
NORTH LONDON WASTE AUTHORITY
NORTH LONDON HEAT AND
POWER PROJECT
EN10071

STATEMENT OF COMMON GROUND:
LEE VALLEY REGIONAL PARK
AUTHORITY

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

AD03 . 04

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared jointly by the North London Waste Authority (the Applicant) and the Lee Valley Regional Park Authority (LVRPA) in relation to the application (the Application) for a Development Consent Order (DCO) for the North London Heat and Power Project (the Project).
- 1.1.2 The Project comprises the construction, operation and maintenance of an Energy Recovery Facility (ERF) capable of an electrical output of around 70 megawatts (MW_e) at the Edmonton EcoPark in north London with associated development, including a Resource Recovery Facility (RRF). The proposed ERF will replace the existing Energy from Waste (EfW) facility at the Edmonton EcoPark.
- 1.1.3 This SoCG sets out the matters on which the parties agree and any areas where agreement has not yet been reached in order to ensure that evidence at the examination of the Application focuses on the material differences between the Applicant and the LVRPA regarding the Application for development consent.
- 1.1.4 This SoCG has been agreed and signed by both the Applicant and LVRPA. It represents the position on matters which are agreed and those matters yet to be agreed as at 6 April 2016.

1.2 Parties to the SoCG

- 1.2.1 This SoCG has been prepared jointly by the Applicant and LVRPA.
- 1.2.2 Established in 1986, the Applicant is a statutory authority whose principal statutory responsibility is the disposal of waste collected by the seven north London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest (the Constituent Boroughs). Since 1994 the Applicant has managed its waste arisings predominantly through its waste management contract with LondonWaste Limited (LWL) and the use of the EfW facility at the existing Edmonton EcoPark and landfill outside of London. The Applicant is seeking permission for the Project to replace the existing EfW.
- 1.2.3 The LVRPA is statutory consultee under the Planning Act 2008. The LVRPA is responsible for the development, improvement, preservation and management of the Lee Valley Regional Park which is located to the east of the Edmonton EcoPark and is crossed by the Lee Park Way. It owns the portion of the Lee Park Way which is proposed as an additional access point to serve the RRF and EcoPark House within the Edmonton EcoPark.

1.3 Structure of the SoCG

1.3.1 This SoCG has been structured to reflect matters and topics of interest to LVRPA in relation to the Project. The remainder of the SoCG is structured as follows:

- Section 2: provides an overview of consultation to date between the Applicant and LVRPA;
- Section 3: provides a summary of areas that have been agreed;
- Section 4: provides a record of areas still under discussion; and
- Section 5: contains signatures to this SoCG.

2 Overview of Engagement Undertaken

2.1 Pre-Submission Engagement

- 2.1.1 The Applicant and LVRPA have engaged during the pre-application period in respect of the potential effects of the proposed development on the Lee Valley Regional Park, and to consider negotiations relating to property transactions which are included in the draft Development Consent Order.

Table 2.1: Summary of correspondence to date

Date	Form of contact or correspondence
15/07/2014	Meeting
29/07/2014	Correspondence
20/08/2014	Meeting
01/09/2014	Correspondence
09/09/2014	Meeting
24/10/2014	Correspondence
24/10/2014	Correspondence
04/12/2014	Correspondence
09/12/2014	Correspondence
07/01/2015	Correspondence
06/02/2015	Correspondence
26/02/2015	Meeting
21/05/2015	Correspondence
16/06/2015	Teleconference
02/07/2015	Meeting
08/07/2015	Meeting
04/08/2015	Correspondence
20/08/2015	Meeting
17/09/2015	Correspondence
14/10/2015	Correspondence
09/12/2015	Meeting

- 2.1.2 Table 2.1 sets out the chronology of technical and property/legal meetings and main correspondence with LVRPA up to the date of this SoCG.

2.2 Public Consultation and Publicity

- 2.2.1 The Applicant consulted LVRPA, as a prescribed consultee in accordance with section 42 of the Planning Act 2008 (as amended), about the Project as part of the formal pre-application consultation and publicity process. This process afforded LVRPA the opportunity to provide formal responses

to the information presented at the following specific stages of the pre-application process:

- Phase One Consultation;
- Phase Two Consultation and Section 48 publicity.

2.2.2 LVRPA responded to the Applicant's Phase One and Phase Two Consultation, as reported in the Consultation Report (AD05.01).

