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NORTH LONDON WASTE AUTHORITY  
NORTH LONDON HEAT AND  
POWER PROJECT  
EN10071

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STATEMENT OF COMMON GROUND:  
LONDON BOROUGH OF ENFIELD

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

AD03 . 04

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Revision 1 |

June 2016

## Contents

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	Page	
<b>1</b>	<b>Introduction</b>	<b>1</b>
1.1	Purpose of this document	1
1.2	Parties to the SoCG	1
1.3	Structure of the SoCG	1
<b>2</b>	<b>Overview of Engagement Undertaken</b>	<b>3</b>
2.1	Pre-Submission Engagement	3
2.2	Public Consultation and Publicity	3
2.3	Other Consultation	3
<b>3</b>	<b>Matters Agreed</b>	<b>4</b>
3.2	Principle of the redevelopment of the EcoPark for waste use	4
3.3	Capacity of the ERF	4
3.4	Inclusion of a Visitors' Centre (EcoPark House)	4
3.5	Compatibility with Meridian Water	4
3.6	Use of Design Code Principles to guide detailed design	4
3.7	General Site Layout and Height/Massing of the ERF and RRF	4
3.8	Treatment of ERF Façade	5
3.9	Design response to the Lee Valley Regional Park	5
3.10	Use of materials, lighting and accent colour	5
3.11	Landscape Strategy	5
3.12	EIA Methodology	5
3.13	Visual Assessment	5
3.14	Use of the Lee Navigation	5
3.15	Height of EcoPark House	6
3.16	Noise standards for plant operations	6
3.17	CoCP	6
3.18	Air Cooled Condensers	6
3.19	Environmental Commitments and Mitigation Schedule	6
3.20	Sustainable Urban Drainage Strategy	7
3.21	Transport Assessment and Methodology	7
3.22	Access strategy	8
3.23	Car Parking	9
3.24	Implementation Matters	9
3.25	Discharge rates from the site and components of SuDS Strategy	10
3.26	Proposed Reinstatement of the Laydown Area	10
3.27	Energy from Waste facility plot	11
3.28	Design Code Principles	11

<b>4</b>	<b>Matters Still to be Agreed</b>	<b>12</b>
4.2	Connection to Lee Valley Heat Network	12
4.3	Section 106 Agreement	12
4.4	Provision of an observation platform	12
4.5	Other Matters	13
<b>5</b>	<b>Agreement of this SoCG</b>	<b>14</b>

## **1 Introduction**

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### **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 London Borough of Enfield (LBE) 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) of around 70 megawatts (MWe) 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 LBE regarding the Application for development consent.
- 1.1.4 This SoCG has been agreed and signed by both the Applicant and the LBE. It represents the position on matters, which are all agreed, as of 29 April 2016.

### **1.2 Parties to the SoCG**

- 1.2.1 This SoCG has been prepared jointly by the Applicant, and LBE.
- 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 Application Site falls entirely within the boundary of LBE and as such LBE is the Local Planning Authority for the Project.

### **1.3 Structure of the SoCG**

- 1.3.1 This SoCG has been structured to reflect matters and topics of interest to LBE 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 LBE;
  - 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**

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### **2.1 Pre-Submission Engagement**

2.1.1 Meetings have been held with LBE throughout the preparation of the DCO submission. Meetings have been held approximately every three weeks with Development Management Officers since September 2014. One-on-one meetings with technical specialists have also taken place, along with correspondence via e-mail.

2.1.2 In respect of transport related matters there have been two meetings with LBE and TfL comprising: a) a formal pre-application meeting on 21 August 2014; and b) a meeting on 6 March 2015 to discuss the trip generation and the potential to use water transport. Furthermore a Transport Assessment (TA) Scoping Report (dated September 2014) was issued to LBE (and TfL) to inform the pre-application discussions. No formal response or comments were received from LB Enfield. Additional correspondence has been undertaken via telephone and e-mail.

