

Consultation Report

Appendix 8: Consultation Responses and Continuing Consultation

Thurrock Flexible Generation Plant

Application document number A5.1.8



Appendix 8.1

**List of S42 statutory consultees who
responded to consultation, 2018 and 2019**

Appendix 8.1 to the Consultation Report

List of S42 Statutory Consultees Who Responded to Consultation, 2018 and 2019

Note: A number of consultees responded to both the 2018 and 2019 consultations.

S42 Statutory Respondents 2018 and 2019

1.	Anglian Water
2.	Basildon Borough Council
3.	Brentwood Borough Council
4.	British Telecom
5.	Cadent Gas
6.	Castle Point Borough Council
7.	Century Link Communications
8.	Civil Aviation Authority
9.	Cogent Land LLP
10.	Colt Technology
11.	Environment Agency
12.	ESP Utilities
13.	Essex and Suffolk Water
14.	Essex County Council
15.	Essex County Fire and Rescue Service
16.	Forestry Commission England
17.	Gravesham Borough Council
18.	GTT
19.	Harlaxton
20.	Health and Safety Executive
21.	Highways England
22.	Historic England
23.	Indigo Pipeline
24.	Instalcom

25.	Kent County Council
26.	Kent Downs AONB
27.	Kier Property
28.	London Borough of Bexley
29.	Marine Management Organisation
30.	Medway Council
31.	Ministry of Defence
32.	National Grid
33.	NATS Safeguarding Ltd
34.	Natural England
35.	Network Rail
36.	Port of London Authority
37.	Port of Tilbury London Limited
38.	Public Health England
39.	Royal Mail
40.	RWE
41.	Sky Technology
42.	Transport for London
43.	Thurrock Borough Council
44.	Trinity House
45.	UKPN
46.	Virgin Media
47.	Vodafone
48.	Wales and West Utilities

Appendix 8.2

**List of non-statutory consultees who
responded to consultation, 2018 and 2019**

Appendix 8.2 to the Consultation Report

List of Non-Statutory Consultees Who Responded to Consultation, 2018 and 2019

Note: A number of consultees responded to both the 2018 and 2019 consultations.

Non-Statutory Respondents 2018 and 2019

1.	Anglian Eastern Regional Flood and Coastal Committee
2.	Canal and River Trust
3.	Chadwell St Mary Primary School
4.	Essex Chambers of Commerce
5.	Essex Field Club
6.	Essex Wildlife Trust
7.	Gateway Academy
8.	Kent and Essex Inshore Fisheries and Conservation Authority
9.	Lower Thames Crossing
10.	MP – Jackie Doyle Price
11.	Open Spaces Society
12.	Our Lady Star of the Sea Roman Catholic Church
13.	RSPB
14.	WELCOM Forum
15.	West Tilbury Commons Conservators

Appendix 8.3

**Note of meeting between the Applicant and
Gravesham Borough Council, 20th
November 2019**

Gravesham Council Meeting

Civic Centre, Windmill St, Gravesend DA12 1AU 20th November 2019 14.00

Present: Tony Chadwick - Principal Transport and NSIP Project Manager, Andrew Troup - Thurrock Power, Kirsty Cassie – Thurrock Power

Andrew gave a brief overview of the project to bring Tony up to date. Andrew then went on to explain the project changes, in particular the inclusion of a new causeway for the delivery of abnormal loads. The number of loads was discussed, Tony now understands it's likely to be 40 or less.

Tony asked to be kept informed on noise impact, lighting and the general landscape and design of the project as these are the areas which he sees could have an impact on Gravesham.

Tony mentioned the proposed development, London Resort at Swanscombe Peninsula, as a matter of cumulative impact.

The application timeline was discussed, Andrew said the aim was to have the application in by the end of January 2020.

Appendix 8.4

All Consultation Responses

Appendix 8.4 (Part 1 of 5)

All Consultation Responses 2018 – Non-Statutory

Kirsty Cassie
Thurrock Power Limited
contact@thurrockpower.co.uk

Our ref Thurrock RFCC 18/01
Date 12 December 2018

Dear Kirsty

Thurrock Flexible Generation Plant Section 42 Consultation

Thank you for your email which we received on 29 November.

The Anglian Eastern Regional Flood and Coastal Committee did receive your consultation document and discussed this at their October meeting. It was agreed that this type of development proposal was outside the remit of the RFCC and Members were comfortable that the officers of the Environment Agency and other proper authorities will review and make comment on any flood risk. This means that we will not be providing any further comment or feedback on this proposal.

Please get in touch if you have any further queries.

Yours sincerely

Paul Hayden

Mr Paul Hayden
Chair, Anglian Eastern Regional Flood & Coastal Committee

contact

From: Tina Gale <[REDACTED]>
Sent: 30 November 2018 13:25
To: contact
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Good afternoon Kirsty

Thank you for the information you sent to us.

We would however, like to take this opportunity to raise the following concerns with regards to the consultation:

- Transport/congestion and how this might impact surrounding roads and those near the school;
- Continuous power supply to the school and the need for no down time, either throughout the build or after;
- Effect on the environment, and how the school can benefit from learning more about the environment as well as not be affected adversely by the building process and after;
- Any funding available to the community as part of the process, and how the school may be able to access this;

We look forward to hearing your response on the matters listed above.

Kind regards

Tina Gale
Office Manager

From: contact [mailto:contact@thurrockpower.co.uk]
Sent: 27 November 2018 09:22
To: Tina Gale <[REDACTED]>
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Tina,

Thank you for being in touch. Please find attached Section 42 Letter along with the Section 48 Notice. The Preliminary Environmental Impact Report along with all other consultation material can be found under the documents tab on the Thurrock Power website (www.thurrockpower.co.uk).

If you wish to issue a response please do so within 14 days.

Kind regards,

Kirsty

Kirsty Cassie

Thurrock Power Limited

1st Floor | 145 Kensington Church Street

London | W8 7LP

Tel: 02071860580

Email: contact@thurrockpower.co.uk

Website: www.thurrockpower.co.uk



From: Tina Gale [REDACTED]

Sent: 27 November 2018 08:37

To: contact <contact@thurrockpower.co.uk>

Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Good morning

This is the first notification we have had with regards to this. Can you please send any documentation that relates to this.

Kind regards

Tina Gale

From: contact [<mailto:contact@thurrockpower.co.uk>]

Sent: 26 November 2018 15:33

To: Tina Gale <[REDACTED]>

Subject: Thurrock Flexible Generation Plant Section 42 Consultation

To whom this concerns,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty

Kirsty Cassie

Thurrock Power Limited

1st Floor | 145 Kensington Church Street

London | W8 7LP

Tel: 02071860580

Email: contact@thurrockpower.co.uk

Website: www.thurrockpower.co.uk



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Tina Gale

Office Manager, Chadwell St Mary Primary School
Part of the South West Essex Community Education Trust
Chadwell St Mary, Grays, Essex, RM16 4DH
T: 01375 843280
E: [REDACTED]
W: <http://www.chadwellstmaryprimary.co.uk>



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For more information, please contact South West Essex Community Education Trust by email info@swecet.org or call 01375 486000.



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ESSEX FIELD CLUB

www.essexfieldclub.org.uk

registered charity no 1113963

The Essex Field Club is a natural history organisation founded in 1880 to promote the Study of the Natural History, Geology and Pre-historic Archaeology of the County of Essex and its borderlands and included Charles Darwin and Alfred Russel Wallace as founder members.

Thurrock Flexible Generation Plant

The desktop study

Unfortunately the desktop study described in Appendix 9.1 of the Ecological Desk Study and Surveys document completely fails to fulfil its purpose as a desk study. Paragraph 2.1.1 states that Ecological records within a 2 km radius of Zones A-J (as shown on Figure 1.1) were requested from the Essex Wildlife Trust Biological Records Centre and the Kent and Medway Biological Records Centre. However the Essex Biodiversity Validation Checklist, supported by Natural England's local Land Use Operations team and endorsed by the Essex Biodiversity Project, makes clear that the Essex Field Club datasearch system is the main source of species records in Essex. Desk study species data shown in Appendix 9.1 is therefore completely inadequate, not fit-for-purpose and fails to fulfil any useful purpose.

Positives and precautions needed

Positives are that the proposals generally appear to avoid areas of high nature conservation interest or value. However the development boundary is adjacent to or close to several Local Wildlife Sites of extremely high importance. For example the Area 2 Corridor for permanent access road and gas pipeline route definitely needs to run south of Biggin Lane and the exceptionally important Th38 Broom Hill Thames Terrace Grassland LoWS, which is undoubtedly of national importance. Also it is essential that the Th41 Mucking Heath / Orsett Golf Course LoWS is protected from any negative impacts from its proximity to the access route on its western boundary.

Common land exchange land

Parsonage Common is an ancient landscape feature that may have been grassland for many centuries, although war-time ploughing on some parts cannot be ruled out. It represents quite extensive, if rather species-poor grassland but is not likely to be currently be particularly valuable for its biodiversity. However the Area F1 identified as possible common land exchange land for the loss of Parsonage Common is currently arable, so does not appear to be suitable as common land replacement without a high degree of work to create compensation habitat that could in any way provide biodiversity compensation or biodiversity gain. Such habitat creation would take a good many years before it could make a valuable contribution to the invertebrate ecology of the wider landscape.

A much better alternative if it was feasible, would be the field on the north side of Th 38 Broom Hill. This would create a extraordinarily valuable landscape area between Hob Hill and Turnpike Lane. Another less valuable but good alternative, for similar reasons, would be the field between Th42 West Tilbury Hall LoWS / Hall Hill and the common lane adjacent to Cooper Shaw Road.

Please keep us informed of progress on the proposals.

Yours sincerely

Peter Harvey, for Essex Field Club, 14 Dec 2018
Please reply to: 32 Lodge Lane, Grays, Essex RM16 2YP

KSR/KCO



GLC

The Gateway Learning Community Trust

CEO: Kevin Sadler

Deputy CEO: Viki Reid

11 December 2018

Andrew Troup
Thurrock Power Limited

Dear Mr Troup,

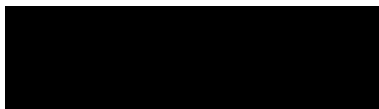
I have today received your proposal for the Proposed Flexible Generation Power Plant in Thurrock. Whilst I acknowledge the need for such a facility and for the jobs that it will bring, I am writing to express my deep concern regarding the proposed access routes.


As the Chief Executive Officer of the Gateway Learning Community I am responsible for the wellbeing and safety of all our children. The Gateway Academy site accommodates two schools, both the Gateway Academy and the Gateway Primary Free School, with a total of nearly 1800 pupils.

I am shocked and disappointed that Thurrock Council's preferred access route is a "temporary haul road from the A126/Gateway academy roundabout due east to Gunhill and south along Coopers Shaw Road to the site." The increase in traffic poses, in our view, a direct threat to the safety of our children. Already at the start and the end of the day there is significant traffic congestion and I would strongly urge that the alternative access route should be considered.

I would welcome the opportunity to discuss this matter further.

Yours sincerely



Kevin Sadler
Chief Executive Officer
E: 

The Gateway Learning Community,
Marshfoot Road, Tilbury, Essex, RM16 4LU | Tel: 01375 489000 | admin@theglc.org.uk |
www.theglc.org.uk

The Gateway Learning Community Trust is a company limited by guarantee, registered in England & Wales (Registered Number 5853746). Registered office at The Gateway Academy, Marshfoot Road, Tilbury, Essex RM16 4LU. Chief Executive Officer: Kevin Sadler.

The Gateway Learning Community is committed to safeguarding and promoting the welfare of children and young people and expect all staff, volunteers and visitors to share this commitment.

**Ormiston
Trust**

Improving upon our best

contact

From: Tilbury <tilbury@dioceseofbrentwood.org>
Sent: 29 November 2018 11:05
To: contact
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Kirsty for your email. We have nothing further to add – some of our Parishioners will probably have already contacted you.

Best regards,
Fr. Paul Dynan

From: contact [mailto:contact@thurrockpower.co.uk]
Sent: 29 November 2018 10:46
To: Tilbury <tilbury@dioceseofbrentwood.org>
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

To whom this concerns,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty
Kirsty Cassie
Thurrock Power Limited
1st Floor | 145 Kensington Church Street

London | W8 7LP

Tel: 02071860580

Email: contact@thurrockpower.co.uk

Website: www.thurrockpower.co.uk



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contact

From: Mark Nowers <[REDACTED]>
Sent: 26 November 2018 15:01
To: contact
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Kirsty,

Thank you for your email and previous correspondence. We do not intend engaging with this application at this stage.

