Wheelabrator TECHNOLOGIES

Application Guide

Wheelabrator Kemsley (K3 Generating Station) and Wheelabrator Kemsley North (WKN) Waste to Energy facility Development Consent Order

PINS Ref: EN010083

Planning Act 2008
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
Regulation: 5(2)(q)

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1 Introduction

1.1 Purpose of this Document

1.1.1 This Application Guide provides an ease of reference guide and summary of the application by Wheelabrator Technologies Inc. ("WTI") for a Development Consent Order ("DCO") relating to the K3 generating station and WKN waste-to-energy facility in Kemsley, Sittingbourne, Kent.

1.1.2 This document provides an accessible guide to the proposed development, applicant and application to assist those reviewing the application documents. As the examination of the DCO application progresses this document will be updated in order to record any revisions made to the original application documents and any new documents submitted during the course of the examination, together with providing explanatory notes as required.

1.2 Structure of this Document

1.2.1 This document comprises the following sections:

- Chapter 1: Introduction;
- Chapter 2: An overview of the proposed development;
- Chapter 3: The Applicant – an introduction to Wheelabrator Technologies Inc.;
- Chapter 4: Overview of the application documents; and
- Chapter 5 to 13: Application documents explained – further detail is provided on the application documents submitted for each volume.

2 The Proposed Development

2.1 Context to the DCO Application

1.1.1 The application for a DCO will seek consent for the construction and operation of a 75MW waste-to-energy facility, 'the Wheelabrator Kemsley Generating Station' ("K3") and for the construction and operation of a 42MW waste-to-energy facility, 'Wheelabrator Kemsley North' ("WKN").

1.1.2 K3 is a waste-to-energy facility located adjacent to and east of the DS Smith Kemsley paper mill, to the north of Sittingbourne, Kent. Planning permission was granted for K3 in 2012 by Kent County Council with a generating capacity of 49.9MW and a waste processing capacity of 550,000 tonnes per annum. The facility is now substantially constructed and is expected to be operational in Q2 2020.

1.1.3 The applicant has identified that K3 would be capable of processing an additional 107,000 tonnes of waste per annum and, without any change to the external design, generating an additional 25.1MW of electricity. However, in order for the K3 project to be properly categorised and consented under the Planning Act 2008 the applicant is required to seek consent for the construction of K3 at its total generating capacity of 75MW (i.e. 49.9MW consented + 25.1MW upgrade), together with the separate proposed total tonnage throughput of 657,000 tonnes per annum (550,000 consented + 107,000 tonnage increase).

1.1.4 The proposed new Waste-to-Energy plant, Wheelabrator Kemsley North (WKN), would be a single 125Mwth line facility capable of processing 390,000 tonnes of waste per annum, with a generating capacity of 42MW. WKN is not therefore a Nationally Significant Infrastructure Project (NSIP) by virtue of its generating capacity.

1.1.5 Instead WTI made a formal application on the 1st June 2018 to the Secretary of State (SoS) for Business, Energy and Industrial Strategy under Section 35 of the Planning Act 2008 for a direction as to whether the project is nationally significant. The SoS issued their direction on the 27th June 2018 confirming that WKN is to be considered and treated as a development which requires development consent due to its context with other nationally significant projects in the vicinity, the benefits to K3 and WKN being assessed comprehensively through the same DCO process and the removal of the need for separate consents to be sought.

1.1.6 A single Development Consent Order will be sought for K3 and WKN through a single application to the Planning Inspectorate (PINS), prior to being determined by the Secretary of State (SoS) for Business, Energy and Industrial Strategy.

2.2 The Site and its surroundings

2.2.1 The K3 and WKN sites lie to the north-east of the village of Kemsley, which itself sits at the north-eastern edge of Sittingbourne in Kent. The K3 and WKN sites lie immediately to the east of the Kemsley Paper Mill, a substantial industrial complex which is operated by DS Smith.

2.2.2 In April 2018 DS Smith lodged an application for a Development Consent Order (DCO) which would allow for the construction and operation of 'K4', a gas fired Combined Heat and Power Plant within the Kemsley Mill site. This DCO was granted on 5th July 2019.

Wheelabrator Kemsley – K3

2.2.3 Planning permission was granted for K3 in 2012 by Kent County Council under reference SW/10/444. As consented and being constructed, K3 can process up to 550,000 tonnes of waste each year and has a generation capacity of 49.9MW. K3 will export electricity to the grid and will supply steam to the DS Smith Kemsley Paper Mill. The construction of K3 began in 2016 and is now significantly advanced, with WTI anticipating K3 will be operational in Q2 2020.

Figure 6.1 – K3 construction progress at July 2019.

2.2.4 WTI has identified that K3 would be capable of processing an additional 107,000 tonnes of waste per annum and, without any change to the external design, generating an additional 25.1MW of electricity.

2.2.5 The 2018 consultation and publicity sought views from interested parties on an application for consent for that power upgrade and increased tonnage throughput, without any construction works being required, as an extension to the K3 facility under Section 15 of the Planning Act 2008.

2.2.6 However, in order for the K3 project to be properly categorised and consented under the Planning Act 2008 the applicant is now seeking consent for the construction of K3 at its total generating capacity of 75MW (49.9MW consented +

25.1MW upgrade), together with the separate proposed total tonnage throughput of 657,000 tonnes per annum (550,000 consented + 107,000 tonnage increase).

2.2.7 A further consultation was undertaken in 2019 to advise S42 consultees and notify the public through a number of S48 notices that construction and operation of K3 is now being sought as part of the DCO, in the context of the K3 facility already being substantially constructed.

2.2.8 As the K3 facility is currently being constructed and will be operational by the end of 2019 the effect in reality of the proposed application ('the practical effect') would retain the K3 facility as consented but generating an additional 25.1MW together with being able to process an additional 107,000 tonnes of waste per year.

Wheelabrator Kemsley North – WKN

2.2.9 WKN would be an entirely new and separate waste-to-energy facility on land to the north of K3, which is currently being used as the K3 construction laydown area. WKN would provide clean, sustainable electricity to power UK homes and businesses via the National Grid distribution network and would have the ability to export steam should a user for that steam become available.

2.2.10 WKN would have a generating capacity of 42MW and a waste processing capacity of 390,000 tonnes per annum and be a self-contained and fully enclosed facility with its own reception hall, waste fuel bunker, boiler, flue gas treatment, turbine, air-cooled condensers, transformers, office accommodation, weighbridge, administration building, car parking and drainage. WKN would have its own grid connection to allow for the exporting of electricity to the national grid.

2.3 The Draft Development Consent Order

2.3.1 The draft DCO makes provision for specific works 1 – 8 within the DCO boundary, which encompasses both the K3 and WKN sites. The DCO consists of the following works:

K3 Proposed Development:

Work No.1 – An electricity generating station (the K3 Generating Station) with a gross installed generating capacity of up to 75MW.

Work No. 1A - Installation of grid connection for Work No 1.

Work No. 1B - Installation of steam connection for Work No 1.

Work No. 1C - Alteration of existing private access road to construct, use and maintain Work No 1.