### **2.2 Public Consultation and Publicity**

2.2.1 The Applicant consulted LBE, under 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 LBE the opportunity to provide public 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 On 27 January 2015, a Phase One Consultation response was received by the Applicant from LBE.

2.2.3 On 30 June 2015, a Phase Two Consultation response was received by the Applicant from LBE.

### **2.3 Other Consultation**

2.3.1 LBE 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**

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3.1.1 The following matters have been agreed between the Applicant and LBE as at 29 April 2016.

#### **3.2 Principle of the redevelopment of the EcoPark for waste use**

3.2.1 The redevelopment of the site for waste management is agreed in principle subject to the development demonstrating its quality and that it is a sustainable and efficient solution which meets waste and energy generation needs consistent with adopted planning policy.

#### **3.3 Capacity of the ERF**

3.3.1 The basis of the approach used to calculate the size of the ERF is agreed, as set out in the Needs Assessment that has been prepared and which explains the rationale for the capacity.

#### **3.4 Inclusion of a Visitors' Centre (EcoPark House)**

3.4.1 The principle of including a Visitors' Centre on site is agreed.

#### **3.5 Compatibility with Meridian Water**

3.5.1 It is agreed that the Project is compatible with the proposals at Meridian Water as the nature and sensitivity of the Meridian Water development has been taken into account as evidenced by the cumulative assessments in the Environmental Statement, the overall approach to site layout, massing and heights.

#### **3.6 Use of Design Code Principles to guide detailed design**

3.6.1 LBE agree that using Design Code Principles is a suitable approach to control the future detailed form and appearance of the development within the parameters for the development set out in the DCO application. Further LBE agree that the Design Code Principles (AD02.02) submitted with the Application set an appropriate framework against which detailed design should be developed and agreed (in line with Requirement 3 of the submission draft DCO (AD03.01)), with the exception of the points raised in Section 5.

#### **3.7 General Site Layout and Height/Massing of the ERF and RRF**

3.7.1 LBE agree with the overall site layout, and height and massing of the ERF and RRF, as shown on Works Plans C\_0002, C\_0003, C\_0004, dated October 2015. This includes the approach to cladding of the chimney flues required for the ERF.

### **3.8 Treatment of ERF Façade**

- 3.8.1 The LBE and Applicant agree that the treatment of the ERF façade can be agreed through the use of appropriate materials and detailing which will be determined in accordance with the Design Code Principles and Requirement 3 of the submission draft DCO (AD03.01).

### **3.9 Design response to the Lee Valley Regional Park**

- 3.9.1 LBE agree that the design and massing generally responds appropriately to the environmentally sensitive corridor along the eastern boundary.

### **3.10 Use of materials, lighting and accent colour**

- 3.10.1 LBE agree with the overarching approach to the use of lighting and colours.
- 3.10.2 The approach to ensuring suitable materials through the use of a Design Code and Requirement 4, is agreed between LBE and the Applicant.

### **3.11 Landscape Strategy**

- 3.11.1 LBE agree with the landscape strategy and support the approach along the eastern edge, use of green and brown roofs and improvements to waterways.

### **3.12 EIA Methodology**

- 3.12.1 The data collection method and assessment methodology in respect of all the topic assessments in the Environmental Statement is agreed.
- 3.12.2 The approach to cumulative assessment and interactive effects is also agreed.

### **3.13 Visual Assessment**

- 3.13.1 LBE supports the EIA visual assessment methodology, data collection, baseline data and findings set out in the Environmental Statement for both the construction and operational phases. It is agreed that the assessment and proposed mitigation is robust and presents a fair representation of the likely significant effects, which incorporates relevant cumulative development. Notwithstanding the treatment of the EfW site as set out in the matters still to be agreed in Section 5.3, LBE are in general support of 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 as set out in this SoCG.

### **3.14 Use of the Lee Navigation**

- 3.14.1 The local planning authority acknowledges that the use of water has been investigated by the NLWA with a report looking at the associated costs, environmental benefits associated with road based transportation.



