

SLOUGH MULTIFUEL EXTENSION PROJECT

Planning Inspectorate Ref: EN010129

The Slough Multifuel Extension Order

Land at 342 Edinburgh Avenue, Slough Trading Estate, Slough

**Document Ref: 9.1 – Applicant’s Comments on Relevant
Representations & Additional Submissions**

The Planning Act 2008



Applicant: SSE Slough Multifuel Limited

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GLOSSARY

Abbreviation	Description
AS	Additional Submission
BEIS	Department for Business, Energy and Industrial Strategy
CEMP	Construction Environmental Management Plan
CTMP	Construction Traffic Management Plan
CIP	Copenhagen Infrastructure Partners
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
HGV	Heavy Goods Vehicle
MW	Megawatts
NSIP	Nationally Significant Infrastructure Project
PA 2008	The Planning Act 2008
PINS	The Planning Inspectorate
RR	Relevant Representation
SMF	Slough Multifuel Facility
SoCG	Statement of Common Ground
SoS	Secretary of State
SSSI	Site of Special Scientific Interest
TCPA	Town and Country Planning Act 1990

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This document (Document Ref. 9.1) has been prepared on behalf of SSE Slough Multifuel Limited (the ‘Applicant’). It forms part of the application (the ‘Application’) for a Development Consent Order (a ‘DCO’), that has been submitted to the Secretary of State (the ‘SoS’) for Business, Energy and Industrial Strategy (BEIS), under Section 37 of ‘The Planning Act 2008’ (the ‘PA 2008’). The Application was accepted for Examination on 26 October 2022.
- 1.1.2 The Applicant is seeking development consent for the extension of the consented Slough Multifuel Facility (the ‘Consented Development’), an energy from waste electricity generating station, on land at the Slough Trading Estate, Slough (the ‘Site’).
- 1.1.3 A DCO is required for the extension (the ‘Proposed Project’) as it falls within the definitions and thresholds for a ‘Nationally Significant Infrastructure Project’ (a ‘NSIP’) under Sections 14(1)(a) and 15(1)(2)(a) and (c) of the PA 2008, being the extension of an onshore electricity generating station in England, which when extended will have a capacity of more than 50 megawatts (MW).

1.2 The Purpose and Structure of this Document

- 1.2.1 The purpose of this document is to set out the Applicant’s initial comments for Procedural Deadline A on the Relevant Representations (RRs) and Additional Submissions (ASs) made in respect of the Application.
- 1.2.2 The Applicant’s comments are provided in the following sections of the document. The ordering corresponds to the order in which the RRs and ASs appear on the project web page on the Planning Inspectorate’s website:
- Section 2 – BNP Paribas Real Estate on behalf of Royal Mail Group Limited.
 - Section 3 – Cadent Gas Limited
 - Section 4 – Canal & River Trust
 - Section 5 – SEGRO PLC
 - Section 6 – UK Health Security Agency
 - Section 7 – Natural England

2.0 BNP PARIBAS ON BEHALF OF ROYAL MAIL GROUP

2.1.1 The Relevant Representation states:

“Royal Mail Group Limited (RM) supports this proposed Slough Multifuel Extension Project, but is seeking to secure mitigations to protect its road based operations during the construction phase. Under section 35 of the Postal Services Act 2011 (the “Act”), RM has been designated by Ofcom as a provider of the Universal Postal Service. RM is the only such provider in the United Kingdom. The Act provides that Ofcom’s primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on RM, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure. The conditions imposed by Ofcom reflect those standards. RM is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. RM’s postal sorting and delivery operations rely heavily on road communications. RM’s ability to provide efficient mail collection, sorting and delivery to the public is sensitive to changes in the capacity of the highway network. RM is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on RM’s operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services thereby presenting a significant risk to RM’s business.

Slough Delivery Office is approximately 2 miles south-east of the DCO application site, and a further 10 operational facilities located within 10 miles. In exercising its statutory duties, RM vehicles use the M4, A355, and all of the adjacent local roads on a daily basis for access to the Delivery Offices and for deliveries. Any congestion on these roads has potential to adversely affect RM operations. RM previously submitted a response to the application’s Stage 2 Section 42 consultation in June 2022, which supersedes the previous holding statement dated 15 December 2021. RM’s position in the June response remains the same. RM is registering to be an Interested Party to the Examination in order to protect its position and ensure that the future CTMP secures mitigations for RM.”