Kind regards,

Mark

Mark Nowers

Conservation Officer, Eastern England

Based at: Stour Estuary reserve office Unit 1, Brantham Mill Industrial Estate, Bergholt Road, Brantham, Manningtree, Essex. CO11 1QT.
Tel 01206 391153
[REDACTED]

rspb.org.uk

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From: contact <contact@thurrockpower.co.uk>
Sent: 26 November 2018 14:59
To: Mark Nowers <[REDACTED]>
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Mark,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty
Kirsty Cassie
Thurrock Power Limited
1st Floor | 145 Kensington Church Street
London | W8 7LP
Tel: 02071860580
Email: contact@thurrockpower.co.uk
Website: www.thurrockpower.co.uk



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West Tilbury Commons Conservators



Date: Wednesday, 09 January 2019

Thurrock Power Limited
1st Floor
145 Kensington Church Street
London W8 7LP

Dear Sirs,

Ref: Thurrock Power - Flexible Generation Plan

I write on behalf of the West Tilbury Commons Conservators regarding the above development proposal. This proposal has raised a number of issues which would need to be answered by yourselves as they would have a very important knock-on effect to the proposal.

The first issue that is necessary to be addressed is with regard to the informal consultation taken throughout 2017 and during 2018, with the following parties; Thurrock Council, Open Spaces Society, Essex Wildlife Trust, Natural England, Highways England, Essex County Council SuDS, Environment Agency, Port of Tilbury, RWE, Anglian Water, Network Rail, Department for BEIS, National Grid and PINS. Of those bodies consulted, eight are not landowners or responsible for the administration of the land under consideration for the development. The Conservators would like to know why they are not represented on this list? This is important as not only should a statutory body be consulted formally but it should be seen to have been consulted which has not happened due to this omission.

In addition, a number of matters will require some response from yourselves which will be passed on to Conservators as a response to their queries.

1. Access: It would be necessary for any newly acquired replacement land, and parts thereof, to be easily accessible for stint holders.
2. Security: A suitably secure fence between the acquisition land and existing common land to be erected at the Statera/TPL expense. This would benefit both parties but the Statera/TPL more than West Tilbury Commons.
3. Contiguity: All replacement land acquired by Statera/TPL for exchange must be contiguous with existing common and of an area not less than that acquired.
4. Costs: All expenses for the legal, survey, administrative, clearance and re-registration charges to be met by Statera/TPL. The WTCC have very slender resources and we would not want any hold ups due to lack of funds.
5. That any development should not at any time, present and future, adversely affect the operation of the common land for stint holders or create any conflict or infringement

of the appropriate bye-laws for WTCC.

6. What area of the common land will be required?
7. When is the DCO likely to be enacted?
8. What are the likely levels of air pollution to be experienced on any adjoining land?
9. What are the likely levels of noise pollution to be experienced on any adjoining land?
10. Will wayleaves be required for the removal of de-commissioned plant at the end of the operating period?
11. Will there be any connections to gas (or other pipes) as well as electricity cables and suchlike to run across, over or under any present or future registered common?
12. The over riding of easements has been mentioned. Under what rulings will this be made?
13. Can you give details of the location, area and duration for the temporary construction compounds?
14. Will there be any run-off off water in to ditches alongside any of the present or future registered common land?

I look forward to your response

Yours faithfully,

A.N. Jones
Clerk to West Tilbury Commons Conservators

Appendix 8.4 (Part 1 of 5)

All Consultation Responses 2018 – S42 Statutory (up to Network Rail)

contact

From: Taylor Kathryn <[REDACTED]>
Sent: 24 December 2018 12:27
To: contact
Subject: Thurrock Power Limited - Proposed Flexible Generation Power Plant
Attachments: Protective Provisions Thurrock Power Limited.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

Thank you for the opportunity to comment on the above project under section 42 of the Planning Act 2008.

Anglian Water is the appointed water and sewerage undertaker for the above site.

The following response is submitted on behalf of Anglian Water and relates to potable water and water assets along with wastewater and water recycling assets.

General comments

Anglian Water would welcome further discussions with VPI Immingham B Limited prior to the submission of the Draft DCO for examination.

In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO, including protective provisions specifically for the benefit of Anglian Water.
- Requirement for potable and raw water supplies
- Requirement for and wastewater services and connections.
- Impact of development on Anglian Water's assets and the need for

mitigation.

- Pre-construction surveys.

Proposed Scheme

There are existing operational water pipes and foul sewers in Anglian Water's ownership which potentially could be affected by the development. In addition, Anglian Water owns and operates the Tilbury Water Recycling Centre to the south west of the site.

We would welcome further discussions in relation to the implication of the above project for the Water Recycling Centre.

Maps of Anglian Water's assets are available to view at the following address:

<http://www.digdat.co.uk/>

Ground conditions and hydrology

Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems. At this stage it is unclear whether there is a requirement for a connection(s) to the public sewerage network for the above site or as part of the construction phase.

Discussions with Anglian Water should be undertaken relating to any potential or intended connections to the public sewerage network of surface water.

Consideration should be given to all potential sources of flooding including sewer flooding (where relevant) as part of the Environmental Statement and related Flood Risk Assessment.

We would suggest that reference is made to any relevant records in Anglian Water's sewer flooding register as well as the flood risk maps produced by the Environment Agency. This information can be obtained by contacting Anglian Water's Pre-Development Team. The e-mail address for this team is as follows: (planningliaison@anglianwater.co.uk).

In addition, if there is a requirement for significant supplies of potable or raw water either for the construction stages, the generation of steam or for cooling purposes, application should be made to Anglian Water, via its Wholesale services department, to determine quantities and ability to provide the same without network reinforcement.

There may also be opportunities to utilise the treated effluent from the Tilbury Water Recycling Centre as an alternative to potable water.

Protective Provisions

Anglian Water, seek separate Protective Provisions to other Utilities, in order to protect operational assets and any assets that require diversions. Attached is a draft of the Protective Provisions that Anglian Water typically require.

Should you have any queries relating to this response, please let me know. As mentioned, Anglian Water welcomes the opportunity to discuss pre application matters with Applicants.

Yours sincerely,

Kathryn Taylor

Major Infrastructure Planning Manager

-----*-----*-----*-----*-----*-----*-----*-----*-----*-----

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Registered in England No 2366656
Please consider the environment before printing this email.

contact

From: Charles Sweeny <[REDACTED]>
Sent: 30 November 2018 12:40
To: contact
Cc: Geraldine Paul
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation
Attachments: image001.png

Dear Kirsty,

Thank you for giving Basildon Borough Council the opportunity to comment on the proposals. Having reviewed the documents, the key issue for Basildon Borough Council will be regarding air quality and whether the proposal will result in any adverse implications on wider air quality improvement objectives within the Borough.

I trust these comments will be taken into consideration as the scheme develops.

Regards
Charles

Charles Sweeny MRTPI

Specialist Development Management Practitioner | Planning Services| Basildon Borough Council

DD: 01268 207933 | Tel: 01268 533333 | www.basildon.gov.uk
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Basildon Council
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From: contact [mailto:contact@thurrockpower.co.uk]
Sent: 26 November 2018 10:55

To: Geraldine Paul [REDACTED]
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Geraldine,

Thank you for being in touch. Please find attached Section 42 Letter along with the Section 48 Notice. The Preliminary Environmental Impact Report along with all other consultation material can be found under the documents tab on the Thurrock Power website (www.thurrockpower.co.uk).

If you wish to issue a response please do so within 14 days.

Kind regards,

Kirsty
Kirsty Cassie
Statera Energy Limited
1st Floor | 145 Kensington Church Street
London | W8 7LP
Tel: 02071860585
[REDACTED]
[REDACTED]



From: Geraldine Paul <[REDACTED]>
Sent: 23 November 2018 12:31
To: contact <contact@thurrockpower.co.uk>
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Sirs,

Basildon Council would be very grateful if you could send the links to the above consultation as our senior planning officer would like to offer our comments.

I apologise for any inconvenience caused.

Yours faithfully,

Geraldine Paul
Technical Support Officer for Planning Services, Basildon Borough Council
Direct dial: 01268 208154
Main Switchboard: 01268 533333 | www.basildon.gov.uk
Facebook: [@basildonboroughcouncil](https://www.facebook.com/basildonboroughcouncil) | Twitter: [@BasildonCouncil](https://twitter.com/BasildonCouncil)

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Andrew Troup
Thurrock Power Limited
Sent to: contact@thurrockpower.co.uk

Date: 6 November 2018

Dear Mr Troup

DEVELOPMENT: Consultation request from Thurrock Power Ltd
ADDRESS: Thurrock Flexible Generating Plant
APPLICATION NO: 18/01651/OBS
CASE OFFICER: Mr Mike Ovenden

Thank you for the consultation concerning the above.

The Borough Council has confined its considerations to strategic matters which could affect planning interests in the Borough and offers no comments. We would appreciate it if we could continue to be kept informed as the development progresses through the Development Consent Order process.

Yours sincerely

Mike Ovenden

Consultant Principal Planner

planning@brentwood.gov.uk

openreach

Freepost THURROCK POWER

FAO: Mr A Troup

Our Ref: BQRA26/810948/APS
Date 18th December 2018

Dear Sir,

**Proposed Flexible Generation Power Plant in Thurrock
The Electronic Communications Code (The 2017 Code), Schedule 3A of the
Communications Act 2003 as amended by the Digital Economy Act 2017**

Thank you for your recent correspondence.

I enclose plans showing the approximate position of Openreach apparatus within your area of interest. Openreach records indicate that apparatus exists, and your attention is drawn to the attached guidance notes which state our requirements for protecting our network. Please note that a site survey has not been carried out at this stage, and therefore, if any Openreach apparatus becomes affected by your works, please contact us so that we can provide you with the necessary estimate of costs for alterations/diversions.

It should be noted that our network is being enhanced on a daily basis, therefore, to make absolutely certain no apparatus exists, we recommend you obtain on-site advice and confirmation of the location of Openreach apparatus by contacting the Openreach "Click-Before-You-Dig" Service:

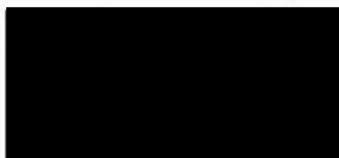
E-mail: cbyd@openreach.co.uk

(Office hours: Monday - Friday 08:00 to 17:00)

Click-Before-You-Dig services are free of charge, but please note that seven working days' notice is required for these services.

If you wish to discuss your proposal further, please do not hesitate to contact me.

Yours faithfully



Andy Smith
Repayments Project Engineer

Repayments (Alterations)
PP 4.35
Southend Main TE
221 London Road
Westcliff-On-Sea
SS0 7BT

email: [REDACTED]
tele: 02032790383

Openreach Limited
Registered Office: Kelvin House
123 Judd Street, London WC1H 9NP
Registered in England and Wales no. 10690039

SPECIAL REQUIREMENTS WHEN WORKING IN THE VICINITY OF OPENREACH APPARATUS

- 1 In this special requirement the following terms shall have these meanings assigned to them:-
 - a) 'Company' means Openreach – a BT Group Company
 - b) 'Company Representative' means the staff of Openreach, or its authorised representatives or Agents
 - c) 'Apparatus' means all boxes, cabinets, poles and plant including any associated cabling and/or ducting owned by Openreach.
- 2 All works in the public highway are subject to the New Roads and Street Works Act 1991, and the Promoter of the work is legally responsible to bear the cost of safeguarding Apparatus. The "highway" includes carriageway, verges, footpaths, etc.
- 3 Before commencing any work, or moving of heavy plant or equipment over any portion of the site the contractor shall confirm details of Apparatus, owned, leased or rented by the Company, within the site, with the Company Representative, who can be contacted for free on site assistance during office hours, prior to commencement of works :-

E-mail : cbyd@openreach.co.uk

Seven working days' notice is required.
(Office hours : Monday to Friday 08:00 to 17:00)

Further information is available at:

<http://www.ournetwork.openreach.co.uk/locating-our-network/letting-us-know-about-streetworks.aspx>

Compliance with the above requirements does not relieve the Contractor of any of his obligations under the Contract.