3.14.2 Mindful of this, whilst it would appear there is potential to accommodate approximately 180,000 tonnes of waste material which would have significant environmental benefits, it is also accepted that there would be significant operational challenges requiring investment and future maintenance of the waterway. The ERF would itself also bring about environmental benefits associated with the treatment of waste and generation of energy. These make the option to move waste by water less realistic. Furthermore, although an alternative location could be found for EcoPark House should this option be more feasible, the LBE does acknowledge the benefits to the operation of the site by the division of public and commercial areas.

3.14.3 LBE agree that the use of the existing wharf and the transportation of material using the Lee Navigation is not a practical option in this instance.

### **3.15 Height of EcoPark House**

3.15.1 The height of EcoPark House has been reduced to two storeys in response to LBE comments. LBE support the height of EcoPark House at two storeys/24.6m AOD, as shown on Works Plan C\_0005, dated October 2015.

### **3.16 Noise standards for plant operations**

3.16.1 Operational noise criteria which will be enforced through the Environmental Permit are agreed.

### **3.17 CoCP**

3.17.1 LBE agree that the CoCP (AD05.12) covers the relevant topics for the construction phase and that the measures and standards contained within the document provide a suitable level of control to provide mitigation and management of the construction process.

### **3.18 Air Cooled Condensers**

3.18.1 As part of the Phase Two Consultation the Applicant sought feedback on two options for cooling systems, comprising air cooled condensers or water cooled condensers. In line with the Council's comments on the phase Two Consultation, the incorporation of air cooled condensers for the proposed Energy Recovery Facility is agreed by LBE.

### **3.19 Environmental Commitments and Mitigation Schedule**

3.19.1 LBE 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.

## **3.20 Sustainable Urban Drainage Strategy**

- 3.20.1 It is agreed that a Sustainable Drainage Strategy (SuDS) solution will be used to manage surface water run-off at the NLHPP site, and at the temporary laydown area to the east of the River Lee Navigation. This strategy will be in accordance with the principles of the London Plan Drainage Hierarchy except where operational requirements at the site mean that particular SuDS components are not appropriate.
- 3.20.2 The site is located within an inner Source Protection Zone (SPZ) which protects public water supplies. Infiltration of surface water within this zone is restricted by the Environment Agency to avoid groundwater pollution. As a result it is agreed that the SuDS solutions will not utilise infiltration.
- 3.20.3 It is agreed that significant areas of green and brown roofs will be incorporated within the SuDS design. These collect surface water run off at source, slowing flow rates and improving water quality, before the water is discharged off site. The required SuDS management train elements are discussed in the Preliminary Drainage Strategy, and at detailed design stage it will be ensured that sufficient water treatment elements will be incorporated, in compliance with the SuDS Management Train.
- 3.20.4 It is agreed that the number and location of oil interceptors will be determined during detailed design.

## **3.21 Transport Assessment and Methodology**

- 3.21.1 The TA sets out the baseline conditions of the local highway network which were derived from traffic surveys and a capacity assessment for the baseline year. Overall, LBE considers these baseline figures fit-for-purpose and agrees that the analysis represents an accurate model of how the junctions were operating at the time of the surveys. LBE agrees that the baseline figures allow for future trips to be modelled as additional trips to the network including those from the Application Site, to give an understanding of the actual impact of the Project on the highway network.
- 3.21.2 Given the unique nature of the Project, there are no comparable sites within the Trip Rate Information Computer System (TRICS®) database and therefore anticipated vehicle movements to and from the Application Site have been derived from first principles based on available information. Individual land use elements of the Project have been examined separately and then combined to evaluate the overall trip generation for the Project. This approach follows the methodology set out as part of the Edmonton EcoPark Planning Brief and was agreed with LBE (and TfL) at the pre-application meetings.
- 3.21.3 LBE agrees with the modelling assumptions, including the traffic flows using the junctions set out in the Edmonton EcoPark Planning Brief SPD and a detailed assessment undertaken of those junctions which would be used in accessing the Application Site (i.e. the Cooks Ferry Roundabout and the junction of A1055 Meridian Way and Ardra Road).
- 3.21.4 The TA assesses all phases of the development on the basis that any junction experiencing an increase of traffic of below 10% would not be

materially affected by the development. This is an industry standard way of assessing impact and is agreed. The directional movements of vehicles are agreed with LBE and are based on existing movements and direction of travel from where waste will be arriving from.

