



## Meeting note

<b>Project name</b>	Allington Energy from Waste Facility
<b>File reference</b>	EN010108
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	3 September 2019
<b>Meeting with</b>	<b>The Planning Inspectorate FCC Environment</b>
<b>Venue</b>	Temple Quay House, Bristol
<b>Meeting objectives</b>	Inception meeting
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. The Inspectorate explained that the publication of the meeting note could be delayed up to six months (if requested by the Applicant for commercial reasons), or until a formal scoping request had been submitted.

### Project background

The proposed project site is located in Allington on a former quarry site, which is owned by the Applicant (FCC Environment Limited). There is currently an operating Energy from Waste (EfW) facility on the site, with a generating capacity of up to 42.5MW. The proposed development (which the Applicant considers to be an extension of this generating station) would include the addition of a fourth waste treatment line (along with associated infrastructure), which would result in generation from the overall site having a gross electrical generation capacity of approximately 72.5MW. The new (fourth) line will be using moving grate technology and would be able to process around 300,000 tonnes of waste per annum. The fourth line will be housed in a separate building but will share some of the existing station's infrastructure such as the substation, the electricity connection point and substation, the management/ administration offices, site drainage attenuation, parking and proposed district heating centre. There are both an existing Environmental Permit (EP) and discharge licence in place for the existing EfW facility. The Applicant confirmed it intended to apply for a new EP/or variation in parallel with the Development Consent Order (DCO) application.

The Applicant highlighted that in parallel to this application, they are promoting a household waste recycling facility proposed to the east of the site. The Applicant stated it will endeavour to make it clear to its consultees that consent for these two projects is sought under two different consenting regimes.

The Applicant confirmed that it has discussed the project with the host authorities, including Kent County Council (KCC). They also noted that there is an established community liaison group for the existing facility. The Applicant was advised to discuss with KCC how to best consult the residents of the travellers site close to the project site.

It was confirmed that the Applicant will submit a Combined Heat and Power report with any application for development consent (if one is made). The Applicant highlighted that if there is a possibility to connect to a nearby district heating network and it remains possible that Compulsory Acquisition (CA) powers may be sought to achieve this.

## **Environmental Issues**

Part of the western side of the site is currently a non-statutory conservation area delivered by a planning obligation. The Applicant explained that it is in discussions with KCC to have the site released in exchange for ecological/biodiversity improvements at another site within the Applicant's ownership. It was clarified that the public doesn't have access to the existing conservation area.

Submission of a scoping request is currently scheduled by the Applicant for Q4 2019. The Applicant was advised to justify in its scoping report any aspects or matters it wanted to scope out and to review the Inspectorate's [Advice Note Seven: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping](#). The Applicant was advised to consider carefully the timing of their scoping request and to avoid consultations running in parallel with the consultation undertaken by the Inspectorate as part of any scoping process.

It was confirmed that the Applicant had identified ecologically sensitive sites in the wider area that might be impacted by the Proposed Development but clarified it was not in a position to discuss any findings yet.

The Applicant explained that it was working with relevant bodies to agree their approach to undertaking assessments. The Applicant was advised to liaise with Public Health England regarding air quality and to look closely at the Annex to Advice Note 11.

## **Project timescales**

The Applicant informed the Inspectorate that KCC was content with the proposed project plan. The Inspectorate highlighted that it thought it was an ambitious pre-application timetable. It was further stated by the Applicant that if CA powers were needed the timescales would have to be revised. It was agreed that the draft documents review would be scheduled after the statutory consultation. The review usually takes 6-8 weeks followed by a meeting at Temple Quay House.

The Applicant is currently aiming to submit its application Q3 2020.

## **Any other business**

The Applicant noted that, in recent discussions with KCC, the waste authority had raised concerns that the proposed extension would not meet their current waste plan objectives. The Applicant was advised to continue to discuss this issue with KCC and include this issue within a Statement of Common Ground with the Authority that would

likely be requested during any examination (if an application for development consent under s37 PA2008 were accepted for examination).

At the meeting the Inspectorate agreed to consider carefully the information provided by the Applicant regarding the proposed development and their intent to submit a DCO application. The Inspectorate agreed to provide s51 advice on points it regarded as being relevant to the Applicant's intended application (see below). The Inspectorate clarified that it could not give legal advice as to whether the proposed development is a National Significant Infrastructure Project (NSIP). The Applicant was advised by the Inspectorate that it would have to provide a clear and well evidenced justification as to why it considers the proposed development meets the definition of "extension" of the existing generating station, as set out in Sections 14 and 15 of the PA2008. In particular, the Applicant should ensure they justify why the new "fourth line" can be considered an extension of the existing generating station, by virtue of its shared elements, rather than being considered an independent station operating independently (it was noted that the proposed development would be distinct from the existing station in terms of technology).

Following the meeting the Inspectorate has given further consideration to the information provided and considers that additional evidence may be required to explain why it is strictly necessary to share the shared elements referred to in the information and how they contribute to the Applicant's position that this is an NSIP by virtue of being an extension of a generating station.

The Inspectorate advised that the Applicant may wish to discuss this proposal with BEIS (Energy Infrastructure Planning Team) in relation to the proposed consenting route. Having given this further consideration following the meeting, The Inspectorate advises that the Applicant seeks to hold those discussions with BEIS prior to doing any of the following:

1. Submitting a scoping request under the PA2008;
2. Carrying out consultation under the PA2008;
3. Submitting an application for development consent under section 37 of the PA2008.

### **Follow ups**

The Applicant will send the Inspectorate the necessary project information to create a project page on the Inspectorate's website.