2.2 Applicant’s Response

2.2.1 The Applicant notes the comments made on behalf of Royal Mail Group (RM) and welcomes RM’s support for the Slough Multifuel Extension Project.

2.2.2 The Applicant considers that RM’s road-based operations will be adequately protected during the construction phase through the measures secured by the Construction Environmental Management Plan (CEMP), which the Proposed Project would be required to comply with pursuant to the draft DCO requirements (Application Document Ref. 2.1), and the Applicant does not consider that any further measures are required.

2.2.3 The Slough Multifuel Facility (the ‘Consented Development’) was originally consented in June 2017 under ‘The Town and Country Planning Act 1990’ (the ‘TCPA’) (under Planning Permission Refs. P/00987/051 (being a Section 73

variation of P/00987/024 and P/00987/035) and P/00987/025, P/00987/052 and P/19876/000).

- 2.2.4 The construction of the Consented Development is taking place in accordance with a CEMP, which was approved by Slough Borough Council pursuant to Condition 17 of Planning Permission Ref. P/00987/051 (the ‘TCPA Permission’) (Application Document Ref. 7.7). The CEMP includes measures for the management of construction traffic and access/haul routes and controlled hours for delivery, and a Construction Traffic Management Plan (CTMP) is appended (Appendix 1 of the CEMP) (Application Document 7.6).
- 2.2.5 Construction of the Consented Development is at an advanced stage and is currently expected to be completed by Quarter 4 2024. The construction traffic associated with the Consented Development has been managed in accordance with the approved CEMP and CTMP and the Applicant is not aware of any adverse impacts being encountered on the highway network as a result of construction traffic, nor is it aware of any issues or concerns being raised by RM in respect of its operations specifically.
- 2.2.6 The Proposed Project is an extension of the Consented Development comprising the carrying out of limited physical works to increase the efficiency and gross installed capacity of the Slough Multifuel Facility from just under 50 MW to circa 60 MW. The Proposed Project will have limited construction effects and the worst case scenario, as identified in Chapter 7 of the Environmental Statement (Application Document Ref. 6.2.7), is 20 additional HGV deliveries over the entire two month construction phase (an average of less than one per day) and an additional 1-2 staff shuttle buses per day (between the off-site staff car park on Whitby Road and the Site). The Proposed Project will not result in any increase in the operational throughput of waste, vehicle movements or operating hours at the Slough Multifuel Facility.
- 2.2.7 Construction of the Proposed Project will be managed in accordance with the existing approved CEMP, which incorporates a CTMP, (including any approved revisions) pursuant to Requirement 3(1)(b) of the draft DCO.
- 2.2.8 Furthermore, although RM’s RR relates specifically to construction impacts, in respect of operation of the Proposed Project it is worth noting that Requirement 6(1)(a) of the draft DCO states that the Proposed Project shall not be commissioned unless the requirements of Condition 36 (Highways Scheme) of the TCPA Permission have been satisfied, while Requirement 7(1)(b) requires the Proposed Project to be operated in accordance with the details approved under Condition 36.
- 2.2.9 The Applicant therefore considers that sufficient controls are in place or are proposed through the draft DCO to ensure that the construction and operational traffic associated with the Proposed Project is adequately managed and that no adverse impacts are encountered on the highway network or by other road users.
- 2.2.10 The Applicant is committed to entering into dialogue with RM in order to agree a Statement of Common Ground (SoCG) if this is considered necessary.

3.0 CADENT GAS LIMITED

3.1.1 The Relevant Representation states:

“Cadent is a licensed gas transporter under the Gas Act 1986, with a statutory responsibility to operate and maintain the gas distribution networks in North London, Central and North West England. Cadent’s primary duties are to operate, maintain and develop its networks in an economic, efficient and coordinated way.