3.21.5 The predicted changes to the traffic flows are considered valid by LBE as they use the previously agreed baseline and prediction figures.

3.21.6 With regard to the cumulative assessment, LBE indicated at the pre-application meeting on 6 March 2015 that there was some uncertainty over the timings and scale of the Meridian Water development. It was agreed at the meeting that the cumulative scheme assessment should be undertaken excluding Meridian Water (i.e. background growth and other cumulative schemes) with a sensitivity analysis undertaken to include Meridian Water.

### **3.22 Access strategy**

3.22.1 The access strategy is agreed with LBE and includes:

- the improvement of the existing southern access on Advent Way for the continued use by operational vehicles;
- the creation of a new eastern access route via Lee Park Way for use by non-operational traffic associated with staff, members of the public using the Re-use and Recycling Centre (RRC), visitors to the Edmonton EcoPark, and the Edmonton Sea Cadets;
- the creation of a new northern access on Deephams Farm Road for the use by construction and some operational vehicles;
- the use and enhancement of an existing access from Walthamstow Avenue to provide access to the Temporary Laydown Area; and
- the creation of a temporary construction access between the Temporary Laydown Area and Lee Park Way.

3.22.2 LBE agrees that the design of the junctions, cycle routes and other transport aspects of the scheme have been undertaken in accordance with the following guidance where relevant:

- Design Manual for Roads and Bridges
- London Cycle Design Standards (TfL, 2014);
- Manual for Streets (DfT, 2007) and Manual for Streets 2 (DfT, 2010); and
- Traffic Advisory Leaflets (DfT, various).

3.22.3 Walking, cycling and public transport access may change in relation to other proposals in this area. The Applicant is committed to ensure improving access and encouraging mode shift and a review mechanism for this will be included in the Travel Plans. LBE agrees with the approach to securing Travel Plans as a part of the S106 agreement.

### 3.23 Car Parking

3.23.1 The Applicant proposes that during operation 132 car parking spaces would be provided at the Edmonton EcoPark. The level of operational parking spaces exceeds the London Plan requirements (by 27 spaces when considered wholly as an employment use) because the Application Site is located close to the Strategic Road Network and in an area with 'very poor' Public Transport Accessibility Level (PTAL) and limited public transport services. The Project would operate 24 hours using shift working patterns and public transport will not be operating when some shifts start or finish. There are also limited walking and cycling routes in the vicinity of the Application Site. LBE agrees with this parking strategy, on the following basis:

- the provision of cycle parking is in compliance with the London Plan (2015) cycle parking standards;
- the provision of car parking spaces equipped with electric vehicle charging points and the provision of disabled car parking is compliant with the London Plan (2015) standards;
- car sharing is proposed through the design and management of the car park and through the Operational Travel Plan;
- the Operational Travel Plan will also promote sustainable travel;
- some trips to and from the Application Site will be undertaken at off-peak times and at time when public transport is not available; and
- it safeguards the infrastructure and promotes/supports local employment.