- 4 Apparatus maps are also available at: <http://www.ournetwork.openreach.co.uk/locating-our-network/maps-by-email.aspx>
- 5 Where such details show that the works or the movement of plant or equipment may endanger the Apparatus, the Contractor must give the Company Representative at least 7 days' notice of the date on which it is intended to commence such works or the movement of plant or equipment in order that the presence of any sub-surface Apparatus can be indicated by markers to be supplied by the Company and placed by the Contractor under supervision of the Company Representative. The Contractor shall ensure that all Apparatus, particularly surface running cable, is adequately protected from damage and the Engineer shall approve such protective measures.
- 6 In the event of a Company marker being disturbed for any reason it shall not be replaced other than in the exact position and to its former depth unless the repositioning is carried out at the direction and under the supervision of the Company Representative.
- 7 The Contractor shall take particular care in relation to the protection of Apparatus, where such Apparatus includes the presence within the site of optical fibre and/or co-axial cabling. The Contractor shall make every effort to avoid the disturbance of the Company's network which, if damaged, can prove costly to reinstate. The Contractor shall make every effort to avoid the disturbance of Apparatus more than is absolutely necessary for the completion of the works in accordance with the Contract.

When excavating, or backfilling around Apparatus, the Company Representative shall be given adequate notice, which should be not less than 7 days, of the Contractor's intentions in order that he may supervise

the works. The Contractor should note that the normal depth of cover for Apparatus and ducts is as follows :-

- a) in footways 350mm, which is to be maintained
- b) in carriageways 600mm, which is to be maintained.

Where the 350/600mm depth of cover cannot be maintained the Contractor shall carry out the instructions of the Company Representative for the protection of the Apparatus. Where the required depth of cover cannot be maintained over cabling, such cables may have to be diverted.

- 8 All excavation adjacent to Apparatus is to be carried out by hand until the exact extent and/or location of Apparatus is known. Mechanical borers and/or excavators shall not be used within 1.0 metre of Apparatus or 2.0 metres of any pole without the supervisory presence of a Company Representative. To prevent any movement of Apparatus during excavation, complete shuttering shall be used as directed by the Engineer if :-

- a) excavation is deeper than the depth of cover of adjacent Apparatus
- b) excavation is within 1.0 metre of Apparatus in stable soil
- c) excavation is within 5.0 metres of Apparatus in unstable soil

If for completion of the works the Contractor intends using any of the following: -

- a) pile driving equipment within 10.0 metres of Apparatus
- b) explosives within 20.0 metres of Apparatus
- c) laser equipment within 10.0 metres of Apparatus

- the Contractor shall advise the Company Representative, in writing, in order that any special protective measures for the Apparatus affected may be arranged.

- 9 All Company manhole, joint box and/or other access points and chambers within the site shall be kept clear and unobstructed. Access for vehicles, winches, cable drums and/or any further equipment required by the Company for the maintenance of its Apparatus must be maintained at all reasonable times. The Contractor should particularly note the footway type chambers are not specified for carriageway loading and will need to be adequately protected and/or demolished and rebuilt under supervision of a Company Representative where such chambers are likely to be placed at risk, either temporarily or permanently, from the movement of plant and/or equipment on the site. The Company Representative shall be given reasonable access to all Apparatus and chambers when required. Where OPENREACH installs Apparatus during the works this new Apparatus shall be treated as existing Apparatus for the purpose of these Special Requirements.
- 10 For Frame and Covers that necessitate a change in level please contact the local office. If you wish to provide recessed frames and covers they will have to be supplied by the Company's agreed supplier. The Contractor must be prepared to supply and install such frames and covers in future, and must supply names of who will be liable for future maintenance.
- 11 In the event of any damage whatsoever to Apparatus the Contractor must immediately inform BT and report the occurrence as follows :-

Call Openreach fault reporting on: 0800 0232023

WARNING

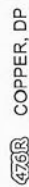
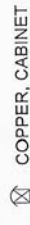
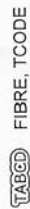
Entry into all Openreach underground structures is prohibited to all unauthorised personnel.

Legend

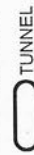
CAUTION AREA



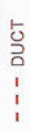
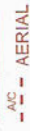
EQUIPMENT



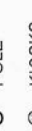
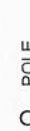
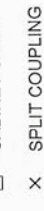
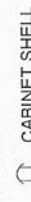
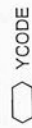
DUCT



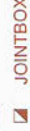
PROPOSED



STRUCTURE



PROPOSED



Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING:
Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being made near to BT apparatus. The location of BT apparatus may exist at various depths and may deviate from the marked route.

Existing BT plant may not be recorded.
Information valid at time of preparation.

CLICK BEFORE YOU DIG
FOR INFORMATION ON THE LOCATION OF BT APPARATUS
TO COMMISSIONERS OF EDUCATION, WORKS SCHOOLS
LOCATE AND MARKING SERVICE
email citydig@openreach.co.uk

ADVANCE NOTICE REQUIRED:
Please book Monday, Friday 09.00 to 11.00.

PLANT INFORMATION REPLY



openreach
BT Group business

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Legend

CAUTION AREA

BT CAUTION AREA

EQUIPMENT

FIBRE, TOODE

COPPER, CABINET

COPPER, DP

DUCT

AERIAL

TUNNEL

DUCT

PROPOSED

AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

SPLIT COUPLING

POLE

KIOSKS

MANHOLE

JOINTBOX

CHANGE OF STATE

DUCT TEE

PROPOSED

MANHOLE

JOINTBOX

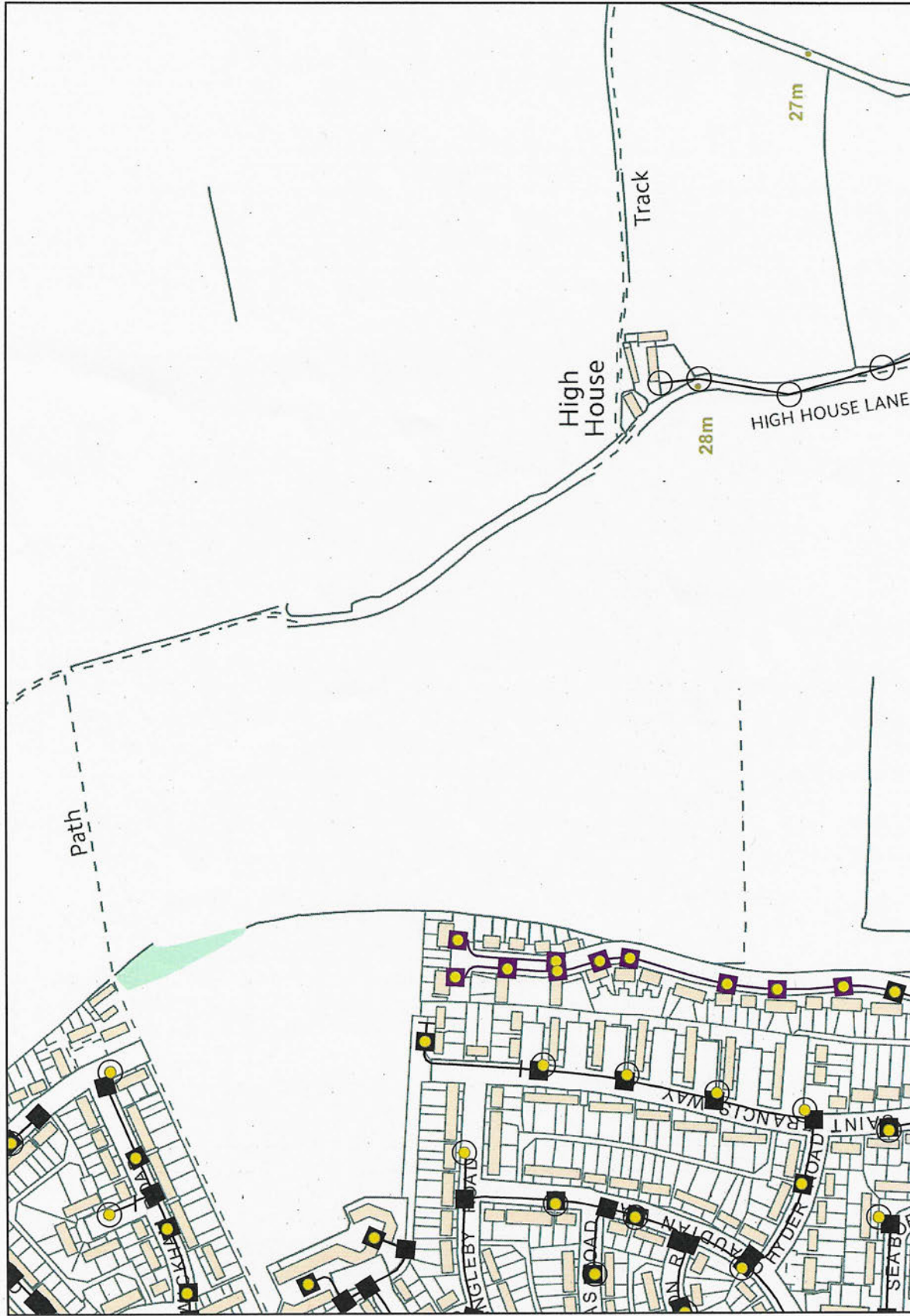
DUCT TEE

Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING:

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon for any specific purpose. It should not be used as a basis for any specific action. It should not be used as a basis for any specific action. It should not be used as a basis for any specific action.



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Existing BT plant may not be recorded. Information valid at time of preparation.

CLICK BEFORE YOU DIG
FOR INFORMATION ON THE LOCATION OF BT APPARATUS
TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING
LOCATE AND MARKING SERVICE
email citydig@openreach.co.uk
ADVANCE NOTICE REQUIRED
CITY DIG MARKING POINTS ON 03 33 33 33

PLANT INFORMATION REPLY



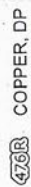
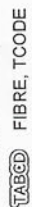
openreach
a BT Group business

Legend

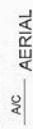
CAUTION AREA



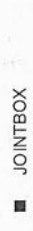
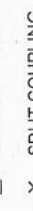
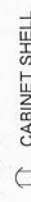
EQUIPMENT



DUCT



STRUCTURE



PROPOSED



Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING:

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being planned. Please refer to BT's 'Dig Safe' website for more information. BT symbols may vary at various depths and may deviate from the marked route.

Existing BT plant may not be recorded. Information valid at time of preparation.

CLICK BEFORE YOU DIG
FOR AN EXHAUSTIVE LIST OF EXCAVATION ZONES, INCLUDING TO COMPLETION OF EXCAVATION ZONES, INCLUDING
• LOCATE AND MARKING SERVICE
email: cdyrd@openreach.co.uk
ADVANCE NOTICE 86293860
(Cable route Monday, Friday 08:00 to 17:00)



PLANT INFORMATION REPLY

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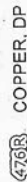
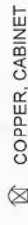
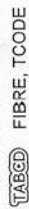
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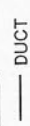
CAUTION AREA



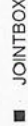
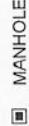
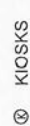
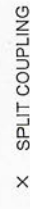
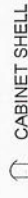
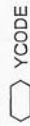
EQUIPMENT



DUCT



STRUCTURE



Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING:

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavation or drilling. The location of BT apparatus which may exist at various depths and may deviate from the marked route.

Existing BT plant may not be recorded.