Work No. 1D - Creation of a temporary construction compound and laydown area for the construction of Work No 1.

Work No. 1E - Construction and operation of a surface water outfall for Work No 1.

2.3.2 The K3 works reflect the full scope of works necessary for the construction and operation of K3, given development consent is being sought in those terms. In reality the works described have either been completed or substantially completed at the point of the application being submitted and are expected to be completed during Q2 2020.

WKN Proposed Development

Work No.2 - An electricity generating station (the WKN Waste-to-Energy Facility) with a gross installed generating capacity of up to 42MW.

Work No.3 – Installation of grid connection for Work No 2.

Work No. 4 - Alteration of existing private access road to construct, use and maintain Work No 2.

Work No. 5 – Temporary construction or alteration of existing private haul road for the construction of Work No 2.

Work No. 6 - Creation of a temporary construction compound and laydown area for the construction of Work No 2.

Work No. 7 - Construction and operation of a new surface water outfall for Work No 2.

3 The Applicant

3.1 The Applicant – Wheelabrator Technologies Inc.

3.1.1 Wheelabrator Technologies Inc. (WTI) is the second largest US waste-to-energy business and is an industry leader in the conversion of everyday residential and business waste into clean energy. Wheelabrator currently has a platform of 25 strategically located assets across the US and UK —19 waste-to-energy facilities (three under construction), two waste fuel facilities as well as four ash monofills.

3.1.2 WTI also recover metals for recycling at two advanced metals recovery systems and one central upgrade facility. Wheelabrator currently has an annual waste processing capacity of over 7.2 million tonnes (8 million tonnes), and a total combined electric generating capacity of 732 megawatts — enough energy to power more than 671,100 US homes. Wheelabrator also recovers metals for recycling into commercial products. The company's vision to develop, deliver and realize the potential of clean energy speaks to Wheelabrator's ongoing commitment to the development of clean energy solutions for its customers and local communities.

3.1.3 Wheelabrator is owned by Macquarie Infrastructure and Real Assets, a business within the Macquarie Asset Management division of Macquarie Group and a global alternative asset manager focused on real estate, infrastructure, and agriculture and energy assets. For more on Wheelabrator, please visit www.wtienergy.co.uk

3.2 The Project Team

3.2.1 The project team acting on behalf of the applicant comprises the following:

- Wheelabrator Technologies Inc. (WTI) – Applicant and developer;
- WTI/EFW Holdings Ltd – The applicant and subsidiary of Wheelabrator Technologies Inc. (WTI);
- DS Smith Paper Ltd – landowner;
- Field Fischer – DCO drafting and legal representation;
- Carmargue – Public Relations consultant;
- GSDA – Architecture and design consultant;
- DHA Planning – planning consultant and public consultation;
- DHA Environment – EIA co-ordination; and
- RPS Group – technical environmental consultant;

4 Overview of the Application Documents

4.1 Content of the application

Vol.	Name	Content
1	Application documents	The formal application and introduction to the proposed development.
2	Draft Development Consent Order	The legal document which provides consent and makes provision for the proposed development, including a document to explain the provisions of the Order.
3	Environmental Impact Assessment	An assessment of the likely significant effects of the proposed development on the environment and the proposed mitigation measures.
4	Reports and Statements	Additional documents to support the DCO including the Consultation Report, Design and Access Statement and Planning Statement.
5	Plans/drawings/sections	Plans and technical drawings to illustrate the proposed development and geographical information.
6	K3 certified plans and documents and supporting documents	Documents and plans submitted as part of the original K3 application, or subsequent applications to vary the original consent, make non-material amendments to the scheme or to discharge conditions that have been submitted as part of the application and are listed at Schedule 3 of the dDCO. Includes supporting documents for information.

4.2 Timeline

(1) Submission of the DCO Application – 6th April 2019 (Volumes 1, 2, 3, 4, 5 and 6)

Submission of an application for development consent for the construction and operation of a 75MW waste-to-energy facility, 'the Wheelabrator Kemsley Generating Station' ("K3") and for the construction and operation of a 42MW waste-to-energy facility, 'Wheelabrator Kemsley North' ("WKN").

(2) Submission following S51 Advice – 18th October 2019

The application was accepted for examination on the 8th October 2019, with the Planning Inspectorate also issuing a letter detailing advice under S51 of the Planning Act 2008 on that date. Accordingly the applicant made amendments to various documents to address that S51 advice and submitted

those to the Planning Inspectorate on the 18th October 2019, ahead of the period during which Relevant Representations could be made.

(3) Deadline 1 Submission – 2nd March 2020

The submissions by the Applicant at Deadline 1 are recorded in Volume 8 and comprise comments on Relevant Representations and other submissions accepted by the ExA between the acceptance of the application and the Preliminary Meeting, a written submission of the oral case made by the Applicant at Issue Specific Hearing 1 – the draft DCO, and suggestions by the Applicant regarding locations for the unaccompanied site visit.

4.3 Other Matters

4.3.1 There is no Crown Land within the proposal site or the immediate vicinity, so no Crown Plan has been submitted.

4.3.2 The proposed development takes place on land which is not owned by WTI. Therefore a Book of Reference has been provided to support the application. However no compulsory acquisition rights or rights over statutory undertaker equipment is being sought. No Funding Statement or Statement of Reasons is submitted – but instead a Summary of Land Interests and Rights (Document 2.5) and Summary of Applicant's Structure and Standing (Document 2.6) have been submitted.

5 Volume 1: Application Documents

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
1	1.1	APP-001	Covering Letter	DHA Planning	1	Submission Version	11/09/2019
	1.2	AS-001	Application Guide	DHA Planning	3	Deadline 1 Version	02/03/2020
	1.3	APP-003	Application Forms	DHA Planning	2	S51 Version	18/10/2019
	1.4	APP-004	Copies of Newspaper Notices	DHA Planning	1	Submission Version	11/09/2019

5.1.1 The **Covering Letter (1.1)** provides an introduction to the proposed application and background information. The **Application Guide (1.2)** is this document which provides a companion to the application documents and subsequent progression of the examination with an updated guide as further documents are submitted. The **Application Form (1.3)** is the standard form that is required to be completed and provides a high-level summary of the proposed scheme and the documents that have been submitted.

5.1.2 The **Copies of Newspaper Notices (1.4)** collates the copies of the notices published in the local and national newspapers as part of the pre-application process in accordance with s47 and s48 of the Planning Act 2008. These notices publicised the proposed application, consultation events, how to get involved in the pre-application process, deposit locations and the procedure for making representations.

