



Meeting note

Project name	Slough Multifuel Extension Project
File reference	EN010129
Status	Final
Author	The Planning Inspectorate
Date	15 September 2022
Meeting with	SSE Slough Multifuel Limited
Venue	Microsoft Teams
Meeting objectives	Project Update Meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (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 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Draft Documents Feedback

The Inspectorate's advice provided on the Applicants draft document submission was discussed (see below).

The Inspectorate queried the approach the Applicant is taking to the DCO and how it would be controlled. The Applicant explained it had sought legal advice and explained why it is submitting the extension as a DCO as per the PA2008. The Applicant explained the rest of the generating station currently under construction is authorised by TCPA and the extension to the generating station is the NSIP.

The Inspectorate advised the Applicant to present their position clearly in the Explanatory Memorandum and application documents.

The Applicant stated it will provide a guide to the application documents and confirmed that an explanation of its approach will be included as part of the application pack.

The Applicant confirmed it will provide an overlay to the Work Plan showing the details of the TCPA development and the location of the additional external pipe.

The Applicant stated no Book of Reference (BoR) would be submitted because no Compulsory Acquisition was required but it would submit a document detailing land ownership details.

Programme Update

The Applicant confirmed it intends to submit its DCO application on the 28 September 2022 and it will use a filesharing site to do so.



Slough Multifuel Project – EN010129

Section 51 advice regarding draft application documents submitted by SSE Slough Multifuel Limited

On 24 August and 9 September 2022 SSE Slough Multifuel Limited submitted the following draft documents for review by the Planning Inspectorate as part of its Pre-application Service¹:

1. ES Methodology Chapter
2. Draft DCO
3. Draft Explanatory Memorandum
4. Works Plan
5. TCPA conditions and requirements tracker
6. Draft Consultation Report

The advice recorded in the table comprising this document relates solely to matters raised upon the Planning Inspectorate's review of the draft application documents, and not the merits of the proposal. The advice is limited by the time available for consideration and is raised without prejudice to the acceptance or otherwise of the eventual application.

¹ See <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>



ES Methodology Chapter		
Ref No.	Paragraph / Section	Comment/Question
1.		The Inspectorate were of the understanding that the ES for the Consented Development would be appended to the ES for the Proposed Development (section 2.3.4 of the Scoping Opinion relates). There is no reference to / explanation of this in the ES Methodology chapter.

Draft Development Consent Order		
Ref No.	Article/ Requirement/ Schedule	Comment/Question
1.	Article 2(1)	<p>“authorised development” means the development and associated development described in Schedule 1 (authorised development) and any other development authorised by this Order which is development within the meaning of section 32 (meaning of development) of the 2008 Act;</p> <p>Having reviewed the draft DCO, the Inspectorate considers the definition of “the authorised development” as including only 1 numbered work (relating to a boiler primary and secondary air preheating systems and mechanical modifications to steam turbine inlet control valve) to be potentially questionable. Should the DCO define the authorised development as the entirety of the facility that comprises the NSIP and not just the additional works required to take it above the 50MW threshold? The Inspectorate also advises the Applicant to consider this position in relation to s.160 / 161 of the PA2008 in relation to the implementation of the TCPA permissions i.e. could implementation of the TCPA permissions potentially be construed as an offence under s.160 where these works could arguably be considered as part of “the NSIP” (i.e. the totality of the consented scheme plus the additional works required to take it over the 50MW threshold).</p> <p>The approach to, and the scope of the DCO as currently submitted should be fully explained within the submission documents to explain why the current DCO does not seek to construct a generating station and incorporate the additional 10MW capacity.</p>



Draft Development Consent Order		
Ref No.	Article/ Requirement/ Schedule	Comment/Question
		The Inspectorate would draw your attention to Box 2 of the Section 55 Checklist where the proposed development is assessed during acceptance against the criteria set out in Planning Act 2008 in that development consent is required for development to the extent that the development is or forms part of a nationally significant infrastructure project (s31 PA2008).
2.	Article 2(1)	“the Order limits” means the limits shown on the works plan within which the authorised development may be carried out; Does this need to clarify that this also includes where the TCPA permission and further TCPA permission development will be carried out?
3.	Article 2(4)	(4) Unless otherwise stated, references in this Order to points identified by letters are to be construed as references to the points so lettered on the works plan. The Works Plan does not include any letters.
4.	Article 11(a)	(a) the book of reference; As there is no CA, should this be deleted?
5.	Article 11(i)	(i) for certification that they are true copies of the documents referred to in this Order. Should the (i) be deleted?
6.	Requirement 5	5.—The local liaison group which was established and operates in accordance with condition 16 of the TCPA permission shall incorporate the authorised development within its remit. Condition 16 of TCPA permission: Before the development commences, details from the applicant on the formation of a local liaison group shall be submitted to the Local Planning Authority. Such a group shall include representatives from the Borough Council, operators and other appropriate parties and shall



Draft Development Consent Order		
Ref No.	Article/ Requirement/ Schedule	Comment/Question
		meet four times per annum from the start of construction, unless an alternative arrangement is agreed in writing by the Local Planning Authority. REASON To provide a forum for the exchange of information relating to the development. Should this definition of the Local Liaison Group be included in Article 2?

Draft Explanatory Memorandum		
Ref No.	Paragraph / Section	Comment
	Explanatory Memorandum	Para 3.37.7 (a) & (b) To clarify – these are conditions of the TCPA permission whilst 3.37.7 (c) are conditions of the further TCPA permission.

Works Plan		
Ref No.	Plan ref	Comment/Question
	Figure 4.4 Works Plan	See above re: Article 2(1) and 2(4)
		Helpful to provide a plan showing the Work No. 1 overlaid on the existing plans for the TCPA permission and further TCPA permission.



TCPA conditions and requirements tracker		
Ref No.	TCPA Condition	Comment/Question
		General – A very useful document.
	Page 13 Condition 16	See above re: Requirement 5
	Page 24 Condition 11	Prevention of pollution during construction See requirement 3 Should this be requirement 3(a)
	Page 50 Condition 20	Noise Levels - See requirement 7(b) Should this be requirement 7(a)

Draft Consultation Report		
Ref No.	Paragraph / Section	Comment/Question
		General – The layout of the Report is clear and easy to follow.



General

1. Where references are provided to other draft application documents it would be beneficial to provide the full title thereof inclusive of document reference number. Should further draft documents be provided for review, the Applicant may wish to consider providing a full list of known application documents (for purpose of signposting) as well as their respective reference number.
2. [\[MHCLG\] Application form guidance](#), paragraph 3, states: “*The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6.*”