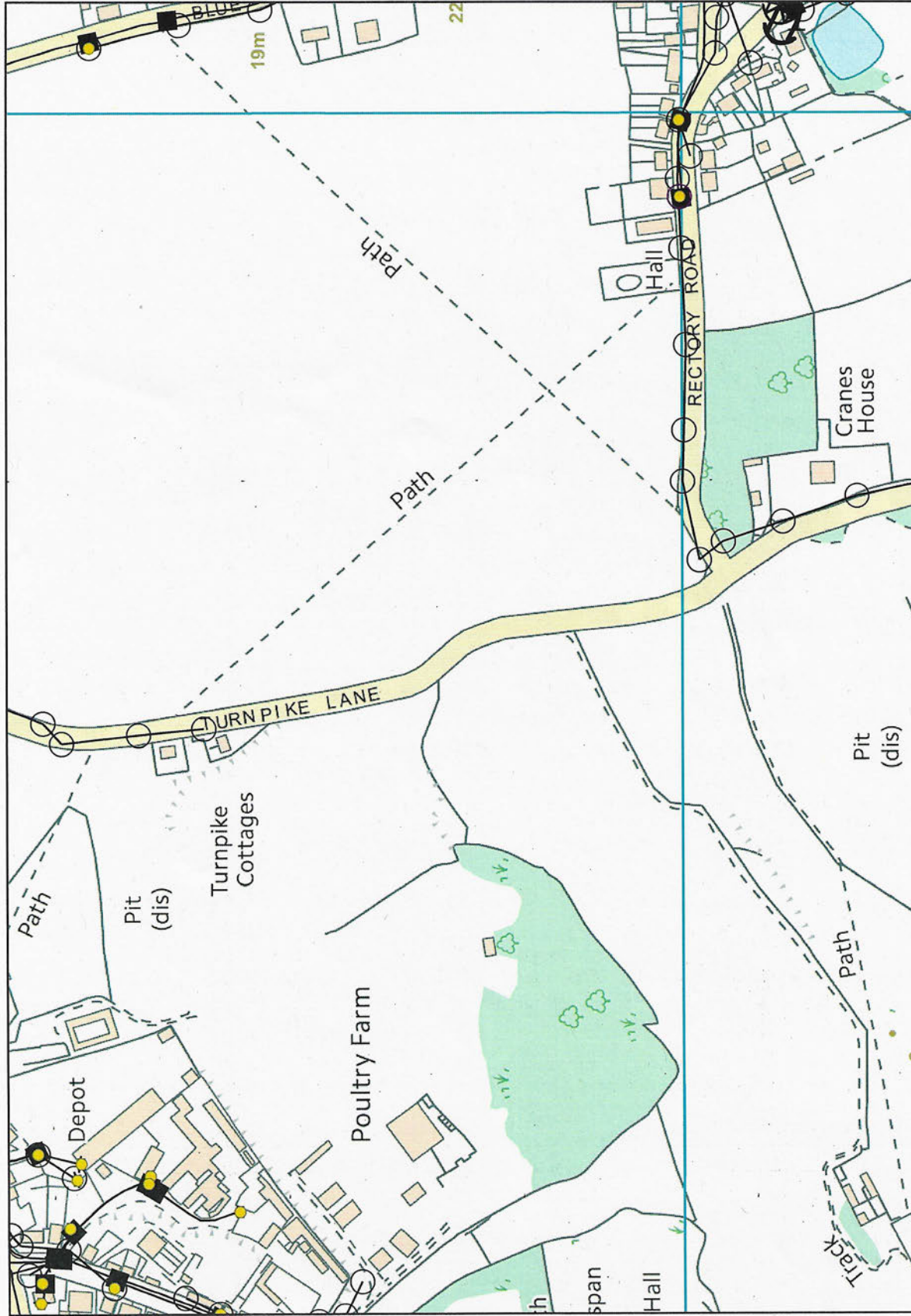
Information valid at time of preparation.

CLICK BEFORE YOU DIG
FOR INFORMATION ON THE LOCATION OF BT APPARATUS TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING TO LOCATE AND MARKING SERVICE
email citydig@openreach.co.uk
ADVANCE NOTICE REQUIRED
CITYDIG NOTICE REQUIRED



PLANT INFORMATION REPLY

openreach
BT Group business



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Legend

CAUTION AREA



EQUIPMENT



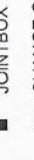
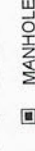
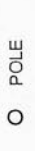
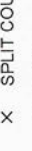
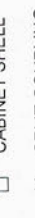
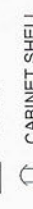
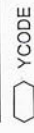
DUCT



PROPOSED



STRUCTURE



PROPOSED

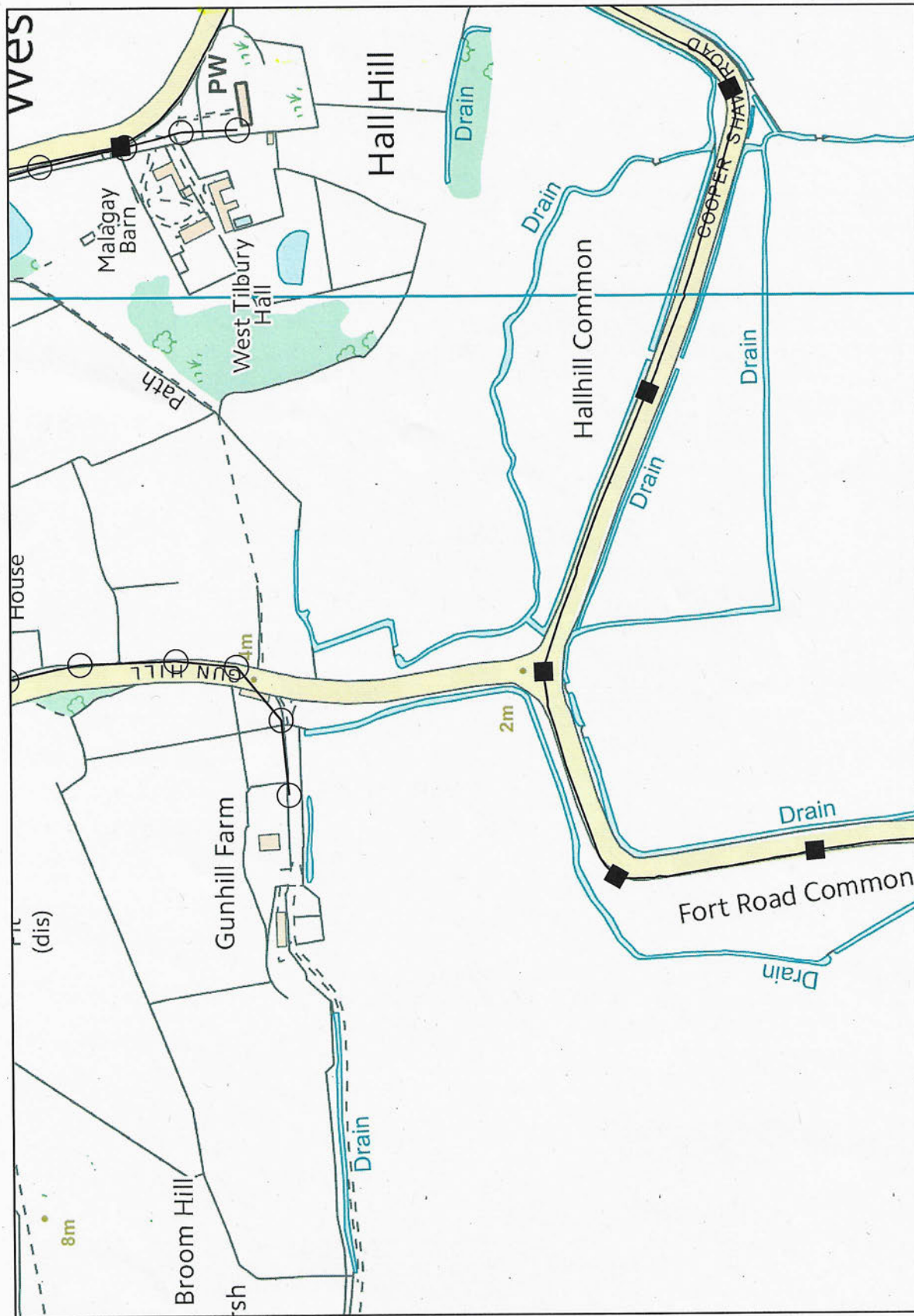


Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING:

The location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being made near to BT apparatus, which may exist at various depths and may deviate from the marked route.



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Existing BT plant may not be recorded. Information valid at time of preparation.

CLICK BEFORE YOU DIG
FOR PROFESSIONAL FREE ON SITE ASSISTANCE, PLEASE
CONTACT US ON 0800 033 033
TO COME TO YOUR SITE AND ADVISE YOU ON THE
LOCATION AND DEPTHS OF BT PLANT.
email: citydig@openreach.co.uk
ADVANCE NOTICE REQUIRED
2 weeks minimum (200 to 1140)



PLANT INFORMATION REPLY

openreach
a BT Group business

Legend

CAUTION AREA

BT CAUTION AREA

EQUIPMENT

TABCD FIBRE, TCODE

COPPER, CABINET

476R COPPER, DP

DUCT

AC AERIAL

TUNNEL

DUCT

PROPOSED

AC AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

X SPLIT COUPLING

O POLE

KIOSKS

MANHOLE

JOINTBOX

CHANGE OF STATE

DUCT TEE

PROPOSED

MANHOLE

JOINTBOX

DUCT TEE

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CLICK BEFORE YOU DIG
FOR PROFESSIONAL INFORMATION AND ADVICE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING
LOCATE AND MARKING SERVICE
email: cdy@openreach.co.uk
ADVANCE NOTICE REQUIRED



PLANT INFORMATION REPLY

openreach
BT Group business

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CAUTION AREA

BT CAUTION AREA

EQUIPMENT

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CLICK BEFORE YOU DIG
FOR PROTECTION OF THE PUBLIC AND THE PROPER TO COMPLETION OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE
email: shd@openreach.co.uk
ADVANCE NOTICE REQUIRED
Office Hours Monday to Friday 08:00 to 17:00

PLANT INFORMATION REPLY



openreach
a BT Group business

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Legend

CAUTION AREA

BT CAUTION AREA

EQUIPMENT

TABCD FIBRE, TOODE

COPPER, CABINET

475R COPPER, DP

DUCT

AC AERIAL

TUNNEL

DUCT

PROPOSED

AC AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

X SPLIT COUPLING

O POLE

KIOSKS

MANHOLE

JOINTBOX

CHANGE OF STATE

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PROPOSED

MANHOLE

JOINTBOX

DUCT TEE

Other proposed plant is shown using dashed lines.

BT symbols not listed above may be disregarded.

IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the absence of a formal survey. The location of BT apparatus which may exist at various depths and may deviate from the marked route.

Existing BT plant may not be recorded. Information valid at time of preparation.

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email cbdr@openreach.co.uk
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a BT Group business

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Legend

CAUTION AREA

BT CAUTION AREA

EQUIPMENT

FIBRE, TCODE

COPPER, CABINET

COPPER, DP

DUCT

AERIAL

TUNNEL

DUCT

PROPOSED

AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

SPLIT COUPLING

POLE

KIOSKS

MANHOLE

JOINTBOX

CHANGE OF STATE

DUCT TEE

PROPOSED

MANHOLE

JOINTBOX

DUCT TEE

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FOR INFORMATION ON THE LOCATION OF BT APPARATUS, PLEASE CONTACT THE LOCAL BT OFFICE OR VISIT THE BT WEBSITE. TO COMMENCEMENT OF EXCAVATION, WORKS INCLUDING LOCATE AND MARKING SERVICE email: btlocate@openreach.co.uk ADVANCE NOTICE REQUIRED