6 Volume 2: Draft Development Consent Order

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
2	2.1	AS-002	Draft Development Consent Order (DCO)	Field Fisher	2	S51 Version	18/10/2019
	2.2	APP-006	Explanatory Memorandum	Field Fisher	1	Submission Version	11/09/2019
	2.3	AS-003	Draft Development Consent Order – Validation Report	Field Fisher	2	S51 Version	18/10/2019
	2.4	AS-004	Book of Reference	Field Fisher	2	S51 Version	11/09/2019
	2.5	AS-005	Summary of Land Interests and Rights	Field Fisher	2	S51 Version	18/10/2019
	2.6	AS-006	Summary of Applicant's Structure and Standing	Field Fisher	2	S51 Version	18/10/2019

6.1.1 The **Draft Development Consent Order (2.1)** provides the consent that would enable WTI to undertake the proposed development subject to the provisions and requirements of the Order. It defines the parameters of the proposed development and is accompanied by four schedules:

(1) Schedule 1 – Authorised Development: Describes the proposed development for which consent is being sought;

(2) Schedule 2

- Part 1 – General Requirements: Similar to planning conditions, both the K3 and WKN proposed development must be carried out in accordance with the requirements;
- Part 2 – Project K3 Requirements: sets out that the K3 proposed development must be carried out in accordance with the requirements;
- Part 3 – Project WKN Requirements: sets out that the WKN proposed development must be carried out in accordance with the requirements;

(3) Schedule 3 – K3 Generating Station Approved Plans and Documents: Any documents and plans submitted as part of the original K3 application, or subsequent applications to vary the original consent, make non-material amendments to the scheme or to discharge conditions have been submitted as part of the application to become certified documents.

(4) Schedule 4 – Procedure for Discharge of Requirements: sets out the process for discharging the requirements should the development consent order be granted.

6.1.2 The **Explanatory Memorandum (2.2)** is effectively a companion guide for the DCO and should be read alongside it. This document describes the purpose and effect of each article of and each Schedule to the draft Development Consent Order as required by Regulation 5(2)(c) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

6.1.3 The **Draft Development Consent Order – Validation Report (2.3)** demonstrates that the draft DCO is in compliance with the Statutory Instrument template and capable of becoming a legal document.

6.1.4 The application was originally accompanied by a Statement of Reasons (2.5) and Funding Statement (2.6). As part of the S51 Submission those documents have been resubmitted but are retitled to now be the **Summary of Land Interests and Rights (2.5)** and the **Applicant's Structure and Standing (2.6)** to avoid any confusion given no compulsory acquisition rights are sought.

7 Volume 3: Environmental Impact Assessment

Vol.	Document Reference	ExA Reference	Document Title		Author	Version	Status	Date
3	3.1	APP-053	**2019 Environmental Statement**		DHA Env/RPS	1	Submission Version	11/09/2019
	3.1	APP-053	**Chapter 1**	**Introduction**	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-011	Appendix 1.1	ES Author CVs	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-054	**Chapter 2**	**Site Description and Proposed Development**	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-012	Appendix 2.1	Draft CEMP for WKN	RPS	1	Submission Version	11/09/2019
	3.1	APP-055	**Chapter 3**	**Methodology**	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-013	Appendix 3.1	Scoping Report	DHA Env	1	Original	11/09/2019
	3.1	APP-014	Appendix 3.2	PINS Scoping Opinion	PINS	1	Original	11/09/2019
	3.1	APP-015	Appendix 3.3	Response to the PINS Scoping Opinion	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-016	Appendix 3.4	S42 Consultation Letter and S42 Responses 2018	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-017	Appendix 3.5	Applicant Responses to S42 Consultation 2018	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-018	Appendix 3.6	S42 Consultation Letter and S42 Responses 2019	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-019	Appendix 3.7	Applicant Responses to S42 Consultation 2019	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-056	**Chapter 4**	**Traffic and Transport**	RPS	1	Submission Version	11/09/2019
	3.1	APP-020	Appendix 4.1	Transport Assessment – Part 1	RPS	1	Submission Version	11/09/2019
	3.1	APP-021	Appendix 4.1	Transport Assessment – Part 2	RPS	1	Submission Version	11/09/2019
	3.1	APP-022	Appendix 4.1	Transport Assessment – Part 3	RPS	1	Submission Version	11/09/2019
	3.1	APP-023	Appendix 4.1	Draft CTMP for WKN	RPS	1	Submission Version	11/09/2019
	3.1	APP-024	Appendix 4.1	Draft Travel Plan for WKN	RPS	1	Submission Version	11/09/2019
	3.1	APP-057	**Chapter 5**	**Air Quality**	RPS	1	Submission Version	11/09/2019
	3.1	APP-025	Appendix 5.1	Construction Assessment Methodology WKN	RPS	1	Submission Version	11/09/2019
	3.1	APP-026	Appendix 5.2	Stack Height Determination WKN	RPS	1	Submission Version	11/09/2019
	3.1	APP-027	Appendix 5.3	Baseline	RPS	1	Submission Version	11/09/2019
	3.1	APP-028	Appendix 5.4	Assessment Impacts on Ecological Receptors	RPS	1	Submission Version	11/09/2019
	3.1	APP-029	Appendix 5.5	Traffic Impacts	RPS	1	Submission Version	11/09/2019
	3.1	APP-030	Appendix 5.6	Odour Assessment Methodology	RPS	1	Submission Version	11/09/2019
	3.1	APP-058	**Chapter 6**	**Climate Change**	RPS	1	Submission Version	11/09/2019
	3.1	APP-031	Appendix 6.1	K3 Proposed Development Carbon Assessment	SLR	1	Submission Version	11/09/2019
	3.1	APP-032	Appendix 6.2	WKN Proposed Development Carbon Assessment	SLR	1	Submission Version	11/09/2019

