height is highly unlikely to change the conclusions of the air quality assessment.

- **Landscape and Visual**

Increasing the height of the Gas Turbine building from 9.9m to 14.5m would not result in any additional significant adverse effects on landscape, townscape or visual receptors.

The proposed HRSR and Turbine Hall are considerably taller buildings and would continue to form the focus of the development at K4, together with the stack. In near views from the Saxon Shore Way the Local Equipment Room and Dump Condenser, which lie on the eastern and southern edges of the site respectively, would generally obscure views of the Gas Turbine building. In mid-distance views a slightly larger sliver of the top of the Gas Turbine building would be visible as a barely perceptible addition to an industrial context of larger and more complex buildings and infrastructure. In views from the west and north the K1 development and Kemsley Paper Mill would obscure all views of buildings at K4 and in views from the north-east the landfill mound would obscure all views of the Gas Turbine building. In distant views, the increase in height of the Gas Turbine building would be imperceptible. The difference in the amount of additional building that would potentially be visible would not alter the magnitude of change or level of effect for any visual receptor identified within the ES, either during the daytime or at night.

There would be no additional change in the nature or character of any landscape or townscape character area within the K4 study area, either during the daytime or at night.

There would be no change in the level of cumulative landscape, townscape or visual effects identified within the ES as a result of increasing the height of the Gas Turbine building.

- **Cultural Heritage**

Increasing the height of the Gas Turbine building from 9.9m to 14.5m would not result in any additional significant adverse effects on cultural heritage assets.

Increasing the height of the Gas Turbine Building would have no additional physical impacts and therefore there would be no additional effects on buried archaeological remains, and the only potential impact would be on the settings of heritage assets. Despite the proposed increase in height of the turbine building, the proposed HRSR



and Turbine Hall are considerably taller buildings and would continue to form the focus of the development at K4, together with the stack.

The nearest designated historic asset, Rough Castle lies to the south west of the site. Views from this direction would be obscured by the K1 development and Kemsley Paper Mill, and no effects beyond those minor adverse effects previously identified. Potential impacts have been identified on the Grade II Little Murston Farmhouse, 1.4km to the south east, the Grade I listed medieval parish church of the Holy Trinity, Milton, located some 1.3 km south west, Mere Court and East Hall (both listed at Grade II) 1.6 km and 2 km south respectively, and the Grade II Tonge Corner Farmhouse some 2.1 km south east. In all of these examples their distance from the site the increase in height of the Gas Turbine building would not be a perceptible addition to the complex of industrial buildings and infrastructure. In all of these cases, the proposed development has been assessed as having a minor adverse significance of effect, and the proposed additional height of the gas turbine buildings has not altered.

Potential indirect impacts (all minor adverse) have also been identified on three conservation areas - Milton Regis High Street 2.1 km south west, Sittingbourne High Street 2.7 km south and Tonge Conservation Area some 2.8 km southeast of the Site. No additional impacts are identified as a result of the proposed changes to the height of the Gas Turbine building and no changes to the significance of effects are likely.

Furthermore, there will be no new impacts on the settings of historic assets than those previously identified.

In summary, no new impacts have been identified as a result of the proposed changes, and there will be no increase to the severity of impacts previously identified, and as a result no changes to the significance of effects of the development have been identified

The proposed change is not considered to have any implications for any of the other topic specific elements of the ES.

Documents Submitted

The following documents have been submitted by the applicant:

Applicant's Ref	Document	Date
1.2	Application Guide	December 2018
2.1	Revised dDCO (clean and tracked)	December 2018
2.3	dDCO - Validation Report	December 2018
3.1	Environmental Statement - Chp 2 (tracked and clean versions)	December 2018



3.1	Environmental Statement – Chp 5 (tracked and clean versions)	December 2018
5.3	Design and Access Statement	December 2018
13.1	Post Deadline 7 Covering Letter	7 th December 2018

Application Guide (Document 1.2)

The Application Guide has been updated throughout to reflect the submissions as listed above; Volume 14 deals specifically with the post Deadline 7 submissions.

Applicant's Final Preferred DCO (Document 2.1)

A revised dDCO has been submitted (including clean and tracked versions) which reflects the change in Table 1 to the height of the gas turbine building.

A further version of the Validation Report has also been provided. The Validation Report contains six outstanding validation errors, as follows:

- **ERR1** – The SI number will be added on the making of the DCO;
- **ERR2** and **ERR3** – The asterisks will be replaced by 'Made' and 'Coming into force' dates at the appropriate time at the point of any DCO being made;
- **ERR4** – the error has arisen as the correct Secretary of State has been referred to. That error will be addressed at the point at which any DCO is made.
- **ERR5** and **ERR6** – the Title, Department and date will be added at the appropriate time should the DCO be made.

As such the applicant is comfortable that appropriate efforts have been taken to eliminate all errors other than those which relate to elements of the DCO which would be amended at the appropriate time should the DCO be made.

Environmental Statement (Document 3.1)

A revised version of Chapter 2 is provided which has been amended for consistency to reflect the final Preferred DCO included within this submission; the height of the gas turbine has been amended and heights have also been revised to reflect AOD where appropriate.

A revised version of Chapter 5, Air Quality, is also provided. The 9.9m height of the gas turbine has been retained in Table 5.2 as that forms the basis on which the original air quality modelling was undertaken. However the Chapter itself has then been amended, at Para 5.3.34, to reflect the fact that the increase of the Gas Turbine building to 14.5m would not result in any change to the results of the original air quality modelling work.



Design and Access Statement (Document 5.3)

A revised version of the Design and Access Statement has been submitted, as that would be a certified document for the purposes of the DCO. The amended version reflects both the proposed change to the height of the gas turbine building as well as the change in Table 1 of the dDCO to refer to AOD heights.

I trust the above is useful by way of a summary of the applicant's submissions post Deadline 7. However please do not hesitate to contact me should you have any queries regarding this letter or the documents to which it refers.

Yours sincerely,



David Harvey
Director

Direct email: david.harvey@dhaplanning.co.uk