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PLANT INFORMATION REPLY



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CAUTION AREA

BT CAUTION AREA

EQUIPMENT

TABLED FIBRE, TCODE

COPPER, CABINET

COPPER, DP

DUCT

AC AERIAL

TUNNEL

DUCT

PROPOSED

AC AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

SPLIT COUPLING

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CAUTION AREA

BT CAUTION_AREA

EQUIPMENT

FIBRE, TCODE

COPPER, CABINET

COPPER, DP

DUCT

AERIAL

TUNNEL

DUCT

PROPOSED

AERIAL

DUCT

STRUCTURE

YCODE

CABINET SHELL

SPLIT COUPLING

POLE

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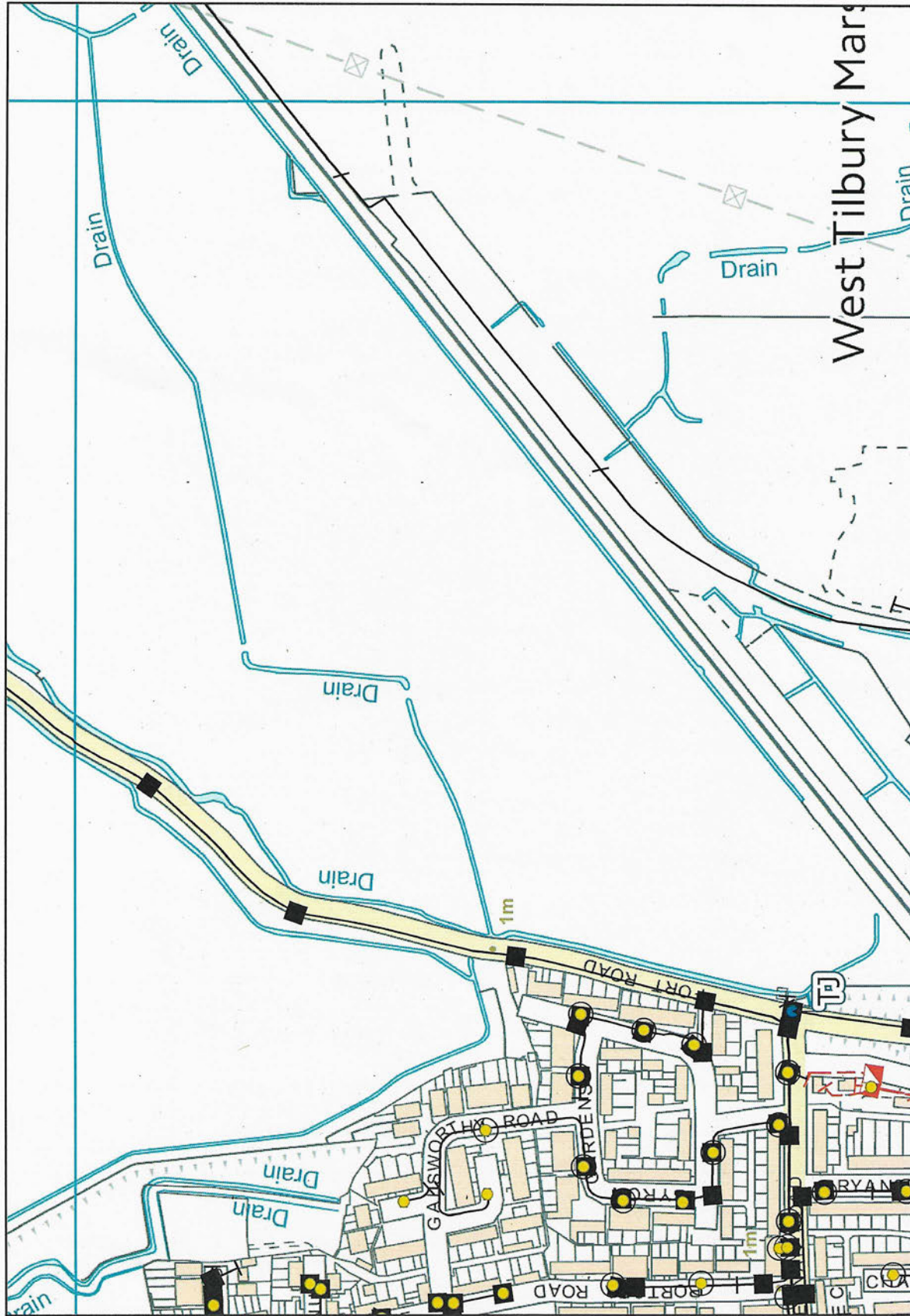
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CAUTION AREA

BT CAUTION AREA

EQUIPMENT

FIBRE, TCODE

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COPPER, DP

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CHANGE OF STATE

DUCT TEE

PROPOSED

MANHOLE

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Cable Faults Monitor & Policy on BT 11.1.08



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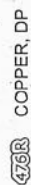
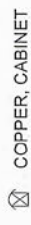
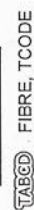
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CAUTION AREA



EQUIPMENT



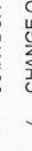
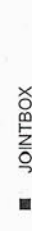
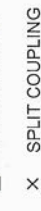
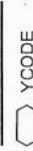
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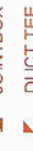
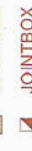
PROPOSED



STRUCTURE



PROPOSED



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contact

From: [REDACTED]
Sent: 07 January 2019 17:46
To: contact
Cc: [REDACTED]
Subject: Thurrock Power Limited - Proposed Flexible Generation Power Plant in Thurrock - Statutory Consultation
Attachments: thurrock power ltd-.pdf

Hi There,

I am the BT Property manager for this area. My colleague has reviewed the document and I confirm we have no properties affected by these proposals.

Kind regards
Louise

Louise Harris BSc (Hons) MRICS
Property Manager
Property

[REDACTED]
[REDACTED]

Web: www.bt.com
Address: pp 6.26C, Faraday Building, 1 Knightrider Street, London, EC4V 5BT

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contact

From: contact
Sent: 12 December 2018 16:24
To: Andrew Troup; Oliver Troup
Cc: Tom Dearing; Stephanie Boswall
Subject: FW: EXT || RE: Thurrock Flexible Generation Plant Section 42 Consultation

Olly would you be best placed to discuss issues with Cadent?

Cheers,

K

From: Cashman, Vicky [REDACTED]
Sent: 12 December 2018 14:53
To: contact <contact@thurrockpower.co.uk>
Cc: Iain Long [REDACTED]
Subject: RE: EXT || RE: Thurrock Flexible Generation Plant Section 42 Consultation

Hi Kirsty

Further to Iain's email below. We would welcome discussions around a suitable form of Protective Provisions to be included within the Order for the protection of Cadent's assets and interests. Please could you put me in touch with someone to discuss further?

Thank you
Kind Regards
Vicky

Vicky Cashman
Consents Officer

Cadent
Ashbrook Court, Central Boulevard, Prologis Park, Coventry CV7 8PE
[REDACTED]

From: Iain Long [REDACTED]
Sent: 22 November 2018 11:50
To: contact
Cc: Cashman, Vicky
Subject: EXT || RE: Thurrock Flexible Generation Plant Section 42 Consultation

Good Morning Kirsty,

Please see attached the correspondence which was sent to you.

Your development will interact with Cadent and we would look to get terms agreed prior to you going to submission.

Please can you give us your developers details so we can get our integrity to review what you are planning and can you confirm if you have been in contact with Cadent's Plant protection team?

Many thanks

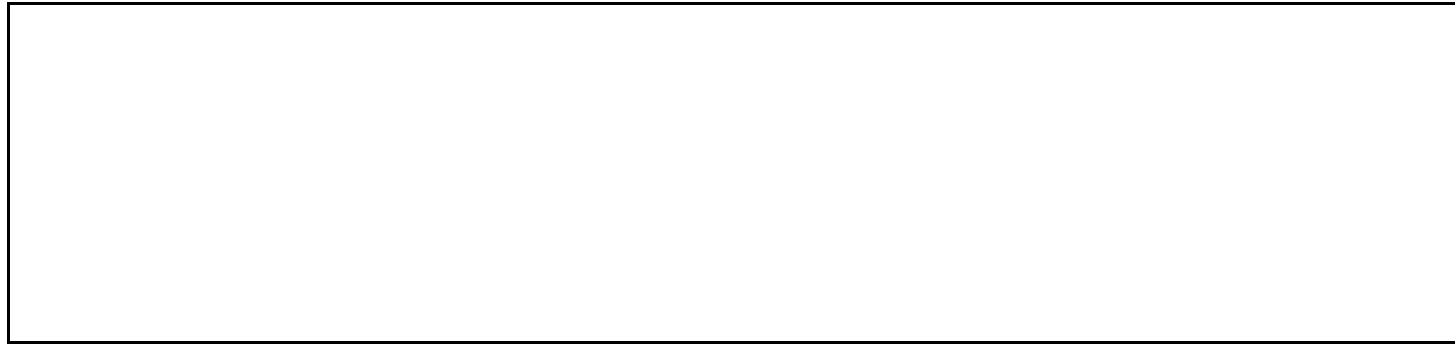
Iain

Iain Long MRICS FAAV

For and on behalf of Fisher German LLP
01530410825
[REDACTED]



The Estates Office - Norman Court - Ivanhoe Business Park - Ashby de la Zouch - Leicestershire - LE65 2UZ



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From: contact <contact@thurrockpower.co.uk>

Sent: 22 November 2018 11:45

To: [REDACTED]

Cc: Iain Long [REDACTED]

Subject: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Vicky,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 Of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty

Kirsty Cassie

Thurrock Power Limited

1st Floor | 145 Kensington Church Street

London | W8 7LP

Tel: 02071860580

Email: contact@thurrockpower.co.uk



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Thurrock Power Ltd
1st Floor
145 Kensington Church Street
London, W8 7LP



Thurrock Power Ltd

14.08.201

This is a response issued by Fisher German LLP on behalf of Cadent Gas Limited regarding the Thurrock Power Ltd Development Consent Order. On behalf of Cadent we have reviewed the information and wish to make the following comments:

In respect of existing Cadent infrastructure, Cadent will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus,

Cadent Infrastructure is within or in close proximity to the Proposed Order Limits. Please see attached plans highlighting the locations of these Cadent assets.

The Cadent apparatus that has been identified as being in the vicinity of your proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of Cadent's apparatus, Cadent will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions.

Key Considerations:

- Cadent has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with Cadent prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the Cadent pipeline without the prior permission of Cadent.
- Cadent will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to Cadent.




- Please be aware that written permission is required before any works commence within the Cadent easement strip.
- A Cadent representative shall monitor any works within close proximity to the pipeline.
- A Deed of Consent is required for any crossing of the easement

New Service Crossing:

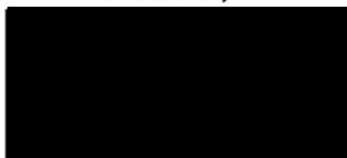
- New services may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A new service should not be laid parallel within an easement
- A Cadent representative shall supervise any new service crossing of a pipeline. Any exposed pipeline should be suitably supported and removed prior to backfilling
- An exposed pipeline should be suitable supported and removed prior to backfilling
- An exposed pipeline should be protected by matting and suitable timber cladding
- For pipe construction involving deep excavation (<1.5m) in the vicinity of grey iron mains, the model consultative procedure will apply therefore an integrity assessment must be conducted to confirm if diversion is required
- A Deed of Consent is required for any new service crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and Cadent's specification for Safe Working in the Vicinity of Cadent High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22. Digsafe leaflet Excavating Safely - Avoiding injury when working near gas pipes
- Cadent will also need to ensure that our pipelines access is maintained during and after construction.
- The actual depth and position must be confirmed on site by trial hole investigation under the supervision of a Cadent representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of Cadent High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a Cadent representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a Cadent representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

- 
- The above guidance is not exhaustive and your works proposals must always be submitted to Cadent's Plant Protection department in advance of commencement of works on site.

Yours Faithfully



Iain Long
Fisher German LLP

On behalf of Vicky Sterling
Land & Property Services

Continuation sheet.

Plan/s



Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Dial Before You Dig Pipelines Guidance:

<https://cadentgas.com/Digging-safely/Dial-before-you-dig>

Essential Guidance document:

https://cadentgas.com/getattachment/Digging-safely/Work-safely-library/Promo-Essential-guidance/Essential_Guidance.pdf

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

https://cadentgas.com/getattachment/Digging-safely/Work-safely-library/Promo-Excavating-safely-credit-card-gas/Excavating_Safely_Leaflet_Gas-1.pdf

Copies of all the Guidance Documents can also be downloaded from the National Grid Website:

<https://cadentgas.com/Digging-safely/Work-safely-library>

Cadent Gas Limited

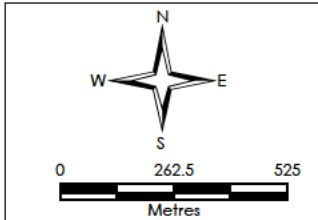
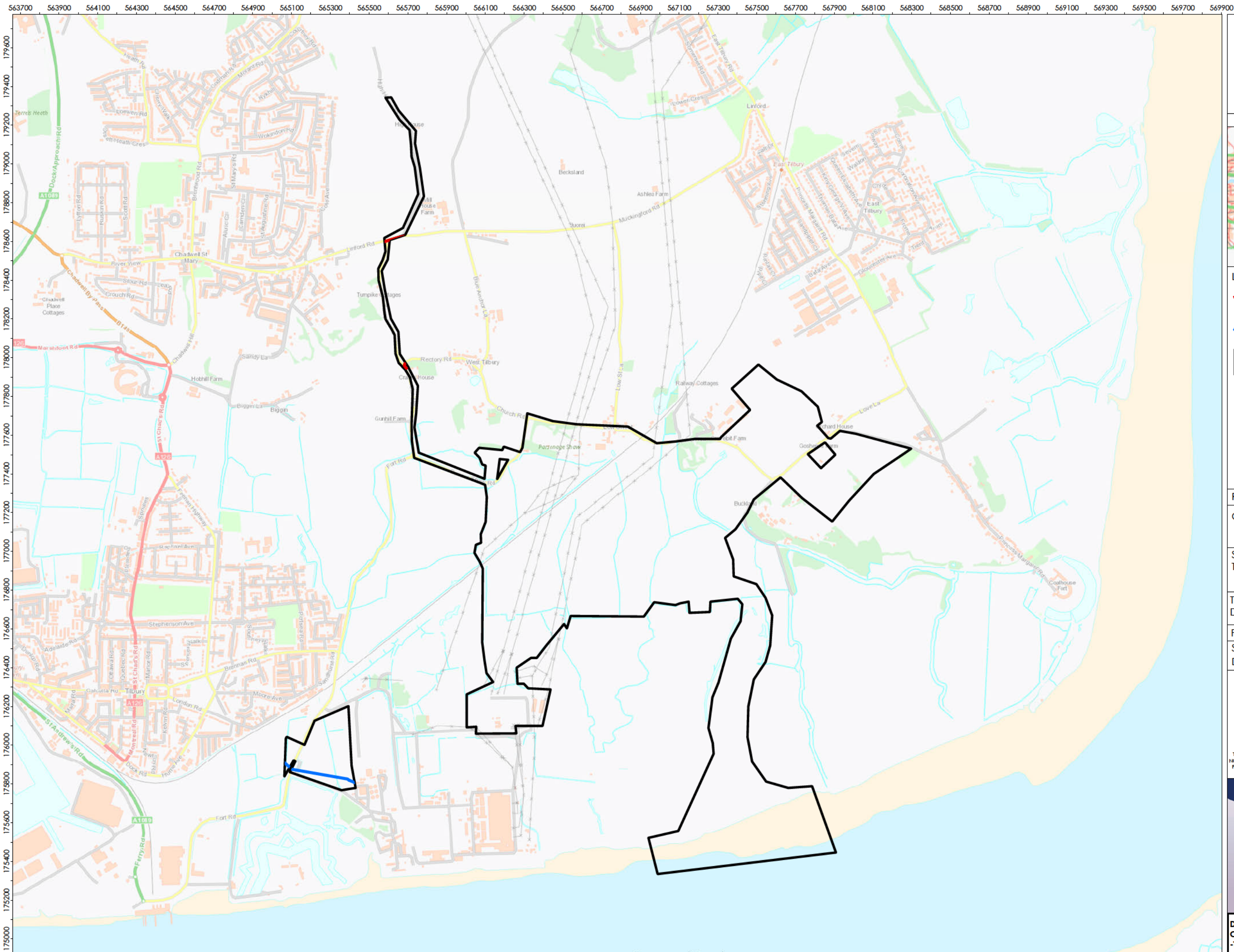
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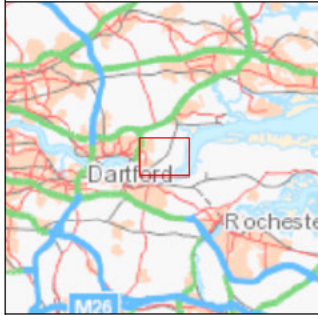
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5000419 (01/13)