	3.1	APP-033	Appendix 6.3	Practical Effect of the K3 Proposed Development Carbon Assessment	SLR	1	Submission Version	11/09/2019
	3.1	APP-059	**Chapter 7**	**Noise and Vibration**	RPS	1	Submission Version	11/09/2019
	3.1	APP-034	Appendix 7.1	Noise Survey Results	RPS	1	Submission Version	11/09/2019
	3.1	APP-035	Appendix 7.2	WKN Proposed Development Construction Noise Model	RPS	1	Submission Version	11/09/2019
	3.1	APP-036	Appendix 7.3	WKN Proposed Development Construction Assessment	RPS	1	Submission Version	11/09/2019
	3.1	APP-037	Appendix 7.4	WKN Proposed Development Operational Model	RPS	1	Submission Version	11/09/2019
	3.1	APP-038	Appendix 7.5	WKN Proposed Development Operational Assessment	RPS	1	Submission Version	11/09/2019
	3.1	APP-060	**Chapter 8**	**Human Health**	RPS	1	Submission Version	11/09/2019
	3.1	APP-039	Appendix 8.1	Human Health baseline	RPS	1	Submission Version	11/09/2019
	3.1	APP-061	**Chapter 9**	**Ground Conditions**	RPS	1	Submission Version	11/09/2019
	3.1	APP-040	Appendix 9.1	WKN Desk Study Ground Conditions Preliminary Risk Assessment	RPS	1	Submission Version	11/09/2019
	3.1	APP-062	**Chapter 10**	**Water Environment**	RPS	1	Submission Version	11/09/2019
	3.1	APP-041	Appendix 10.1	WKN Flood Risk Assessment	RPS	1	Submission Version	11/09/2019
	3.1	APP-042	Appendix 10.2	WKN Drainage Design Philosophy	RPS	1	Submission Version	11/09/2019
	3.1	APP-063	**Chapter 11**	**Ecology**	RPS	1	Submission Version	11/09/2019
	3.1	APP-043	Appendix 11.1	Kemsley Ornithological Surveys	RPS	1	Submission Version	11/09/2019
	3.1	APP-044	Appendix 11.2	Habitats Regulation Assessment Report	RPS	1	Submission Version	11/09/2019
	3.1	APP-045	Appendix 11.3	Previous Ecological Baseline Surveys	RPS	1	Submission Version	11/09/2019
	3.1	APP-046	Appendix 11.4	K3 as consented Ecological Mitigation & Management Plan	RPS	1	Submission Version	11/09/2019
	3.1	APP-047	Appendix 11.5	K3 as consented Ecological Mitigation Report	RPS	1	Submission Version	11/09/2019
	3.1	APP-048	Appendix 11.6	Natural England Discretionary Advice	RPS	1	Submission Version	11/09/2019
	3.1	APP-049	Appendix 11.7	K3 and WKN Outfall Licences	RPS	1	Submission Version	11/09/2019
	3.1	APP-050	Appendix 11.8	WKN External Lighting	RPS	1	Submission Version	11/09/2019
	3.1	APP-064	**Chapter 12**	**Landscape and Visual Impact**	RPS	1	Submission Version	11/09/2019
	3.1	APP-051	Appendix 12.1	LVIA Scoping Correspondence with KCC	RPS	1	Submission Version	11/09/2019
	3.1	APP-065	**Chapter 13**	**Cultural Heritage**	RPS	1	Submission Version	11/09/2019
	3.1	APP-052	Appendix 13.1	Desk Based Heritage Assessment	RPS	1	Submission Version	11/09/2019
	3.1	APP-066	**Chapter 14**	**Summary Tables**	DHA Env	1	Submission Version	11/09/2019
	3.1	APP-067	**Chapter 15**	**Glossary**	DHA Env	1	Submission Version	11/09/2019
	3.2	APP-068	**Non-Technical Summary**		DHA/RPS	1	Submission Version	11/09/2019
	March 2010 Environmental Statement (with addendums/amendments)							

	3.3	APP-070	**Chapter 1**	**Introduction**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 1.1	Scoping Report	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 1.2	Kent County Council Scoping Opinion	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 2**	**The Site and Its Setting**	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 3**	**Planning Policy Framework**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 3.1	Planning Policy Framework	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 4**	**Description of Development**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 4.1	Construction Programme	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 4.2	Environmental Policy	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 4.3	Surface Water Management	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 5**	**Needs and Alternatives**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 5.1	Alternative Site Report	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 5.2	Technology Review	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 6**	**Traffic and Transport Issues**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 6.1	Traffic Impact Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 7**	**Air and Climate**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 7.1	Air and Climate	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 7.2	Human Health Risk Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-070	**Chapter 8**	**Landscape and Visual Impact**	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 8.1	Planning Policy	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 8.2a	Paper Mill Lighting Report	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 8.2b	Paper Mill Lighting Report Appendices	RPS	1	Submission Version	March 2010
	3.3	APP-072	Appendix 8.2c	Sustainable Energy Plant Lighting Report	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 9**	**Ecology and Nature Conservation**	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.1	Conservation Site Citations	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.2	Air quality impacts on ecology	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.3	Bird Surveys 2009	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.4	Legislation and Policy	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.5	Intertidal Bird Survey Report 2009-10	RPS	1	Submission Version	March 2010
	3.3	APP-073	Appendix 9.6	Appropriate Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 10**	**Hydrology and Flood Risk**	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 10.1	Envirocheck Report	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 10.2	Flood Risk Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 10.3	EA Scoping Response	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 11**	**Hydrogeology and Ground Conditions**	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 11.1	Legislation and Planning Context	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 11.2	Kemsley Phase 1	RPS	1	Submission Version	March 2010
	3.3	APP-074	Appendix 11.3	Kemsley Phase 2	RPS	1	Submission Version	March 2010

	3.3	APP-071	**Chapter 12**	**Noise and Vibration**	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 12.1	Noise and Vibration Units, Standards and Guidance	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 12.2	Construction Noise Model Input Data	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 12.3	Construction Noise and Vibration Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 12.4	Operational Noise Model Input Data	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 12.5	Operational Noise Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 13**	**Archaeology and Cultural Heritage**	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 13.1	Desk Based Archaeological Assessment	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 13.2	Relevant Planning Policies	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 14**	**Socio-Economic Impacts**	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.1	Population (Table UV01)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.2	Migration Data (Table KS24)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.3	General Health Data (Table UV20)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.4	Long Term Limiting Illness Data (Table UV22)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.5	Car Ownership Data (Table UV62)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.6	Types of Industry Data (Table UV34)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.7	Industrial Sector of Employment Data (Table KS11A)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.8	Occupation (Table UV30)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.9	Economic Activity Data (Table UV28)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.10	Unemployment/Worklessness Data (SummaryStats - 2007)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.11	Qualifications Data (Table UV24)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.12	Socio-Economic Classification Data (Table UV31)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.13	Modes of Travel to Work Data (Table KS15)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.14	Distance Travelled to Work Data (Table UV35)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.15	Earnings Data (ASHE - 2009)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.16	Job Density Data (Table 5.29 – 2001)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.17	Indices of Multiple Deprivation Data (IMD - 2007)	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.18	Stakeholder Report	RPS	1	Submission Version	March 2010
	3.3	APP-075	Appendix 14.18	Supplementary Stakeholder Report	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 15**	**Amenity**	RPS	1	Submission Version	March 2010
	3.3	APP-071	**Chapter 16**	**Summary**	RPS	1	Submission Version	March 2010
	3.4	APP-069	**Non-Technical Summary**		RPS	1	Submission Version	March 2010
	3.3	APP-076	Chapter 7	ES Addendum - Air Quality	RPS	1	Submission Version	June 2013

	3.3	APP-077	Chapter 10	ES Addendum - Hydrology and Flood Risk Supplementary Report	RPS	1	Submission Version	May 2017
	3.3	APP-078	Environmental Statement Addendum		DHA Env	1	Submission Version	May 2018
	3.3	APP-078	Appendix A	Supplementary Air Quality Assessment	RPS	1	Submission Version	May 2018
	3.3	APP-078	Appendix B	Supplementary Transport Assessment	RPS	1	Submission Version	May 2018

7.1 Environmental Statement

7.1.1 An Environmental Impact Assessment (EIA) has been undertaken as both the K3 and WKN Proposed Developments are of a type listed in part 10 Schedule 1 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (hereafter the EIA Regulations). The EIA assesses potential significant effects the proposed development is likely to have on the environment and ensures these are fully understood and taken into account before development is allowed to proceed. The **Environmental Statement (ES) (3.1)** reports the findings of the EIA which are summarised in the **Non-Technical Summary (3.2)**.

7.1.2 The EIA and ES are legal requirements and have been produced in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and current guidance. A **Scoping Opinion (Appendix 3.2)** was obtained from the Planning Inspectorate in October 2018 which informed the content of the ES.

