



Meeting note

File reference

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Meeting with Tetronics and FCC Environment
Venue Temple Quay House, Temple Quay, Bristol, BS3 1RE

Attendees

Tetronics
Peter Hallam

FCC Environment
Dan Murphy
Sarah Henderson

The Planning Inspectorate
Mark Wilson
Robert Ranger
Laura Allen
Oliver Lowe

Meeting objectives Introduction to the Tetronics Air Pollution Control Residue management technology and the 2008 Act development consent process for Nationally Significant Infrastructure Projects.

Circulation All attendees.

Summary of key points discussed and advice given:

Attendees were reminded about the openness policy and that any advice given will be recorded and placed on the Planning Inspectorate's (PINS) website in the form of a meeting note. PINS explained that any advice given does not constitute legal advice upon which applicants (or others) should rely on.

Introductions

PINS and T/FCC introduced their delegates, and T/FCC introduced their interest in the 2008 Act NSIP regime. Tectonics is a supplier of a technology for hazardous waste management, and FCC is a large-scale operator of energy recovery waste plants which produce Air Pollution Control Residue which could be processed by the Tectonics technology.

Any proposed large facility using this technology to process this waste would be likely to exceed the thresholds in the 2008 Act and thus meet the definition of a Nationally Significant Infrastructure Project, requiring Development Consent.

Tetronics and Plasma Arc Technology

T/FCC explained that any facility would be likely to co-locate with an energy-from-waste plant, so as to minimise waste transport costs and electrical connection infrastructure, but would be likely to have the capacity to take inputs from more than one plant.

The NSIP regime

PINS gave a presentation on the 2008 Act consenting regime for nationally significant infrastructure, which is published here:

PINS advised that a principal characteristic of the NSIP regime is that it is frontloaded, and that the pre-application elements of the regime are led by the developer. PINS would expect that any pre-application consultation or subsequent examination would be proportionate in scope to the scale of the anticipated impacts of a development.

Guidance on the NSIP fees is set out here:

<https://www.gov.uk/government/publications/planning-act-2008-infrastructure-planning-fees-regulations-2010>

One of the main features of the regime, which developers find helpful, is that it is very prescribed in terms of statutory timescales for different stages. For example, the **maximum** time it will take from the start of an examination to the decision by the Secretary of State is 1 year. This greater degree of certainty makes project planning much easier. Also, as the Secretary of State is the final decision maker for NSIPs, there is no appeal process, although there is a 6 week window following decision for interested parties to legally challenge it in the High Court.

PINS emphasised the importance of establishing good pre-application communication with key consultees and local authorities, so that the proportionate extent of pre-application work can be agreed in advance of an application. This initial engagement will be key to reducing the costs of engaging with the regime.

PINS also directed T/FCC to the Pre-Application Prospectus published by PINS here:

<http://infrastructure.planningportal.gov.uk/application-process/pre-application-service-for-applicants/>

This sets out the bespoke pre-application advice and guidance that PINS can provide to developers bringing forward applications for NSIPs, for which no fee is currently charged.

Specific decisions / follow up required?

- The applicant will keep PINS updated on any possible applications for specific schemes.