Page 4 of 4



OVERVIEW WINDOW



LEGEND:

- LP
- MP
- DCO Boundary

REVISION: A

CLIENT: **Cadent**
Your Gas Network

SCHEME:
Thurrock Power Station

TITLE:
DCO Plan

FP:105118-356

SCALE: 1:17,500@ A3

DATE: 13/08/2018

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01530 412821
<https://www.fishergerman.co.uk>
ashby@fishergerman.co.uk

DRAWING REF:
CADENT-2018-EP-DCO
-THURROCK

contact

From: Tessa Craig [REDACTED]
Sent: 19 October 2018 16:46
To: contact
Subject: Thurrock Power Station- Canal & River Trust response
Attachments: Consultation Letter.pdf

Dear Mr Troup,

Thank you for your consultation regarding the Thurrock Power Station.

The Canal & River Trust (the Trust) is the guardian of 2000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”. We are a prescribed consultee in the Nationally Significant Infrastructure Project (NSIP) process.

The Trust has reviewed your proposals, and on the basis that they appear unlikely to have any impact on our waterways we have no comment to make at this time.

Kind regards,

Tessa Craig

Area Planner – Canal & River Trust

The Toll House, Little Venice, Delamere Terrace, London W2 6ND
[REDACTED]

Please visit www.canalrivertrust.org.uk to find out more about the Canal & River Trust
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Keep in touch

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Canal & River Trust is a charitable company limited by guarantee registered in England & Wales with company number 7807276 and charity number 1146792. Registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

Cadw mewn cysylltiad

Cofrestrwch i dderbyn e-gylchlythyr Glandŵr Cymru <https://canalrivertrust.org.uk/newsletter>

Cefnogwch ni ar <https://www.facebook.com/canalrivertrust>

Dilynwch ni ar <https://twitter.com/canalrivertrust> ac <https://www.instagram.com/canalrivertrust>

Mae'r e-bost hwn a'i atodiadau ar gyfer defnydd y derbynnydd bwriedig yn unig. Os nad chi yw derbynnydd bwriedig yr e-bost hwn a'i atodiadau, ni ddylech gymryd unrhyw gamau ar sail y cynnwys, ond yn hytrach dylech eu dileu heb eu copïo na'u hanfon ymlaen a rhoi gwybod i'r anfonwr eich bod wedi eu derbyn ar ddamwain. Mae unrhyw farn neu safbwynt a fynegir yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn a safbwyntiau Glandŵr Cymru.

Mae Glandŵr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestredig 1146792. Swyddfa gofrestredig: First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

date: 8th November 2108

K. Fisher-Bright Extn 2381

Your Ref:

My email:

Dear Sir

**Proposed Flexible Generation Power Plant in Thurrock
Statutory Consultation under S. 42 of the Planning Act 2008**

In response to your consultation of the 16th October, 2018, in respect of the above proposal, please find below the response of this Council.

Introduction

Castle Point Borough Council has been consulted on a proposal for the construction of a Flexible Generation Power plant in Thurrock.

The proposal has a generating capacity of more than 50 megawatts and therefore falls within the definition of a Nationally Significant Infrastructure Project (NSIP). As such the examining body is not the Local Planning Authority (which in this instance is Thurrock), but the Planning Inspectorate, which will process and examine the application before making a recommendation to the Secretary of State for Business, Environment and Industrial Strategy.

Because of the nature of the project consent can only be granted by a Development Consent Order (DCO). The final decision on whether to grant the DCO rests with the Secretary of State.

The consultation period expires on the 14th November 2018.

The Site

The flexible generation plant would be built on land in Thurrock immediately north of Tilbury Substation and the decommissioned Tilbury Power Station, south of the London, Tilbury and Southend Railway. It would be around 0.75 km east of Tilbury and 1.1 km north of the Thames. It would be approximately 10km to the south west of Canvey Island.

The site is within the Green Belt.

The nearest nationally and/or internationally designated areas of nature conservation to the proposed site (excluding potential access routes and gas pipe connection corridors) are the banks of the River Thames, which are between two and three kilometres away.

The site is in close proximity to Tilbury and Coalhouse Forts, both of which are Scheduled Monuments.

The Development

Thurrock Power (the applicant) proposes to develop a flexible generation plant on land north of Tilbury Substation in Thurrock.

It is proposed that the Plant will operate as a 'peaking plant' and battery storage facility. This means that it will have an intermittent operating regime, designed to provide back-up electricity generation capacity to respond to short-term variation and intermittent output from renewable energy sources.

Subject to public consultation, planning and finance, the Plant could enter commercial operation in 2021.

The Plant will be designed to operate for at least 35 years, after which time ongoing operation and market conditions will be reviewed. If it is not appropriate to continue operating after that time, one or both facilities (gas engines and/or batteries) will be decommissioned.

In detail the plant will comprise up to sixty gas engines fuelled by natural gas to generate 600 megawatts of electricity, plus batteries that can store and allow the facility to export a further 150 megawatts of electricity to the national grid when needed. The plant will operated intermittently in response to demand and this configuration allows the plant to respond flexibly to that demand.

The engines will be housed in buildings up to 20m high and would be served by 3 – 5 exhaust stacks, up to 40m high.

The batteries would be housed in two further buildings up to 10m high.

The plant will require a new underground gas pipe from the existing gas transmission network near East Tilbury to supply its fuel. To transmit the electricity it generates to the national grid, the facility would be connected directly by underground cable into Tilbury Substation, which is immediately to the south. No new overhead power lines are needed.

The proposed development will not generate waste water or process effluent during normal operation. Clean surface runoff will be to the existing watercourse, controlled via appropriate sustainable drainage (SuDS) features.

The Implications for Castle Point.

The applicants have identified that the proposal will have no significant impact on ecology, the landscape, the historic environment, air quality, human health, climate change or flood risk and would have the positive impacts of providing resilience to the energy network and providing employment opportunities.

Whilst the proposed development will have considerable mass, the distance from Canvey Island (the closest point of the Borough to the proposal) and the fact that it is located to the west of other significant development at Coryton and Tilbury, significantly diminishes the impact on Castle Point in terms of alterations to long distance views.

There are no traffic implications for the Borough, either during the construction or operational phases and given the nature of emissions dispersal (via the stacks) and the distance from Canvey Island, no significant consequences to health from airborne pollution is considered likely.

The proposal is not considered to have any significant adverse consequences for the Borough.

Response to Consultation.

The provision of measures to secure the resilience of energy supply is supported.

Whilst the proposal seeks to provide large structures in the Green Belt, the selected development site is immediately adjacent to a major National Grid substation and is in a landscape with substantial current and historic industrial use, including Tilbury Power Station and the Port of Tilbury. In this landscape the proposal is considered unlikely to cause significant harm.

Furthermore the need for energy resilience is considered to represent a very special circumstance which would outweigh the harm to the Green Belt.

This Authority does not therefore wish to object to the proposal.

Yours sincerely



Kim Fisher-Bright

contact

From: Caulfield, Martyn <[REDACTED]>
Sent: 13 December 2018 17:30
To: contact
Subject: Thurrock Power - CenturyLink Positive Response - PR2136
Attachments: 0706_001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Sir/Madame

CenturyLink Communications UK Ltd have assets on both the public highway and Network Rail owned land & infrastructure within the boundary of the proposed DCO
Whilst we do not object to any works we require unhindered 24/7 access to our asset
Should our asset within the public highway require moving please contact our appointed agent Instalcom at plantenquiries@instalcom.co.uk and request a formal C3/C4
Should our asset within Network Rail owned land require moving please contact [REDACTED]

Regards

Martyn Caulfield

EMEA Field Operations – UK OSP

CenturyLink

East India Dock House

240 East India Dock Rd

London, E14 9YY

p: +44 (0) 3300607616

[REDACTED]

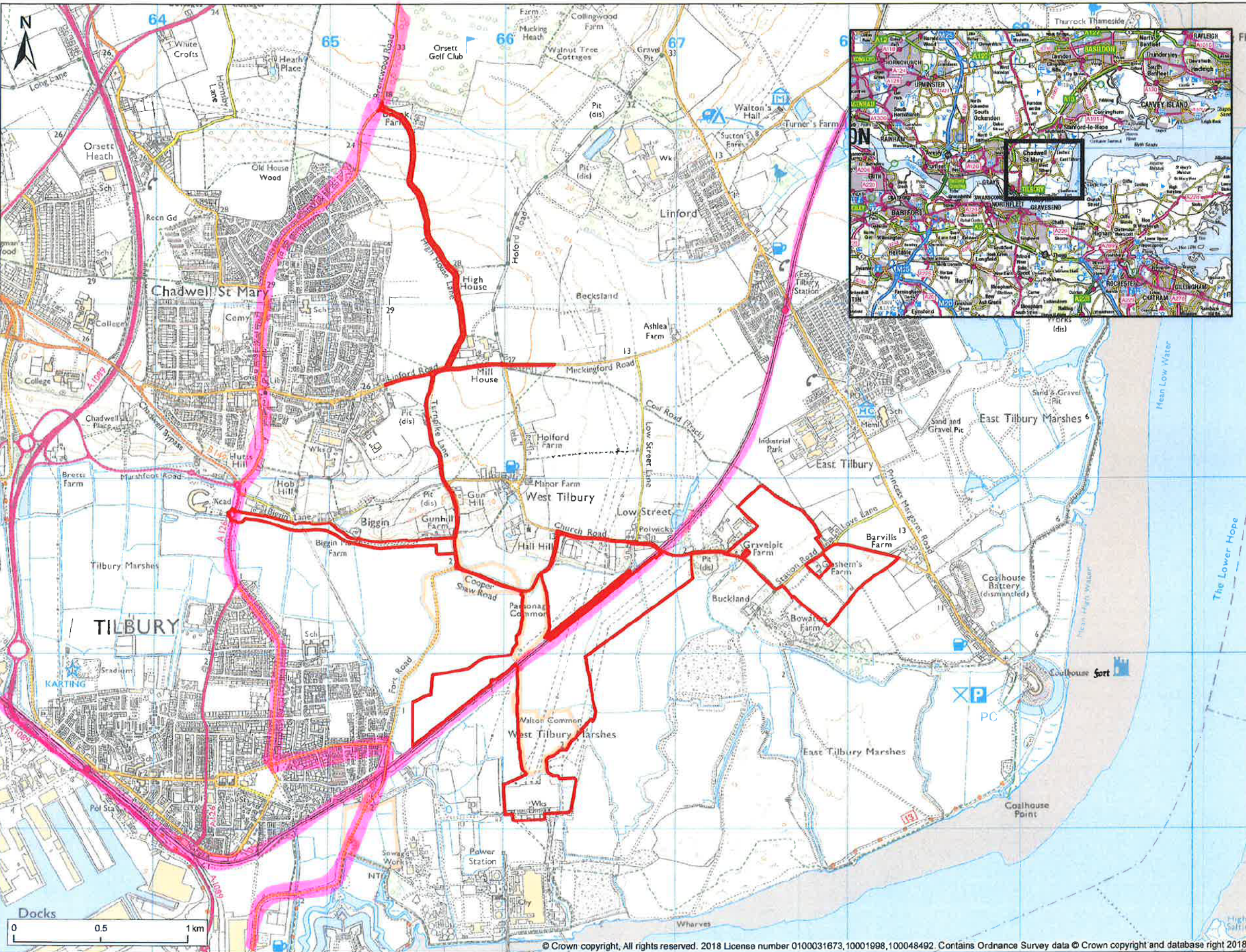
[REDACTED]

Level(3) FS NOW



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Legend

 Development boundary

Created by: MS Scale: A3@ 1:25,000 Date: 30/11/2018
Checked by: TD Doc no: 10872-0085-03

Thurrock Flexible Generation Plant
Development boundary



contact

From: Jiggins Craig [REDACTED]
Sent: 22 November 2018 15:07
To: contact; DCO Coordination
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation
Attachments: EN010092 - Thurrock Flexible Generation Plant - EIA Scoping Notification and Consultation

Dear Kirsty

We did receive the letter. But we felt that there was no need to respond further as we had responded to the Planning Inspectorate in August with certain recommendations. I was led to believe by my predecessor that those response would be collated and passed on. Would that be a misunderstanding?