2.3 Other Consultation

2.3.1 LVRPA were also consulted, as a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, by the Planning Inspectorate on the Environmental Impact Assessment Scoping Report submitted by the Applicant in October 2014.

3 Matters Agreed

- 3.1.1 The following matters have been agreed between the Applicant and LVRPA at the time of submission of this SoCG.

3.2 Visual impacts during Construction

- 3.2.1 The LVRPA supports the EIA visual assessment methodology and findings set out in the Environmental Statement for the construction phase (AD06.02_ES_Vol_3 and AD06.02_ES_Vol_3_Appendix1.1-1.4).

3.3 Visual impacts during Operation

- 3.3.1 The LVRPA are generally supportive of the ERF design approach adopted which steps back from the River Lee Navigation subject to seeing the detailed design when available.
- 3.3.2 The LVRPA supports the EIA visual assessment methodology and findings set out in the Environmental Statement for operational phases (AD06.02_ES_Vol_3 and AD06.02_ES_Vol_3_Appendix1.1-1.4). Whilst the LVRPA supports the measures incorporated which ensure the project responds to its setting and potential visual impact as detailed in the submitted landscape strategy, building height, massing and design (AD02.02_Design_Code_Principles and AD05.07_DAS) there are still additional details which have yet to be finalised. This matter is included under Section 4 below.

3.4 Retention of Edmonton Sea Cadets on-site

- 3.4.1 The LVRPA supports the retention of the Sea Cadets on-site.

3.5 Cycle Path

- 3.5.1 The LVRPA agrees that the proposals for the development and use of Lee Park Way are consistent with the national cycle path along that route. Whilst the Authority is happy with the designs included in the application the views of Sustrans are important given the designation of this route as NCR1.

3.6 EcoPark House

- 3.6.1 The LVRPA supports the provision of facilities for visitors, in particular with an educational purpose, as proposed for EcoPark House.

3.7 Education

- 3.7.1 The LVRPA agrees with the proposals for the development a building (EcoPark House) as detailed within the Draft DCO (AD03.01_Draft_DCO, Schedule 1 – 2.(c) Works No.3) for the provision of visitor, community and education facilities.

3.8 Nature Conservation

- 3.8.1 The LVRPA recognises that detailed ecological commitments will be finalised at the detailed design stage. The LVRPA agrees that the commitments in the Environmental Commitments and Mitigation Schedule (AD06.03), Code of Construction Practice (AD05.12) and Design Code Principles (AD02.02) form an appropriate basis on which to progress with comfort that potential effects on designated sites for nature conservation purposes will be avoided. LVRPA particularly supports the requirement for further assessment of the potential for ecological impacts on the Lea Valley SMINC (AD06.02_ES_Vol_2 (para 5.6.4 (b))).

3.9 Landscaping

- 3.9.1 Landscaping proposals for the area of the Lee Valley Regional Park are shown on plan D_0008 within the Design Code Principles (AD02.02_Design_Code_Principles) and section 6.5 of the Design and Access Statement (AD05.07_DAS). LVRPA agrees that these proposals form an appropriate basis for the landscaping of that area. It is agreed that LVRPA will be consulted on the detail of the plans and management regime prior to implementation.
- 3.9.2 The draft DCO contains landscaping proposals for the area of the Regional Park within the Application site. The Applicant anticipates that landscaping obligations will be incorporated into the final documentation relating to land use.

3.10 Maintenance and Security

- 3.10.1 The LVRPA agrees with the proposals detailed within the Draft DCO (AD03.01_Draft_DCO, Schedule 1 – 2.(d) Works No.4) and section 6.2 of the Design and Access Statement (AD05.07_DAS) relating to security arrangements for the area of the Lee Valley Regional Park within the Application Site
- 3.10.2 The LVRPA agrees to additional arrangements relating to the maintenance of security including:
- a. Security barriers to control entry and restrict certain classes of vehicles along Lee Park Way;
 - b. Securing Lee Park Way from unauthorised use or trespassers;
 - c. Security patrols and CCTV coverage; and
 - d. Management of graffiti, flytipping, and litter.

3.11 Signage

- 3.11.1 The LVRPA has provided signage guidelines which are attached and which will be taken into account in development of all signage to be placed on the Lee Valley Regional Park. It is agreed that there will be suitable wayfinding signage.