7.1.3 The ES comprises of the following introductory chapters:

- Chapter 1 – Introduction
- Chapter 2 – Site Description, Proposed Development and Alternatives
- Chapter 3 – Methodology

7.1.4 The following chapters then assess the likely significant effects of the proposed development in relation to the following topics:

- Chapter 4 – Traffic and Transport
- Chapter 5 – Air Quality
- Chapter 6 – Climate Change

- Chapter 7 – Human Health
- Chapter 8 – Noise and Vibration
- Chapter 9 – Ground Conditions
- Chapter 10 – Water Environment
- Chapter 11 – Ecology
- Chapter 12 – Landscape and Visual Impact
- Chapter 13 – Cultural Heritage

7.1.5 The following reference chapters are then provided:

- Chapter 14 – Summary Tables
- Chapter 15 - Glossary

7.2 Environmental Statement Figures

7.2.1 The ES is accompanied by figures which supports the content and findings of the EIA. A list of the accompanying figures can be found within the contents section of the ES.

7.3 Environmental Statement Appendices

7.3.1 The ES is accompanied by appendices which supports the content and findings of the EIA. The accompanying appendices are listed above in Table 3 alongside their relevant chapters.

7.4 March 2010 Environmental Statement

7.4.1 The **2010 Environmental Statement (Document 3.3)** was submitted in support of the original K3 planning application in 2010. The Environmental Impact Assessment for the proposed K3 and WKN projects comprises the both the 2010 and 2019 Environmental Statements, as documented in the ES **(Document 3.1)**, given development consent is being sought for the construction and operation of K3. The **2010 Non-Technical Summary (Document 3.3)** summarises the findings of the 2010 ES.

7.4.2 The March 2010 ES comprises of the following introductory chapters:

- Chapter 1 – Introduction
- Chapter 2 – The Site and Its Setting
- Chapter 3 – Planning Policy Framework
- Chapter 4 – Description of Development
- Chapter 5 – Needs and Alternatives

7.4.3 The following chapters then assess the likely significant effects of the proposed development in relation to the following topics:

- Chapter 6 – Traffic and Transportation Issues
- Chapter 7 – Air and Climate
- Chapter 8 – Landscape and Visual Impact
- Chapter 9 – Ecology and Nature Conservation
- Chapter 10 – Hydrology and Flood Risk
- Chapter 11 – Hydrogeology and Ground Conditions

- Chapter 12 – Noise and Vibration
- Chapter 13 – Archaeology and Cultural Heritage
- Chapter 14 – Socio-Economic Impacts
- Chapter 15 - Amenity

7.4.4 The following reference chapters are then provided:

- Chapter 16 – Summary

7.5 Addendums to the March 2010 ES

7.5.1 Following the approval of the original consent for K3 application a number of non-material amendments and variations were made resulting in three separate addendums to the March 2010 ES.

ES Addendum (Air Quality) (June 2013)

7.5.2 A non-material amendment to the site layout was consented on the 2nd September 2013 under reference SW/10/444/R. An ES Addendum relating to air quality was submitted as part of that application to remodel the release of emissions from the stack, given the stack location had changed. That Addendum therefore now forms part of the ES and accordingly has been included.

ES Chapter 10 – Hydrology and Flood Risk (May 2017)

7.5.3 An application was made under reference SW/17/502996 to vary Condition 16 of the original planning permission, which was approved on the 23rd August 2017. Condition 16 relates to drainage, with the application proposing an alternative drainage management regime for the K3 development. The application included an ES Addendum relating to Hydrology and Flood Risk which assessed the impacts of the change in EIA terms and included as an appendix the December 2016 version of the Surface Water Management and Foul Drainage Design Philosophy Statement, which is also separately listed within Schedule 3. As the Addendum forms part of the ES it has been included within Schedule 3.

ES – Addendum (May 2018)

7.5.4 A further variation was approved on the 11th October 2018 under reference SW/18/503317. Condition 3 of the K3 planning permission was varied to increase the number of HGV movements permitted for the K3 facility to result in the 348 movements currently consented. An ES Addendum was included with that application and includes an assessment of the transport and air quality implications of that change. As such it forms part of the ES and is therefore listed within Schedule 3.

8 Volume 4: Other Reports

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
4	4.1	APP-079-081	Consultation Report	DHA	2	S51 Version	18/10/2019
	4.2	APP-082	Planning Statement	DHA	1	Submission Version	11/09/2019
	4.3	APP-083	Design and Access Statement	DHA/GDSA	1	Submission Version	11/09/2019
	4.4	APP-084	Statement of Statutory Nuisances	DHA	1	Submission Version	11/09/2019
	4.5	APP-085	Regulation 6 - Grid Connection Statement	DHA	1	Submission Version	11/09/2019
	4.6	APP-086	Waste Hierarchy and Fuel Availability Report	Hendeca	1	Submission Version	11/09/2019
	4.7	APP-087	CHP Assessment	Fichtner	1	Submission Version	11/09/2019
	4.8	APP-088	K3 Rail and Water Transportation Strategy	RPS	1	Submission Version	11/09/2019
	4.9	APP-089	WKN Rail and Water Transportation Strategy	RPS	1	Submission Version	11/09/2019

8.1 Consultation Report

8.1.1 **Document 4.1 - Consultation Report** provides a detailed review of the pre-application consultation undertaken as part of the DCO process. Under Sections 42, 47 and 48 of the Planning Act 2008 an applicant is required to publicise an application for a DCO and to consult the local community, specifically prescribed bodies and local authorities. The Consultation Report sets out how the applicant has responded to the consultation responses received prior to the application being made.

8.1.2 In 2017, the applicant consulted on an application to increase the maximum gross electrical power output of the existing consented Kemsley K3 Generating Station, from 49.9 Megawatts electrical (MW) to up to 75 MW. This is referred to as the '2017 consultation'.

8.1.3 However the scope of the proposed application then changed to instead comprise an application to increase the generating capacity and the tonnage throughput of the Wheelabrator Kemsley Generating Station (K3), as an extension to that facility, and for the construction and operation of a new 42MW waste-to-energy facility, 'Wheelabrator Kemsley North' (WKN).

8.1.4 S47 consultation in those terms took place in October and November 2018, followed by S42 consultation and S48 publicity concurrently during December 2018 and early January 2019. Prior to the formal consultation exercise some informal non-statutory consultation had taken place with Swale Borough Council and selected statutory bodies in order to inform the preparation of the

SoCC and continued during the formal consultation process alongside S47 to engage with local politicians and residents where appropriate. This is referred to as the '2018 consultation'.

8.1.5 In July and August 2019 the applicant undertook a re-consultation to clarify that consent is being sought in respect of K3 for the construction of a 75MW generating station, in circumstances where that generating station has already been constructed as a 49.9MW generating station under planning permission granted under the Town & Country Planning Act 1990. This re-consultation included consultation with S42 consultees and additional S48 publicity. This is referred to as the '2019 consultation'.