Regards

Craig

Craig Jiggins

ATM Technical Specialist
Safety and Airspace Regulation Group (SARG) - Airspace Regulation
Civil Aviation Authority

020-7453 6559

www.caa.co.uk
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Please consider the environment. Think before printing this email.

From: contact <contact@thurrockpower.co.uk>
Sent: 22 November 2018 11:15
To: Jiggins Craig <[REDACTED]> DCO Coordination <DCO.Coordination@caa.co.uk>
Cc: Airspace Policy <Airspace.Policy@caa.co.uk>
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Craig,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 Of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty
Kirsty Cassie
Thurrock Power Limited
1st Floor | 145 Kensington Church Street

London | W8 7LP
Tel: 02071860580
Email: contact@thurrockpower.co.uk
Website: www.thurrockpower.co.uk



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Mr. Andrew Troup
Thurrock Power
1st Floor
145 Kensington Church Street
London
W8 7LP

Our ref: AE/2018/123387/01-L01
Your ref: *
Date: 12 November 2018

Dear Mr. Troup

**THURROCK FLEXIBLE GENERATION POWER PLANT IN THURROCK -
STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT
2008.**

LAND TO THE NORTH OF FORMER TILBURY POWER STATION

Thank you for your consultation dated 16 October 2018. We have reviewed the Preliminary Environmental Information Report (PEIR) Volumes 1 – 6, dated September 2018, the Habitats Regulation Assessment Report, dated September 2018 and associated supporting documents. Further to our response made at the EIA scoping stage, reference AE/2018/123138, dated 5 September 2018, we have the following comments in regards to Environmental Permitting, Flood Risk, Thames Estuary 2100 plan, Ecology and Land Contamination.

Environmental Permitting

The application proposes a generating plant of sixty gas engines fuelled by natural gas to generate 600MWe. In addition, battery storage that can store and allow the facility to export a further 150 megawatts of electricity. An area of land within the proposed development has also been identified for carbon capture.

The proposed development will require a permit under section 1.1 Part (A) of the Environmental Permitting (England and Wales) Regulations 2018 (EPR) (as amended). Further details on permitting is available at:

<http://www.gov.uk/topic/environmental-mangement/environmental-permits>.

It is recommended that pre-application discussions on permit requirements commence as soon as possible and details on pre-application advice can be found at: <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>

Carbon capture Readiness

It is recommended that the developer discuss with us the information required to allow the footprint determination at the planning stage. In the interim further information can be found at:

<https://www.gov.uk/guidance/uk-carbon-capture-and-storage-government-funding-and-support>

Air Quality

Air quality modelling will also be required from the developer as part of the Environmental Permit application. As the permit application has yet to be submitted no further comments can be made at this stage in advance of permit determination.

This development will require a permit to be granted under the Medium Combustion Plant Directive (MCPD). Details on the application for a Medium Combustion plant permit can be found at:

<https://consult.environment-agency.gov.uk/psc/mcp-and-sq-regulations>

Further advice is also available from the local Competent Authority and Environment Agency officers, as appropriate. The granting of Development Consent Order does not necessarily mean a development will receive an environmental permit, however, we are willing to work with the applicant both the planning process and at pre-application stage to ensure that all permitting issues are addressed and any delays are avoided.

Control of Major Accident Hazard Regulations 2015 (COMAH)

The development is adjacent to numerous facilities notified under the Control of Major Accident Hazards Regulations 2015 (COMAH) the closest being 1Km away.

It should be ensured that operators of nearby COMAH facilities are appropriately consulted. Further information on the HSE's Land use Planning Methodology is available at <http://www.hse.gov.uk/landuseplanning/methodology.pdf>

Flood Risk

PEIR – Chapter 15: Hydrology and Flood Risk

We note that table 1.1 states that the latest climate change projections should be applied at the time the Environmental Statement (ES) is prepared. As this consultation is to inform the preparation of the ES, it is likely that this will be prepared

when the updated climate change projections (UKCP18) have been released. These are expected to be released in November 2018, and should be used in support of the application, further information is provided below.

Table 1.2 states that 'An Exception Test is not required as the Sequential Test demonstrated that the Thurrock Flexible Generation Plant is considered acceptable'. According to Table 3 of the Planning Practice Guidance, the exception test must be passed for 'essential infrastructure' in flood zone 3a. We therefore disagree with the comments in table 1.2 that the exception test is not required.

H++ climate change scenario

We note that the climate change levels associated with the H++ scenario have been calculated, although it is not intended to carry out any modelling using this scenario. The FRA confirms that the H++ levels will be related to ground levels across the site to consider how development can be designed to be safe in the worst case climate change scenario, but does not provide any further detail.

The Overarching National Policy Statement for Energy (EN-1), dated July 2011 sets out the national policy for energy infrastructure and provides advice on the climate change consideration that should be applied to such developments. Paragraph 4.8.8 of the NPS says that the Environment Agency

'should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, factors such as sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or ourselves) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime'.

Paragraph 4.8.9 goes on to say that:

'where energy infrastructure has safety critical elements (for example parts of new fossil fuel power stations or some electricity sub-stations), the applicant should apply the high emissions scenario (high impact, low likelihood) to those elements. Although the likelihood of this scenario is thought to be low, it is appropriate to take a more risk-averse approach with elements of infrastructure which are critical to the safety of its operation'.

Table 5 'Mean sea level allowance (compared to 1990 baseline, includes land movements)' within the Environment Agency document 'Adapting to Climate Change: Advice for Flood and Coastal Erosion Risk Management Authorities', provides details of the allowances to be applied for the H++ scenario, and the FRA should show what will happen in that event and provide an assessment of whether this could be mitigated for. Please note that the lifetime of development should also include any time required for the decommissioning element of the development, should there be one for this application.

West Tilbury Main Sewer

We note that it is intended to cross West Tilbury Main Sewer with the access road. Further detail will need to be submitted in relation to the type of crossing. An Environmental Permit will be required for a crossing of this main river.

We welcome the decision to cross main river crossings (such as West Tilbury Main) with trenchless techniques when installing the pipeline (discussed in paragraph 3.1.16).

Appendix 15.1: Flood Risk Assessment

As previously noted, table 3 of the planning Practice Guidance states that essential infrastructure in flood zone 3a should be designed to remain operational and safe in times of flood. Section 6.2 of the FRA suggests mitigation options for the development will be considered, but does not make it clear that the development will be designed to ensure that the infrastructure remains operational through the flood event. This should be explored further within any future FRA submission, where it should be detailed how it shall be ensured that the development will remain operational and safe at all times, for both the design (0.5% annual probability) and extreme (0.1% annual probability) flood events, inclusive of climate change. Paragraph 6.2.6 of the FRA suggests that it would be appropriate for mitigation measures to be secured by way of condition. We do not consider that this would be appropriate and would expect the FRA to provide details of the flood risk to the site, together with details of how the risks will be managed, to ensure the development can remain operational during a flood, whilst ensuring the safety of people.

Section 6.3 suggests that one mitigation measure could be the construction of raised bunds. If this option is to be explored further, then consideration will need to be given to where floodwaters would be passed on to if an area of land is to be designed not to flood. It will need to be ensured that the development does not result in increased risks to surrounding sites within the flood cell.

Climate Change

Paragraphs 2.1.6 – 2.1.9 discuss climate change allowances. As highlighted above updated set of climate change projections, UKCP18, is due to be published by the end of November 2018. This will include:

- updated sea level rise projections; and
- updated monthly and daily rainfall projections (used to understand impact of climate change on peak river flow).

The [UK Climate Projections website](#) provides more detailed information. We will therefore expect the modelling to be updated with the UKCP18 projections, if they differ from those used to date.

Strategic Flood Risk Assessment (SFRA)

Paragraphs 4.2.7 and 6.1.2 refer to the Thurrock Strategic Flood Risk Assessment (2011), which has now been superseded. The FRA should refer to the most up-to-date version of the SFRA (dated June 2018) for the most accurate information, and then detail how the flood risk shall be managed. The report also refers to the Flood Risk Assessment for Tilbury 2. It should be ensured that relevant permissions have been obtained for using the data as it will need to be submitted in support of this application.

Other sources of flood risk

It should be noted that we have not made comments on the surface water runoff and management for the site, as this matter will be addressed by the Lead Local Flood Authority.

Construction code of practice

The main development site itself will not involve any works to main rivers. However, the gas pipeline route and access road may cross main rivers and flood defences. As already stated environmental permits may be required for any such crossings, irrespective of any permission which may be granted through the Development Consent Order. Further information on permits related to flood risk activities can be found at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Thames Estuary 2100 Plan / TEAM2100

The flood defences providing benefit to the proposed Tilbury Flexible Generation Plant site, are currently considered to be below required condition, and are graded as condition grade 5, meaning the defences are close to complete failure and maybe beyond repair. Our Thames Estuary Asset Management team (TEAM) 2100 programme has assessed these defences as requiring significant remedial works or replacement within 5 years. The government is contributing funding towards the first 10 years of investigating, refurbishing and repairing assets in the estuary. As part of Defra's Flood and Coastal Resilience Partnership funding policy, we need to find the remaining 15% of funding from those who benefit from these assets.

We have permissive powers available to us via the section 165 of the Water Resources Act 1991 as amended by the Flood and Water Management Act 2010 which allow us to maintain and improve existing works as well as to construct new works on a designated main river watercourse or tidal flood defence. Our powers are permissive in respect of the duty upon the land owner thus there is no legal requirement on us to exercise these permissive powers to any given standard, or at all.

The Thames Estuary 2100 plan shows that capital works will be required on the tidal defences in the area. The Plan provides a vision for improving the tidal flood defence system for the period to 2100 so that current standards of flood protection are maintained or improved for most of the estuary taking account of sea level rise. The plan sets out how 1.3 million people and £275 billion worth of property will continue to be protected from tidal flood risk. TE2100 recommends actions that we and others will need to take in the short, medium and long term. The plan is based on

contemporary understanding of predicted climate change, but is designed to be adaptable to changes in predictions (including for sea level rise) throughout the century.

Our TEAM 2100 programme is delivering the first 10 years of capital maintenance works recommended by the Plan. TEAM2100 programme pioneers a new asset management approach to ensure that the 300km of tidal walls, embankments and barriers along the Thames Estuary continue to protect 1.3 million people and £275 billion of property. The programme is being delivered jointly by ourselves, CH2M and Balfour Beattie, along with other suppliers. The programme is the UK's largest single flood risk programme of works, worth over £300m, and one of the government's top 40 major infrastructure projects. This programme includes completing detailed engineering investigations of tidal assets, and carrying out the necessary repairs or refurbishment works to ensure we maintain the current tidal flood risk on the estuary.