3.12 Consultation

- 3.12.1 Consistently with agreement above, the Applicant agrees that it will consult the LVRPA with regard to works affecting the Regional Park on Detailed design; implementation of the mitigation measures in the environmental statement; Provision of landscaping; Maintenance of landscaping; Access and Roads, in particular pedestrian and cycle access along Lee Park Way; and Ecology.
- 3.12.2 The detail of this agreement will be incorporated into a Settlement Agreement entered into to supplement the DCO.

3.13 DCO Application Process

- 3.13.1 The LVRPA agrees that the methodology for the environmental impact assessment, including assessment of cumulative effects and data collection, was appropriate for this Project.
- 3.13.2 The LVRPA agrees that if the Works proposed in the DCO are carried out in accordance with the DCO, with the additional detail set out or referred to in this document (and incorporated into a Settlement Agreement) then there will be no adverse impact on the green belt/open space land contained within the Application Site, and that there will be an improvement of the land for the benefit of those using it and of the LVRPA.
- 3.13.3 The LVRPA supports the structure and purpose of the Environmental Commitments and Mitigation Schedule (AD06.3), which provides a record of the commitments set out in the Environmental Statement (AD06.02) and how they are expected to be delivered should a Development Consent Order be granted. This is considered to be a useful document in recording commitments and mitigation that will assist during delivery of the project.

3.14 Property Negotiations

- 3.14.1 Subject to contract, the following position is agreed with regard to LVRPA's property interests:
- 3.14.2 The Lee Valley Regional Park Authority is prepared to consider granting the NLWA the legal rights to use the land in the way they require to implement the North London Heat and Power Project. The LVRPA's preferred mechanism to achieve this is via a lease arrangement for a term of 60 years by which the use, landscaping, security issues, repairs, maintenance and management of the land and structures are agreed and made legal obligations under the lease terms. The grant of the lease is subject to LVRPA Member approval and Secretary of State's consent. The mechanism by which the property interests the applicant seeks is yet to be agreed.;
- 3.14.3 The LVRPA agrees that other property interests are not adversely affected

4 Matters Still to be Agreed

- 4.1** The following matters are yet to be agreed between the Applicant and the LVRPA at the time of submission of the SoCG.
- 4.1.1** The draft terms and form of Agreement for rights to use the access way. LVRPA preference is for a lease whereby the Authority considers an easement may be more appropriate.
- 4.1.2** Overall Design - The Design Code Principles (AD02.02) and Code of Construction Practice (AD05.12) address a number of the LVRPA's concerns and provide some comfort in respect of how the proposed development will impact upon the ecology, recreational use and general amenity of the Regional Park during construction and operation. However the detailed design stages, final choice of materials, the landscaping scheme and ecological commitments will not be finalised until the DCO is approved and a contractor appointed. Added to which the lengthy timescale for this project means that ecological and landscape commitments and their delivery in respect of the Lea Valley SMINC and other Park areas will require further assessment. Hence the LVRPA is seeking direct involvement in the consultation process via the DCO Schedule 2 'Requirements', please refer to the LVRPA Written Representation 23/03/16.
- 4.1.3** Notwithstanding Sections 3.8 Nature Conservation and 3.9 Landscaping above
- a. final treatment and reinstatement of the Temporary Laydown area which forms part of the Regional Park – the LVRPA understand that this awaits the outcome of discussions with other parties/landowners but given the scale of its potential impacts on the Regional Park as much information is required at the outset of the process and this should not be left to 'Requirements'; please refer refer to the LVRPA Written Representation 23/03/16.
 - b. final treatment of the 'public' entrance to the EcoPark from Advent Way and along Lee Park Way - this will continue to function as a 'gateway' to the Regional Park. The LVRPA will need to be consulted on this matter.

5 Agreement of this SoCG

5.1.1 This Statement of Common Ground has been jointly prepared and agreed by:

Name: Ursula Taylor

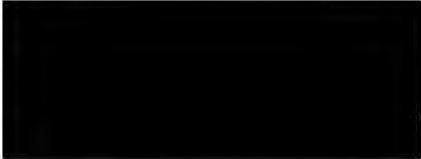
Signature: 

Position: Head of Legal and Governance

On behalf of: North London Waste Authority

Date: 6 April 2016

Name: BERYL FOSTER

Signature: 

Position: DIRECTOR OF CORPORATE SERVICES

On behalf of: Lee Valley Regional Park Authority

Date: 6th APRIL 2016



Series 03 Draft Development
Consent Order

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