8.1.6 The Consultation Report is set out as follows:

- Chapter 1 – Executive Summary
- Chapter 2 – Contents
- Chapter 3 – Appendices
- Chapter 4 – Glossary of Terms
- Chapter 5 – Introduction
- Chapter 6 – Project Context
- Chapter 7 – Compliance with Legislation
- Chapter 8 – Consultation Guidance
- Chapter 9 – 2017 - K3 Power Upgrade Consultation
- Chapter 10 – 2018 - Non-Statutory Informal Consultation
- Chapter 11 – 2018 - S.42 – The Duty to Consult
- Chapter 12 – 2018 - S.46 – Duty to Notify PINS of the Proposed Development

- Chapter 13 – 2018 - S.47 – Statement of Community Consultation (SoCC)
- Chapter 14 – 2018 - S.47 – Consultation Events
- Chapter 15 – 2018 - S.47 – Consultation Responses
- Chapter 16 – 2018 - S.48 – Statutory Publicity
- Chapter 17 – 2019 - S.42 – The Duty to Consult
- Chapter 18 – 2019 – S.46 – Duty to Notify PINS of the Proposed Development
- Chapter 19 – 2019 – S.47 Consultation with the Local Community
- Chapter 20 – 2019 – S.48 – Statutory Publicity
- Chapter 21 – Summary and Conclusions

8.1.7 The **Consultation Report** is accompanied by appendices which supports the document and illustrates the materials on which the pre-application consultation was based. It also provides a record of the correspondence with the required parties and local community including copies of published notices and statutory consultations.

8.2 Planning Statement

8.2.1 **Document 4.2 - Planning Statement** assesses the compliance of the proposed development with the policy set out within the relevant National Policy Statements (NPS's) and discusses other relevant and important national and local planning policy and any other factors which would constitute other relevant and important matters under S104 or S105 of the Planning Act 2008.

8.2.2 This **Planning Statement** should be read alongside the other documents which form the DCO application, and in particular:

- The Application Guide (Document 1.2);
- The draft Development Consent Order and its Explanatory Memorandum (Documents 2.1 and 2.2);

- The Environmental Statement and Non-Technical Summary (Documents 3.1 and 3.2);
- The Consultation Report (Document 4.1);
- The Design and Access Statement (Document 4.3).

8.3 Design and Access Statement

8.3.1 **Document 4.2 - The Design and Access Statement** forms a self-contained summary of the proposed scheme in its entirety. It forms part of the application for the proposed DCO and describes the proposal site and its surrounding context and explains the rationale behind the siting, design and access arrangements of the proposed scheme. The Design and Access Statement should be read in conjunction with:

- The Application Guide (Document 1.2);
- The Environmental Statement and Non-Technical Summary (Documents 3.1 and 3.2);
- The Consultation Report (Document 4.1);
- The Planning Statement (Document 4.2).

8.4 Statement of Statutory Nuisances

8.4.1 The **Statement of Statutory Nuisances (Document 4.4)** sets out whether the development proposal could cause a statutory nuisance pursuant to Section 79(1) of the Environmental Protection Act 1990 (EPA) and if so, how the applicant proposes to mitigate or limit them.

8.5 Regulation 6 – Grid Connection Statement

8.5.1 The **Regulation 6 – Grid Connection Statement (Document 4.5)** sets out who will be responsible for designing and building the connection to the electricity grid. This Statement should be read in conjunction with the Environmental Statements and NTS' and Design and Access Statement which accompany the DCO application.

8.6 Waste Hierarchy and Fuel Availability Report

8.6.1 The National Policy Statement EN-3 requires an assessment of the proposed waste combustion generating station (i.e. K3 and WKN) to be undertaken that examines the conformity of the developments with the waste hierarchy and the effect of the scheme on the relevant waste plan or plans where a proposal is likely to involve more than one local authority. The **Waste Hierarchy and Fuel Availability Report (Document 4.6)** is a separate document which demonstrates how K3/WKN conforms both to the waste hierarchy and relevant waste plans and strategies.

8.6.2 This report should be read in conjunction with the Planning Statement.

8.7 Combined Heat and Power (CHP) Assessment

8.7.1 The purpose of **CHP Assessment (Document 4.7)** is to demonstrate the CHP opportunity, benefits and feasibility of supplying heat from the proposed developments to local heat consumers. This report responds to Section 4.6 of NPS EN-1 which requires applications for thermal generating stations, such as the proposed K3 and WKN developments, to consider CHP.

8.8 K3 Rail and Water Transportation Strategy

8.8.1 The **K3 Rail and Water Transportation Strategy (Document 4.8)** examines the potential for waste to be transported to the proposed development via the rail network or via water as oppose to via road.

8.9 WKN Rail and Water Transportation Strategy

8.9.1 The **WKN Rail and Water Transportation Strategy (Document 4.9)** examines the potential for waste to be transported to the proposed development via the rail network or via water as oppose to via road.

9 Volume 5: Plans

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
5	5.1	APP-090	Site Location Plan	RPS	1	Submission Version	11/09/2019
	5.2	APP-091	DCO Site Boundary Plan	RPS	1	Submission Version	11/09/2019
	5.3	APP-092	DCO Site Boundary Plan - Aerial	RPS	1	Submission Version	11/09/2019
	5.4	AS-008	Land Plan	LRS	2	S51 Version	18/10/2019
	5.5a	APP-094	K3 Works Plan	RPS	1	Submission Version	11/09/2019
	5.5b	APP-095	WKN Works Plan	RPS	1	Submission Version	11/09/2019
	WKN Plans/Drawings/Sections						
	5.6	APP-096	WKN – Parameters Plan	GSDA/DHA	1	Submission Version	11/09/2019
	5.7	APP-097	WKN – Illustrative Layout Plan	GSDA	1	Submission Version	11/09/2019
	5.8	APP-098-101	WKN – Illustrative Elevations	GSDA	1	Submission Version	11/09/2019
	Other Plans						
	5.9	APP-102	K3 and WKN – Connection and Tie-In Plan	RPS/DHA	1	Submission Version	11/09/2019
	5.10	APP-103	K3 and WKN Illustrative CGI	GSDA/RPS /DHA	1	Submission Version	11/09/2019
	5.11	APP-104	Nature Conservation Designations Plan	RPS	1	Submission Version	11/09/2019
	5.12	APP-105	Habitats Plan	RPS	1	Submission Version	11/09/2019
	5.13	APP-106	Water Bodies Plan	RPS	1	Submission Version	11/09/2019
	5.14	APP-107	Heritage and Conservation Designations Plan	RPS	1	Submission Version	11/09/2019

9.1.1 **Documents 5.1 - Site Location Plan** shows the location of the proposed development within the local context. The **DCO Site Boundary Plan (Document 5.2)** and **DCO Site Boundary Plan – Aerial (Document 5.3)** shows the DCO boundary; the land to which the DCO would relate. **Document 5.4 - Land Plan** shows the land that is to be affected by the DCO.