Cadent wishes to make a relevant representation to the Slough Multifuel Extension Project DCO in order to protect its position in light of apparatus which is located within and in close proximity to the proposed DCO boundary. Cadent’s rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the order limits should be maintained at all times and access to inspect such apparatus must not be restricted during construction.

The documentation and plans submitted for the above proposed scheme have been reviewed in relation to impacts on Cadent’s existing apparatus located within this area, and Cadent has identified that it may require adequate protective provisions to be included within the DCO to ensure that its apparatus and land interests are adequately protected and to include compliance plant protection procedures including relevant safety standards. Cadent notes that the Promoter is not seeking compulsory acquisition powers through the Order however Cadent has low, medium pressure and intermediate pressure gas pipelines and associated apparatus located within the order limits which may be affected by works proposed (including ancillary works). Therefore, Cadent wishes to reserve the right to make further representations as part of the examination process but in the meantime will seek to engage with the Promoter and internal plant protection teams to further understand likely impacts. As a responsible statutory undertaker, Cadent’s primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations.”

3.2 Applicant’s Response

3.2.1 The Applicant notes the comments made by Cadent Gas Limited (Cadent) in respect of its apparatus. The Applicant is committed to continuing dialogue with Cadent to resolve their concerns and to agree a SoCG if necessary.

3.2.2 The Applicant is aware of the location of Cadent’s low, medium pressure and intermediate pressure gas pipelines and associated apparatus within the DCO order limits and acknowledges Cadent’s rights and duties as a statutory undertaker.

3.2.3 The physical works to be consented by the DCO consist of the authorised development and associated development defined in Schedule 1 of the draft DCO (Application Document Ref. 2.1). The physical works are located some distance from Cadent’s apparatus (approximately 35 metres). Additionally, the physical works are located at an elevated position within the existing buildings, which further adds to the separation from the Cadent’s apparatus.

3.2.4 The Order Limits boundary was drawn to include the entire Slough Multifuel Facility because, in addition to the physical works, the DCO also seeks an ancillary consent

to operate the Slough Multifuel Facility at a capacity of 60 MW (which would otherwise be required pursuant to Section 36 of the Electricity Act 1989, as explained in Section 3.9 of the Explanatory Memorandum (Application Document Ref 2.2)). However, the area in which physical works will take place is relatively limited and confined.

- 3.2.5 Cadent’s apparatus in situ and its rights of access to inspect, maintain, renew and repair such apparatus will not be affected by either the construction or operation of the Proposed Project due to the distance between the apparatus and the works, the limited nature of the Proposed Project’s construction and operational impacts, and the appropriate management of any such impacts. The works to date (for the Consented Development) have been carried out in accordance with relevant Cadent advice and guidance.
- 3.2.6 The Proposed Project is an extension of the Consented Development comprising the carrying out of limited physical works (mainly installation of above ground pipework) to increase the efficiency and gross installed capacity of the Slough Multifuel Facility from just under 50 MW to circa 60 MW. The worst case scenario, as identified in Chapter 7 of the Environmental Statement (Application Document Ref. 6.2.7), is 20 additional HGV deliveries over the entire two month construction phase (an average of less than one per day) and an additional 1-2 staff shuttle buses per day (between the off-site staff car park on Whitby Road and the Site). The Proposed Project will therefore have limited construction effects. .
- 3.2.7 It is proposed that the construction of the Proposed Project will be managed in accordance with the existing approved CEMP and the CTMP (Appendix 1 of the CEMP) (Application Document 7.6) pursuant to Requirement 3(1)(b) of the draft DCO (Application Document Ref. 2.1).
- 3.2.8 For the reasons set out above, there is no likelihood of impacts upon Cadent’s apparatus or rights and therefore the inclusion of Cadent’s protective provisions is unnecessary.
- 3.2.9 The Applicant has engaged with Cadent directly in order to explain in more detail the scope of the physical works associated with the Proposed Project and the reasoning behind the Applicant’s conclusion that there is no likelihood of impacts upon Cadent’s apparatus or rights.
- 3.2.10 The parties are actively working to resolve this matter and the Applicant considers that the parties will be able to resolve this matter through discussions outside of the Examination. It is the intention of the parties to update the Examining Authority in due course.