### 3.24 Implementation Matters

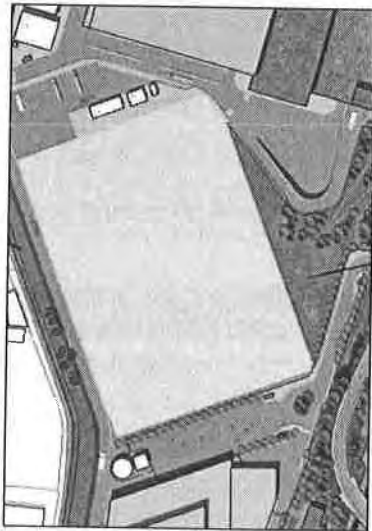
3.24.1 LBE agrees with the measures included in the Application to mitigate transport effects, as listed below:

- the Delivery and Servicing Plan (DSP) that will be prepared for the site prior to implementation, an outline of which is included in the TA (Section 8), and provision for which is made in the draft S106 agreement; and
- the proposed approach to traffic management measures during construction of the Project, included in paragraph 11.3.3 of the CoCP, which sets out a range of traffic management measures for implementation, where required, during construction, which may need further development prior to implementation to allow compliance to be monitored appropriately. This will be undertaken through the CoCP and Construction Logistics Plan (CLP).
- Highways improvements measures as set out in the Section 106 agreement.

### 3.25 Discharge rates from the site and components of SuDS Strategy

3.25.1 The discharge rates set out in the Application (AD05.14 Flood Risk Assessment) are agreed as applicable to the site and make allowance for climate change and remain applicable in light of revised climate change allowances issued by the Environment Agency (see response to first written questions Deadline 3 from the Applicant (AD07.02) and Environment Agency which confirm this point). The drainage design will include for attenuating to greenfield discharge rates corresponding to the return periods given in Environment Agency guidance: Rainfall runoff management for Developments (SC030219, EA/Defra, October 2013).

3.25.2 It is agreed that due to the nature of the waste management use and the requirement to comply with pollution prevention requirements (e.g. the Environment Agency's Fire Prevention Plan) there is limited opportunity for surface SuDS features at the Application Site. The use of permeable paving in the staff and visitor parking area is agreed, as is the approach to green and brown roofs as set out in the Application. A piped and tanked drainage system with oil interceptors is agreed as an appropriate approach to surface water management. It is also agreed that a surface SuDS feature will be provided in the landscape area to the east of the existing EfW, shown in Figure 1. This commitment has been added to the updated Environmental Commitments and Mitigation Schedule (AD06.03) submitted at Deadline 6.



Area where a SuDS surface feature would be located (subject to detailed design)

Figure 1: Location of SuDS surface feature

### 3.26 Proposed Reinstatement of the Laydown Area

3.26.1 It is agreed that up to one hectare of the Temporary Laydown Area surface treatment will be provided as permeable paving/hardstanding, subject to any pollution prevention requirements. The area that would be considered for permeable surfacing would be the area of vehicle parking in the west of the Temporary Laydown Area that will be utilised by light vehicles (cars and vans).

- 3.26.2 It is agreed that the Temporary Laydown Area will be restored to its pre-development state including removal of surfacing, underground tanks and any SuDs features.

### 3.27 Energy from Waste facility plot

- 3.27.1 If at the point at which the demolition of the existing EfW is completed there is no redevelopment scheme identified for this plot, the Applicant will temporarily provide up to 20 moveable containers planted with trees and up to 20 moveable containers planted with plants (in both cases ornamental species) in total that will be placed along the eastern and western perimeter of the EfW plot to provide visual interest for this area. The temporary containerised trees or plants would be retained until the plot was redeveloped. Should part of the EfW plot be redeveloped, the need to retain a proportionate number of containerised trees and plants to break up views of the expanse of the remaining undeveloped area would be reviewed, noting that there is a landscaping scheme for the Application Site. This commitment would be delivered through the ECMS, an updated version of which was submitted at Deadline 6

