



## Meeting note

<b>Project name</b>	Larkshall Mill Aggregate Manufacturing and Carbon Capture Facility
<b>File reference</b>	WS010006
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	07 November 2022
<b>Meeting with</b>	O.C.O Technology Limited
<b>Venue</b>	Microsoft Teams
<b>Meeting objectives</b>	Project Update Meeting
<b>Circulation</b>	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 pre-app discussions with consultees

The Applicant established that the Development Consent Order (DCO) application would comprise a facility for the recovery of up to 100,000 tonnes of hazardous waste per year, which would be operational 24 hours per day, seven days per week. The Applicant explained that the DCO application will expand the Town and Country Planning application (TCPA) recently obtained for the facility to process up to 30,000 tonnes of waste per year.

The Applicant confirmed that statutory consultation had been undertaken, which closed on 12 August 2022. The Applicant explained that the recent TCPA application assisted in making the proposed DCO documentation easier to understand for statutory consultees.

The Applicant explained that regular meetings had been held with Norfolk County Council and Breckland Council, the host authorities. This included a site visit with the leader of the Council. The Applicant explained that it is continuing to work through draft Statements of Common Ground with both Breckland Council and Norfolk County Council. The Applicant stated that an outstanding matter remains with the Councils relating to concerns raised by the Highways department with regards to the baseline scenario applied to the Applicant's Transport Assessment/ES and junction. The Applicant and Highways department currently differ in their view of the appropriate baseline scenario/future baseline scenario for traffic. This has impacts on local council guidance and if the site is intensifying its use. The Applicant was however confident an agreement would be reached soon. The Applicant commented that the Highways department wished to defer to the Inspectorate to confirm



the most appropriate baseline. The Inspectorate advised however, as in previous meetings, that it is for Applicant to determine how to carry out their assessments and that reasonable justification for their approach should be clearly set out within the Environmental Statement (ES) but advised the Applicant to take into account the timing of the TCPA application and the degree to which construction and/or operation has commenced at the point of the DCO application.

The Applicant explained that during the TCPA planning Committee, Councillors raised some concerns about energy from waste projects in general; however, the Applicant stated no specific concerns were raised with regards the Proposed Development. The Inspectorate advised the Applicant to ensure its consultation process, including recent meetings, and how the distinction between the TCPA application and DCO application has been made and are clearly explained in the DCO application, including the Consultation Report.

The Applicant explained that further consultation and liaison with statutory bodies is ongoing, including Natural England and the Environment Agency. The Applicant confirmed that it has shared a draft of the Habitats Regulations Assessment (HRA) report with Natural England, which focuses on European sites within 5km of the Proposed Development. Comments on the draft HRA report to date have been positive, with some feedback. Discussions with the Environment Agency are ongoing with regards to matters raised during the scoping process.

The Inspectorate queried whether the Proposed Development would involve the temporary or compulsory acquisition of land and whether there are any parties that could make a relevant claim. The Applicant informed the Inspectorate that it is reviewing the land refencing but was confident that there was no need for the acquisition of land. The Applicant explained that it will be submitting a book of Reference as part of the application, which would include this information.

## **Date for submission of draft documents**

The Applicant confirmed that draft documents will be submitted to the Inspectorate in the week commencing 14 November 2022.

## **Draft documents to be submitted for checking**

The Applicant informed the Inspectorate that it would be submitting drafts of the DCO alongside an Explanatory Memorandum, a Book of Reference, land and work plans, and a selection of chapters from the ES, as well as the draft HRA report. The Applicant also advised that it would be sending over a draft Consultation Report.

The Inspectorate advised that it could not comment on the entire draft ES and the Applicant was advised to identify any particular areas of the project description and the approach to the impact assessment on which it would particularly wish to obtain comments. The Inspectorate explained that it could be beneficial to both parties if the



Applicant were to also highlight anything new or novel within the other draft documents, such as the draft DCO. Post Meeting Note Amendment: The Applicant was advised to provide information within the documents where it has taken account of Planning Act 2008 Guidance for example in the Consultation Report noting that it has complied with the [Planning Act 2008: guidance on the Pre-application process](#) (See paragraph 80, bullet 2 and Paragraph 114)

The Inspectorate explained that it would aim to provide feedback on the draft documents within 6 to 8 weeks of receipt.

The Inspectorate suggested the Applicant consider submitting a document that provides an explanation as to why the Proposed Development constitutes a Nationally Significant Infrastructure Project. The Applicant confirmed that although some explanation would be contained in the Planning Statement and within the ES, it could be useful to submit the explanation as a separate document.