4.0 CANAL & RIVER TRUST

4.1.1 The Relevant Representation states:

“Thank you for your consultation. We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a prescribed consultee in the Nationally Significant Infrastructure Projects (NSIPs) process. The Trust has reviewed the proposals and on the basis that they appear unlikely to have any impact on our waterway we have no comment to make at this time. If the proposals become significantly altered, we ask that you re-consult us in order that we can re-consider this position.”

4.2 Applicant’s Response

- 4.2.1 The Applicant notes the comments made by the Canal & River Trust (CRT) and that it has no comments to make at this time as the Proposed Project appears unlikely to have any impact on its waterways.
- 4.2.2 The Applicant notes that the Proposed Project is not within the immediate vicinity of any of the CRT’s waterways. The Applicant has no further comments to make at this stage.

5.0 SEGRO

5.1.1 The Relevant Representation states:

“Slough Trading Estate Limited, a subsidiary of SEGRO PLC, owns and manages the Slough Trading Estate where the multifuel facility is being constructed. We are keen to ensure that the multifuel facility, both during its construction and operation, will not adversely affect the Trading Estate and the businesses and people who work there. We have no comments to make at this stage on the DCO application.”

5.2 Applicant’s Response

- 5.2.1 The Applicant notes SEGRO's comments and is committed to continuing dialogue with SEGRO to ensure that the construction and operational effects of the Proposed Project are managed.
- 5.2.2 The Applicant’s approach to construction and operation is to carry out works and operate the facility in a considerate manner with a view to minimising their effects so far as practicable. The Proposed Project is an extension of the Consented Development, which involves limited physical works to increase the efficiency and gross installed capacity of the Slough Multifuel Facility from just under 50 MW to circa 60 MW. The Proposed Project will have limited construction effects and will not increase the operational throughput of waste, vehicle movements, emissions or operating hours at the Slough Multifuel Facility.
- 5.2.3 It is proposed that the construction of the Proposed Project will be managed in accordance with the existing approved CEMP and the CTMP (Appendix 1 of the CEMP) (Application Document 7.6) pursuant to Requirement 3(1)(b) of the draft DCO (Application Document Ref. 2.1).
- 5.2.4 The Applicant is committed to agreeing a SoCG with SEGRO, if this is considered necessary.

6.0 UK HEALTH SECURITY AGENCY

6.1.1 The Relevant Representation states:

“Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) welcomes the opportunity to comment on your proposals at this stage of the project. Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided is sent on behalf of both UKHSA and OHID. We can confirm that: We were consulted at the Pre-Scoping stage on the 15th December 2021, however we were not consulted at the Public Consultation (Section 42) stage. With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 15th December 2021 have been addressed. In addition, we acknowledge that the Environmental Statement (ES) has not identified any issues which could significantly affect public health. Following our review of the submitted documentation we are satisfied that the proposed development should not result in any significant adverse impacts on public health. On that basis, we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.”

6.2 Applicant’s Response

- 6.2.1 The Applicant notes the UK Health Security Agency’s (UKHSA) comments on the Proposed Project and welcomes its confirmation that it is satisfied the Proposed Project should not result in any significant adverse impacts on public health.
- 6.2.2 With regard to the UKHSA’s comments regarding public consultation, Public Health England, the predecessor organisation to UKHSA, was consulted pursuant to Section 42 of the Planning Act 2008 (the PA 2008) and also notified of the Application’s acceptance pursuant to Section 56. The Applicant has updated its records accordingly for any future communications with UKHSA.

7.0 NATURAL ENGLAND

7.1.1 The Additional Submission states:

“SUMMARY OF NATURAL ENGLAND’S ADVICE:

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England’s generic advice on other natural environment issues is set out at Annex A.

European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.”

7.2 Applicant’s Response

7.2.1 The Applicant notes the comments made by Natural England (NE) that it considers that the Proposed Project will not have significant adverse impacts on statutorily protected nature conservation sites or landscape.

7.2.2 The Applicant is committed to entering into dialogue with NE in order to agree a SoCG, if this is considered necessary.

7.2.3 The Applicant has no further comments to make at this stage.