### 3.28 Design Code Principles

- 3.28.1 LB Enfield agrees that the Design Code Principles (AD02.02) set a suitable approach to controlling the future detailed form and appearance of the development. The LPA believe these to be sound principles within which to discuss the final details as the design evolves and more information becomes available.
- 3.28.2 The Applicant and LB Enfield have agreed changes to the Design Code Principles (AD02.02) which address LB Enfield's concerns about the quality of materials used on delivery of the Project. The General Guidelines on Quality of Materials in Section 2.3 of the Design Code Principles (AD02.02) will be amended to read: *"b. materials used should be of suitable high visual quality and sensitive to the local environmental conditions and surroundings, as well as being appropriate to the function of the building or structure, in terms of cost effectiveness and buildability"*.
- 3.28.3 A revised Design Code Principles (AD02.02) will be submitted to the ExA for Deadline 7. As a certified document it will be applied to the implementation of the DCO should consent be granted.

## **4 Matters Still to be Agreed**

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4.1.1 The following matters are yet to be agreed between the Applicant and LBE at the time of submission of this SoCG.

### **4.2 Connection to Lee Valley Heat Network**

4.2.1 LBE is seeking a firm commitment to a heat supply to the Lee Valley Heat Network (LVHN).

4.2.2 The CHP Strategy sets out the measures proposed in respect of the provision of heat. The proposed ERF would be heat enabled and two routes to run heat supply pipework to the edge of the Application Site have been safeguarded.

4.2.3 The Applicant and LVHN are engaged in active on-going negotiations to realise the CHP potential at the Edmonton EcoPark which will be subject to detailed design and agreement on commercial terms.

### **4.3 Section 106 Agreement**

4.3.1 The Applicant and the Council agreed heads of terms prior to a first draft of the S106 Agreement being sent by the Applicant's solicitors to the Council in early August 2015. The Applicant and the Council met to discuss the S106 Agreement in September 2015 and the Council relayed its comments on the draft, which the Applicant has incorporated into the current draft of the S106 Agreement.

4.3.2 The S106 covers the following (which are agreed as the relevant heads of terms):

- notifications
- employment and skills
- provision of heat
- travel plans
- servicing management plan
- highways improvements

4.3.3 The Council has not provided the Applicant with its written comments on the draft S106 Agreement. Accordingly, the draft S106 Agreement submitted with the application (AD03.03) is the most up-to-date draft. Both the Applicant and the Council believe that the draft S106 Agreement is well-advanced and does not foresee any significant obstacles to agreeing a final draft.

### **4.4 Provision of an observation platform**

4.4.1 LBE does not agree with the provision of an observation platform above the south east corner of the tipping hall. It considers that scale of the observation platform to be incongruous an overly dominant feature that does not align with the stepping down of the building towards the Lee

Valley Regional Park. Further the need for this facility has not been justified.

#### **4.5 Other Matters**

- 4.5.1 All other matters that feature in Written Representations and the Local Impact Report that do not feature as part of this revised Statement of Common Ground must be considered as outstanding and matters yet to be agreed.
- 4.5.2 The Applicant notes that it is maintaining dialogue with LBE on the Project.



## 5 Agreement of this SoCG

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

Name: JERULA TAYLOR

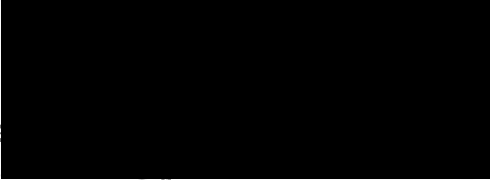
Signature: 

Position: HEAD OF LEGAL & GOVERNANCE

On behalf of: North London Waste Authority

Date: 23/6/2016

Name: ANDY HIGMAN

Signature: 

Position: HEAD OF DEVELOPMENT MANAGEMENT

On behalf of: London Borough of Enfield

Date: 23/06/16



Series 03 Draft Development  
Consent Order

**NORTH LONDON WASTE  
AUTHORITY**

1b Berol House, 25 Ashley Road  
Tottenham Hale  
N17 9LJ

Telephone: 020 8489 5867

Fax: 020 8365 0254

Email: [project@northlondonheatandpower.london](mailto:project@northlondonheatandpower.london)