



Meeting note

Project name	Larkshall Mill Aggregate Manufacturing and Carbon Capture Facility
File reference	WS010006
Status	Final
Author	The Planning Inspectorate (“the Inspectorate”)
Date	21 September 2022
Meeting with	O.C.O Technology 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.

Update on Town and Country Planning Act (TCPA)

O.C.O Technology Limited (the “Applicant”) explained that a committee meeting is taking place on Friday 23 September 2022 regarding the current Town and Country Planning Act (TCPA) application for the site. The Applicant confirmed that the Planning Officer’s recommendation, which is provided with the agenda for the forthcoming Committee meeting, has recommended approval of the TCPA scheme with a low number of conditions and the Applicant is anticipating no objections from Parish Councils, Local Authorities, or statutory consultees. The Inspectorate queried whether the Applicant anticipates elected members to agree with the Officer’s recommendation, to which the Applicant responded that from the conversations it has had with members at consultation events it did not envisage any concerns. The Applicant agreed to inform the Inspectorate of the outcome of the committee meeting on Friday 23 September 2022.

Update on the Development Consent Order (DCO) consultation

The Applicant provided a summary of the main matters that arose in the consultation responses following its statutory consultation over the summer and how it has been addressing these prior to the DCO application.

The Applicant explained that the Environment Agency (EA) and Anglian Water had raised matters relating to ground water and water use in the area. The EA had expressed concerns in relation to potential water contamination of the underlying aquifer and the EA was seeking a more substantial water chapter in the Environmental Statement (ES) to include such matters. Anglian Water had flagged the matter of water use/supply in the area but had also

identified that there is a proposed pipeline to address water supply due to be operational in 2025. The Applicant is currently addressing the concerns raised by the EA in the ES. The Inspectorate queried whether the previous objection from a Parish Council on the proposed development had been resolved. The Applicant explained that the objection has been solved and the Parish Council is now in support of the application.

The Applicant described engagement to date with Norfolk County Council (NCC) and Breckland District Council (BDC). The Applicant has been encouraging communication with these Local Authorities by holding monthly meetings to discuss any issues and encourage responses. The Applicant explained that it had recently had a conversation with the lead planner in the Minerals team at NCC and is looking to hold discussions with other departments in NCC, including landscape and highways to ensure there are no specific concerns that have not been addressed. The Applicant explained that it had offered financial assistance to the Local Authorities to aid resourcing and engagement. The Applicant noted that NCC are currently involved with several Nationally Significant Infrastructure Projects (NSIPs) in the area. The Applicant further added that the Breckland Strategic Development team have visited the site alongside the deputy leader of BDC in October 2022.

The Inspectorate queried whether any Officer Working Groups (OWGs) with Local Authority officers had been established. The Applicant confirmed that OWG's had not been created. The Inspectorate advised the Applicant to demonstrate engagement and efforts to engage with stakeholders throughout the Consultation Report. The Applicant explained that efforts to engage including an audit trail will be present in the Consultation Report. The Applicant confirmed that it is continuing to engage with the Local Authorities.

The Applicant also explained that it has been encouraging engagement from the Local Authorities on Statements of Common Ground (SoCG) prior to the DCO application. The Applicant explained that engagement could influence programme and the DCO submission date. The Inspectorate advised the Applicant to submit draft SoCGs as soon as possible in the DCO examination, including as part of the DCO application (where possible), and explained that SoCGs often involve an iterative process, being updated as the Examination progresses. The Inspectorate explained that SoCG do not have to be signed as completed at the pre-application stage. The Applicant queried whether there was any specific guidance it could present to the Local Authorities regarding the SoCG process. The Inspectorate advised the Applicant to look to [Advice Note 2](#): The role of local authorities in the DCO process, and Department for Local Communities and Government (DLCG) guidance: [Planning Act 2008: Guidance for the examination of applications for development consent](#), which provide guidance and advice in respect of SoCG in the DCO process.

DCO timings and risks

The Applicant confirmed it intended to provide a suite of draft documents to the Inspectorate prior to the DCO application for comment. The Inspectorate advised that a six-to-eight-week period is usually required to review draft documents and advised the Applicant to identify any specific areas within the documents on which it particularly wanted advice in order to focus the Inspectorate's review. The Inspectorate highlighted particular documents for review including the draft DCO, Explanatory Memorandum, Consultation Report, select Environmental Statement chapters on approach and methodology, draft Habitats Regulation Assessment reports, and Land and Works Plans. The typical suite of documents that can be required by the Inspectorate is also set out in Section 3.3 of the Inspectorate's [Pre-](#)

[Application Prospectus](#). The Applicant explained that it had intended to submit draft documents in early October. Although following further discussion, the Applicant considered that submission of draft documents may be delayed to early November, which would allow more time for the draft document process and analysis of the feedback. The Applicant explained that it would account for the Inspectorate and would confirm likely dates for draft documents and a DCO submission as soon as practicable.

Cumulative impact - Inclusion of other NSIPs

The Applicant queried whether the Inspectorate were aware of any proposed NSIPs in the vicinity of the proposed development. The Inspectorate was not aware of any future NSIPs within the area but agreed to discuss with colleagues and notify the Applicant of any updates.

Document referencing and other matters

The Applicant queried whether there was a specific template to follow regarding referencing and numbering documents. The Inspectorate advised the Applicant to review the referencing used in other NSIPs.

The Inspectorate ensured that the Applicant was aware that the Examining Authority, if the application is accepted, may require hard copies of certain documentation such as plans.

The Applicant explained that it is not seeking any new rights or compulsory acquisition. The Applicant confirmed that it would be submitting a Book of Reference and a Funding Statement with its DCO application.

AOB

The Inspectorate reminded the Applicant that the GIS shapefiles must be provided at least 10 working days in advance of the DCO application. The Inspectorate explained that it will also need at least 28 days advance notice of the DCO application from the Applicant.

The Inspectorate confirms the date for draft documents submission from the 19 December to the 5 January 2022, for the Inspectorate to have enough time to go through all the documents thoroughly.

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant to inform the Inspectorate of the outcome of the TCPA planning application.
- The Applicant to confirm to the Inspectorate by email the anticipated date for the submission of draft documents.
- The Inspectorate to inform the Applicant of any new NSIP applications in the area.