9.1.2 **Document 5.5a – K3 Works Plan** shows the extent of the works necessary for the construction and operation of K3, given development consent is being sought in those terms. In reality the works described have either been completed or substantially completed at the point of the application being submitted and are expected to be completed by the end of 2019. These works are as follows:

Work No.1 – An electricity generating station (the K3 Generating Station) with a gross installed generating capacity of up to 75MW.

Work No. 1A - Installation of grid connection for Work No 1.

Work No. 1B - Installation of steam connection for Work No 1.

Work No. 1C - Alteration of existing private access road to construct, use and maintain Work No 1.

Work No. 1D - Creation of a temporary construction compound and laydown area for the construction of Work No 1.

Work No. 1E - Construction and operation of a surface water outfall for Work No 1.

9.1.3 **Document 5.5b – WKN Works Plan** shows the extent of the works necessary for the construction and operation of WKN, as follows:

Work No.2 - An electricity generating station (the WKN Waste-to-Energy Facility) with a gross installed generating capacity of up to 42MW.

Work No.3 – Installation of grid connection for Work No 2.

Work No. 4 - Alteration of existing private access road to construct, use and maintain Work No 2.

Work No. 5 – Temporary construction or alteration of existing private haul road for the construction of Work No 2.

Work No. 6 - Creation of a temporary construction compound and laydown area for the construction of Work No 2.

Work No. 7 - Construction and operation of a new surface water outfall for Work No 2.

9.1.4 The **WKN - Parameter Plans (Document 5.6)** sets out the limits for the construction of the buildings and infrastructure as part of WKN. It is not possible to construction WKN to the maximum parameters but allows for flexibility in the final design stage. The **WKN – Illustrative Layout Plan (Document 5.7)** and **WKN – Illustrative Elevations (Document 5.8)** provides an indicative view of the WKN as constructed and the **K3 and WKN Illustrative CGI (Document 5.10)** sets out the proposed views of both K3 and WKN as constructed.

9.1.5 The **K3 and WKN – Connection and Tie-In Plan (Document 5.9)** sets out how the proposed developments will connect with the local infrastructure such as delivery of steam to the adjacent paper mill and the electricity grid.

9.1.6 **Document 5.11 - Nature Conservation Designations Plan** identifies the site in relation to environmental designations within the wider area. This includes Air Quality Management Areas, Special Protection Areas and RAMSAR sites, Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Flood Zones 2 and 3. **Document 5.12 - Habitats Plan** identifies the site in relation to biodiversity designations such as priority habitats, habitats and species records.

9.1.7 **Document 5.13 – Water bodies Plan** identifies the site in relation to local water bodies. **Document 5.16 – Heritage and Conservation Designations** Plan identifies the site in relation to heritage assets which are Listed Buildings, Conservation Areas and Scheduled Monuments.

10 Volume 6: K3 Certified Plans and Documents and Supporting Documents

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
6	**K3 Documents**						
	6.1	APP-147	2010 Planning Supporting Statement	RPS	1	Submission Version	March 2010
	6.2	APP-148	2010 Design and Access Statement	RPS	1	Submission Version	March 2010
	6.3	APP-149	2010 Carbon Assessment	RPS	1	Submission Version	March 2010
	6.4	APP-150	2010 Sustainability Appraisal	RPS	1	Submission Version	March 2010
	6.5	APP-151	2010 Supplementary Biodiversity Information	RPS	1	Submission Version	March 2010
	6.6	APP-152	Surface Water and Foul Drainage Design Philosophy Statement	RPS	1	Submission Version	March 2010
	6.7	APP-153	Flood Risk Assessment	RPS	1	Submission Version	May 2019
	6.8	APP-154	Ecological Mitigation and Management Plan	RPS	1	Submission Version	July 2013
	6.9	APP-155	K3 Employment Strategy	WTI	1	Submission Version	March 2012
	K3 Plans						
	16315/A0/P/0060 Rev N	APP-109	4.1D Permitted Site Location Plan	RPS	1	Submission Version	
	16315/A0/P/0105 Rev L	APP-110	4.2D Proposed Building Layout	RPS	1	Submission Version	
	16315/A1/P/0100 Rev U	APP-111	4.3D Proposed Site Layout	RPS	1	Submission Version	
	16315/A1/P/0110 Rev U	APP-112	4.4D South East Elevation	RPS	1	Submission Version	
	16315/A1/P/0111 Rev T	APP-113	4.5D North East Elevation	RPS	1	Submission Version	
	16315/A1/P/0112 Rev U	APP-114	4.6D South West Elevation	RPS	1	Submission Version	
	16315/A1/P/0113 Rev T	APP-115	4.7D North West Elevation	RPS	1	Submission Version	
	16315/A0/P/0125 Rev K	APP-116	4.8D Main Building: Proposed South East Elevation	RPS	1	Submission Version	
	16315/A1/P/0126 Rev K	APP-117	4.9D Main Building: Proposed North East Elevation	RPS	1	Submission Version	
	16315/A1/P/0127 Rev L	APP-118	4.10D Main Building: Proposed South West Elevation	RPS	1	Submission Version	
	16315/A0/P/0128 Rev K	APP-119	4.11D Main Building: Proposed North West Elevation	RPS	1	Submission Version	
	16315/A1/P/0160 Rev K	APP-120	4.12D Site Layout & Access	RPS	1	Submission Version	
	16315/A1/P/0121 Rev N	APP-121	4.13D Proposed Structure for Air Cooled Condenser Elevations	RPS	1	Submission Version	
	16315/A1/P/0171 Rev H	APP-122	4.19D Typical Office and Staff Amenities Building (UYA) Floor Plans	RPS	1	Submission Version	
	16315/A2/P/0172 Rev L	APP-123	4.20D Proposed Gatehouse Floor Plan and Elevation	RPS	1	Submission Version	
	16315/A1/4.21 Rev M	APP-124	4.21D Landscape Masterplan	RPS	1	Submission Version	
	16315/A0/P/0106 Rev R	APP-125	4.22D Boundary Treatment	RPS	1	Submission Version	
	16315/A0/0250 Rev J	APP-126	4.24D Site Sections	RPS	1	Submission Version	
	16315/A0/0301 Rev J	APP-127	4.25D Proposed Drainage Layout	RPS	1	Submission Version	

	16315/A1/0600 Rev H	APP-128	4.26D Proposed Levels/Site Plan	RPS	1	Submission Version	
	16315/A1/P/0220 Rev D	APP-129	4.27D Fuel Bunker Level +2.000m	RPS	1	Submission Version	
	16315/A1/P/0221 Rev E	APP-130	4.28D Fuel Bunker Level +20.000m and Level +36.000m	RPS	1	Submission Version	
	16315/A1/P/0222 Rev C	APP-131	4.29D Fuel Bunker Section A-A	RPS	1	Submission Version	
	16315/A0/P/0223 Rev C	APP-132	4.30D Fuel Bunker Sections B-B	RPS	1	Submission Version	
	16315/A1/P/0201 Rev E	APP-133	4.31D Tipping Hall Layout Level +2.000m	RPS	1	Submission Version	
	16315/A1/P/0202 Rev D	APP-134	4.32D Tipping Hall Section A-A	RPS	1	Submission Version	
	16315/A1/P/0200 Rev H	APP-135	4.33D Overall Roof Layout Comparison Drawing	RPS	1	Submission Version	
	16315/P/0150 Rev R	APP-136	4.34D Illustration 1 of 7	RPS	1	Submission Version	
	16315/A1/P/0202 Rev P	APP-137	4.35D Illustration 2 of 7	RPS	1	Submission Version	
	16315/P/0152 Rev O	APP-138	4.36D Illustration 3 of 7	RPS	1	Submission Version	
	16315/P/0153 Rev Q	APP-139	4.37D Illustration 4 of 7	RPS	1	Submission Version	
	16315/P/0154 Rev O	APP-140	4.38D Illustration 5 of 7	RPS	1	Submission Version	
	16315/P/0155 Rev O	APP-141	4.39D Illustration 6 of 7	RPS	1	Submission Version	
	16315/P/0156 Rev R	APP-142	4.40D Illustration 7 of 7	RPS	1	Submission Version	
	AAK 04 20020117 LX I0019 C	APP-144	External Lighting Discharges Report	CNIM	1	Submission Version	
	AAK 04 20020117 LX J0922 I	APP-145	External Lighting Technical Submission	CNIM	1	Submission Version	
	AAK 04 20020117 LX G0907H	APP-143	External Lighting Drawing	CNIM	1	Submission Version	
	ECO00047 Fig1	APP-108	K3 External Lighting Strategy	RPS/DHA	1	Submission Version	
	9163-0135-01-JNY9060 Rev 01	APP-146	Proposed Internal Access Layout	RPS	1	Submission Version	

10.1 K3 Certified Plans and Documents

10.1.1 The DCO, if granted, would become the operational consent for the K3 facility. The dDCO contains the provision, at Article 4, that on the serving of the appropriate notice the K3 facility would cease to operate under the terms of the K3 planning permission and instead would be operated under the terms of the DCO.

10.1.2 Any documents and plans submitted as part of the original K3 application, or subsequent applications to vary the original consent, make non-material amendments to the scheme or to discharge conditions have been submitted as part of the application and are listed at Schedule 3 of the dDCO.

10.2 Supporting Documents

10.2.1 In addition to the K3 certified plans and documents, the applicant has submitted a number of supporting documents for contextual information as they formed part of the original K3 planning application and is therefore included for completeness. These are the:

- **2010 Planning Supporting Statement (Document 6.1);**
- **2010 Carbon Assessment (Document 6.3)**;
- **2010 Sustainability Appraisal (Document 6.4);** and
- **2010 Supplementary Biodiversity Information (Document 6.5).**

10.2.2 Further information regarding the K3 certified plans and documents and supporting documents is available in section 8 of the **Planning Statement (Document 4.2)**.

11 Volume 7: S51 Submission, October 2019

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
7	7.1	Tbc	S51 Covering Letter	DHA	1	S51 Version	18/10/2019

11.1.1 Following the acceptance of the application the applicant was provided with S51 Advice by the Planning Inspectorate. A submission of amended documents was made on the 18th October 2019, prior to the period for Relevant Representations, to address the points raised in the S51 Advice. The only new document submitted was a **Covering Letter (7.1)** detailing the changes made to the application documents.

11.1.2 The following documents were submitted as part of the S51 pack, with the various sections of this Application Guide updated to reflect the latest versions of those documents where necessary:

- 1.2 – S51 Application Guide
- 1.3 – S51 Application Form
- 2.1 – S51 Draft Development Consent Order
- 2.3 – S51 DCO Validation Report
- 2.4 – S51 Book of Reference
- 2.5 – S51 Summary of Land Interests and Rights (replaces Statement of Reasons)
- 2.6 – S51 Summary of Applicant's Structure and Standing (replaces Funding Statement)
- 4.1 – Consultation Report
- 5.4 – S51 Land Plan (9812-0057-005)

12 Volume 8: Statements of Common Ground

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
8	8.1	Tbc	SoCG between the Applicant and Swale Borough Council	DHA/SBC			
	8.2	Tbc	SoCG between the Applicant and the Environment Agency	DHA/EA	1	Deadline 1 Draft	02/03/2020
	8.3	Tbc	SoCG between the Applicant and Natural England	DHA/NE	1	Deadline 1 Draft	02/03/2020
	8.4	Tbc	SoCG between the Applicant and Kent County Council	DHA/KCC			
	8.5	Tbc	SoCG between the Applicant and Highways England	DHA/HE			

12.1.1 The Examining Authority has requested that the Applicant enter into Statements of Common Ground with various other Interested Parties. Those SoCG's will record areas of agreement, disagreement and areas under discussion and will be updated as necessary as the examination into the application proceeds.

12.1.2 At Deadline 1 the Applicant remains in discussion with Swale Borough Council, Kent County Council and Highways England over their respective SoCG's and has provided an update to the ExA to that effect within the Deadline 1 Covering Letter (9.1). Drafts of the SoCG's between the Applicant and the Environment Agency and with Natural England are provided at Deadline 1.

13 Volume 9: Deadline 1 Submissions

Vol.	Document Reference	ExA Reference	Document Title	Author	Version	Status	Date
9	9.1	Tbc	Deadline 1 Covering Letter	DHA	1	Deadline 1 Version	02/03/2020
	9.2	Tbc	The Applicant's Responses to Relevant Representations	DHA	1	Deadline 1 Version	02/03/2020
	9.3	Tbc	The Applicant's Responses to Additional Submissions	DHA	1	Deadline 1 Version	02/03/2020
	9.4	Tbc	The Applicant's Post Hearing Submission on ISH1:dDCO	DHA	1	Deadline 1 Version	02/03/2020
	9.5	Tbc	Suggested Locations for the Accompanied Site Inspection	DHA	1	Deadline 1 Version	02/03/2020

1.1.2 The Applicant has submitted a **Covering Letter (9.1)** which explains their submissions at Deadline 1. No other existing documents, apart from this **Application Guide**, have been amended at Deadline 1.

13.1.1 In summary the Deadline 1 submissions comprise:

- **9.2 – The Applicant's Responses to Relevant Representations** - The Applicant has provided a response, where appropriate, to the Relevant Representations submitted to the ExA by Interested Parties following the acceptance of the application;
- **9.3 – The Applicant's Responses to Additional Submissions** - Separately to the above, the Applicant has provided a response where appropriate to any other submissions made by Interested Parties between the acceptance of the application and the Preliminary Meeting held on the 19th February 2020;
- **9.4 – The Applicant's Post Hearing Submission on ISH1:dDCO** – Issue Specific Hearing 1 on the draft Development Consent Order took place on the 19th February 2020. Document 9.4 provides the written statement of the case made by the Applicant at that Hearing;
- **9.5 – Suggested Locations for the Accompanied Site Inspection** – the Applicant has provided suggestions for the ExA's Accompanied Site Visit which is scheduled for the 15th April 2020 together with a draft itinerary and plan showing the location of the suggested site visit locations, which will be updated following a review of locations suggested by Interested Parties.