We acknowledge the need for the required flood risk assessment (FRA) to consider the future baseline environment to inform any further mitigation measures for the proposed development. The TE2100 preferred policy for the tidal defences benefitting the site is to maintain the current standard of protection over the next 100 years, keeping pace with climate change (based upon current sea level rise projections). Current aspirations under the Plan are to raise defence crest levels from 2036-2040, a timescale which aligns with the design life of the proposed development stated within section 3.40. We are looking to work in partnership with beneficiaries throughout the Thames Estuary, to explore potential contribution options.

Therefore, we would welcome further strategic conversation with the applicant to explore how we can work in partnership to determine the most cost-effective means of delivering the required repairs to these assets as part of our TEAM2100 programme and the longer-term Plan defence crest level raising aspirations. Contributing to this programme of works means investing in flood defences which will protect the people, property and key infrastructure, including the applicant's site and gas pipeline distribution infrastructure, at risk in the Thames Estuary for the coming 40 years and beyond.

Ecology

The PEIR documents cover most of the ecological issues we raised at the scoping stage. However, in we believe further surveys and analysis will be required in the areas shown below:-

- We note that Water Framework Directive Assessment has been scoped out due to the absence of impacts on the Thames. However, how the Directive applies to the alteration of the drainage ditches needs consideration in the ecological chapter to ensure no deterioration in ecological potential. The design and long-term management of the mitigation ditches needs to be described in any Ecological Management Plan.
- There is an absence of information on eels, a priority species, covered by the

Eel Regulations 2009. The ditch network, although remote from the Thames, has linkage which could have led eels to colonise some of the wetter ditches. We suggest an electro-fishing survey of eels at the appropriate time of year (April-October) to determine presence and absence. Any enhancements should consider the presence of eels if present.

- The Ecology Chapter states that 9.4% of the ditches on the application site are to be permanently lost due to development. Given the presence of water voles within the ditches, mitigation is required to prevent a loss of protected species habitat. The proposed creation of 510 m of ditch provides an offset for the 476 m to be lost. As acknowledged, water voles will need to be translocated to the new ditches when the habitat is ready under licence from Natural England.
- The Outline Ecological Management Plan (OEMP) will need to be developed further to provide assurances over the design and construction measures for the mitigatory habitats, particularly for water voles (and possibly eels). The long-term management needs to be considered in the OEMP.
- Mammal ledges will need to be incorporated into all culverts to allow the passage of water voles. The design of these should be incorporated into the OEMP.

Contaminated Land

Our comments in relation to contaminated land refer to chapter 16 of the PEIR. Whilst we broadly agree with the content in this chapter we would offer the following advice which addresses specific points that should be considered during the application.

Fig 3.1 shows that there are several landfill sites within the “Study Area”. If there is a need to carry out site investigation of any landfill site, the Environment Agency should be consulted on proposals prior to any ground disturbance or penetrations. The introduction of pathways between the landfilled wastes/leachate and underlying groundwater should be avoided where possible. This is particularly relevant for East Tilbury Marshes Landfill where hazardous wastes were previously disposed of.

Tables 2.5 and 2.6. Whilst we are pleased to note that a Piling Risk Assessment will be undertaken and best practice used to reduce the potential for the creation of preferential pathways for contamination, assessments should also include the need to ensure that piling is undertaken in manner that does not connect any aquifers that are not currently in hydraulic continuity.

S.3.1.11. This section mentions that the nearest licensed groundwater abstraction for potable use is located at a distance of 160 m. However it should be noted that the ‘general farming and domestic’ purpose of the abstraction that is 85 m to the north of the site includes abstraction for potable supply. Any further risk assessments should reflect this closer significant receptor.

S.4. The entrainment of contamination during piling could have a significant adverse

effect on the quality of the underlying aquifers and local, nearby potable supplies; the extent to which this is the case, and the time that would be required to effect suitable remediation would depend on the nature of the contaminant; in a worst case scenario persistent contaminants, such as DNAPLs, may require a prolonged period of remediation. Whilst best practice during piling should minimise the likelihood of a significant impact, the magnitude of a worst case impact would be 'moderate' to 'high' and the significance 'high' meaning a major impact in EIA terms. Great care is therefore required with the piling methodology which should include reference to the proximity of local potable groundwater abstractions.

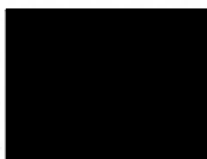
In our previous response to the EIA scoping report, reference AE/2018/123138 and dated 5 September 2018, we commented in detail on Water Quality, the potential for a new Thames Barrier at the site, Marine Ecology, the impact of the development on Fisheries and Thermal Modelling. We have not commented on these issues in this response as the revised design of the development, which includes a reduced boundary with no direct frontage to the River Thames, means we would have no current concerns in these areas.

We trust our advice is of use. Should you wish us to review any technical documents or want further advice to address the environmental issues, we can do this as part of our charged for planning advice service.

Further engagement at the pre-application stage will speed up our formal response to your planning application and provide you with certainty as to what our response to your application will be. It should also result in a better quality and more environmentally sensitive development. As part of our planning advice service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems.

Please contact me in the first instance if you have any questions in respects to our response or if you would like to take advantage of our planning advice service.

Yours sincerely



Mr. Pat Abbott
Planning Advisor

Direct dial 0208 4748011

Direct e-mail 

Amber Potts

From: Jonathan Morley
Sent: 15 November 2018 13:24
To: Abbott, Pat N
Cc: Tom Dearing
Subject: RE: [EXT] Thurrock SFRA Data

Categories: Tilbury 10872

Hi Pat,

Thank you for the attached.

It seems that the document is hot off the press, as this June 2018 SFRA does not appear on the Thurrock website. It provides a link to the 2009 Scott Wilson report.

https://www.thurrock.gov.uk/sites/default/files/assets/documents/ldf_tech_sfra_level1.pdf

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
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Leeds, West Yorkshire, LS3 1AB.
United Kingdom
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W www.rpsgroup.com

From: Abbott, Pat N [mailto:]
Sent: 15 November 2018 12:14
To: Jonathan Morley
Subject: RE: [EXT] Thurrock SFRA Data

Hi Jonathan

I have some data related to the Thurrock SFRA – both the document and the appendix – they are large, so maybe need to do a drop box for those. The SFRA itself is attached, I'll try and do the rest later this afternoon, but have meetings and am out tomorrow.

Pat

From: Jonathan Morley
Sent: 14 November 2018 10:39
To: Abbott, Pat N
Subject: FW: [EXT] Thurrock SFRA Data

Good morning Pat,

Hope you are well?

I seem to be experiencing some trouble trying to get hold of the Tilbury breach model outputs.

As you can see from the correspondence from Essex SuDS (below) there is a belief that the modelling may be held by the EA. Unfortunately, this has been contradicted by Elizabeth Inwards at the EA. Thurrock Council just direct me to Essex SuDS or the EA.

You will appreciate I seem to be going round in circles. Any assistance you may be able to provide to resolve this matter would be greatly appreciated.

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
RPS

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Leeds, West Yorkshire, LS3 1AB.
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[REDACTED]

W www.rpsgroup.com

From: Tim Simpson2, Development & Flood Risk Manager [REDACTED]

Sent: 13 November 2018 11:24

To: Jonathan Morley

Subject: RE: [EXT] Thurrock SFRA Data

Jonathan,

ECC would only normally hold data in relation to surface water flood risk, so it doesn't seem likely that we would be able to supply the breach data that you are looking for. I think Thurrock May have referred you to us because we are currently providing comments in relation to Surface Water Flood Risk on their behalf. They currently don't have a member of staff that has a flooding background so might not be fully aware of the data they hold. Do you know who you spoke to at Thurrock?

The other possibility is that the data that you are looking for may be held by the EA but might not be open data that can be shared. This was suggested as a possible option in Liz's email and also touched upon in the response from my EA contact. If that's the case it might not be possible to take this line of enquiry any further.

Kind regards

Tim

Tim Simpson
Development & Flood Risk Manager
Waste and Environment, Sustainability and Resilience

Essex County Council

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From: Jonathan Morley [REDACTED]
Sent: 13 November 2018 09:46
To: Tim Simpson2, Development & Flood Risk Manager
Subject: RE: [EXT] Thurrock SFRA Data

Hi Tim,

Thank you for the email.

I have looked to explore obtaining the data from the EA, please see response attached, where the EA direct me to Essex County Council. I spoke to Thurrock on the phone who also directed me to Essex CC.

Any help you can provide in resolving the matter would be greatly appreciated.

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
RPS
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D +44 (0) 113 2204427
[REDACTED]
[REDACTED]
W www.rpsgroup.com

From: Tim Simpson2, Development & Flood Risk Manager [REDACTED]
Sent: 13 November 2018 07:56
To: Jonathan Morley
Subject: [EXT] Thurrock SFRA Data

Hi Jonathan,

Sorry it's taken a little while to get back to you. I have been trying to track down who holds the Thurrock breach data, It's not something that we hold at ECC but it seems likely that it is EA managed data.

I have spoken to a colleague there and have copied his response below.

Assuming the data required is open data, the customer can request the data through our Customer and Engagement Team.

enquiries_eastanglia@environment-agency.gov.uk

If they make it clear it's a data request, details, location etc. it should get logged and directed to the most appropriate person.

I hope that helps.

Kind regards

Tim

Tim Simpson
Development & Flood Risk Manager
Waste and Environment, Sustainability and Resilience

Essex County Council
Telephone: 03330 136812 | [REDACTED] | www.essex.gov.uk

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Amber Potts

From: Jonathan Morley
Sent: 07 January 2019 16:00
To: Purvis, Chris
Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage
Subject: RE: [EXT] RE: Thurrock FGP

Categories: Tilbury 10872

Hi Chris,

Thank you for the below.

To support the development design we are looking to get hold of the model ascii outputs referenced in Appendix J paragraph 2.11 for the Tilbury flood cell.

2.11. Outputs

All of the results will be post-processed to provide maximum ascii grids for flood depth, flood hazard and time to inundation. These outputs will be used to create the necessary mapping for the Level 2 SFRA.

In the event the Council does not hold this please can you provide contact details for the relevant person in AECOM along with authority for RPS to obtain the data?

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
RPS

Suite D10, Josephs Well, Hanover Walk,
Leeds, West Yorkshire, LS3 1AB.
United Kingdom
T +44 (0) 113 220 6190
D +44 (0) 113 2204427



W www.rpsgroup.com

From: Purvis, Chris [REDACTED]
Sent: 07 January 2019 11:24
To: Jonathan Morley
Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage
Subject: RE: [EXT] RE: Thurrock FGP

Hi Jonathan

Further to my email below I have been advised this morning that the SFRA has now been added to the Thurrock Council Website, and is available from the New Local Plan Evidence page:-

<https://www.thurrock.gov.uk/new-local-plan-for-thurrock/evidence-to-support-local-plan>

I hope this assists .

Regards

Chris Purvis | Principal Planner (Major Applications) | Environment and Place

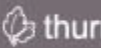
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SHORTLIST

From: Jonathan Morley [REDACTED]
Sent: 04 January 2019 09:19
To: Purvis, Chris
Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage
Subject: RE: [EXT] RE: Thurrock FGP

Chris,

Thank you for the email

Please can you give me a call on 0113 220 6190 to discuss?

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
RPS

Suite D10, Josephs Well, Hanover Walk,
Leeds, West Yorkshire, LS3 1AB.
United Kingdom

T +44 (0) 113 220 6190

D +44 (0) 113 2204427

[REDACTED]

[REDACTED]

W www.rpsgroup.com

From: Purvis, Chris [REDACTED]
Sent: 04 January 2019 09:15
To: Jonathan Morley
Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage; [REDACTED]
Subject: RE: [EXT] RE: Thurrock FGP

Hi Jonathan

There is no updates on this, I understand from the policy team that the SFRA will be added to the website but due to large file sizes work needs to be done to the documentation to achieve this and is not a quick process, and this is no target time for doing this at present.

I have also been informed that there is no modelling information available for the public domain so you'll need to undertake your own modelling data.

I hope this assists.

Regards

Chris Purvis | Principal Planner (Major Applications) | Environment and Place

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From: Jonathan Morley [REDACTED]
Sent: 02 January 2019 14:23
To: Purvis, Chris
Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage; [REDACTED]
Subject: RE: [EXT] RE: Thurrock FGP

Hi Chris,

Hope you are well?

I was wondering if you could provide a progress update on provision of model outputs associated with the most recent Thurrock SFRA (2018)?

This information is required as a matter of urgency.

Best regards

Jonathan

Jonathan Morley BSc (Hons)

Principal Consultant

RPS

Suite D10, Josephs Well, Hanover Walk,
Leeds, West Yorkshire, LS3 1AB.
United Kingdom

T +44 (0) 113 220 6190

D +44 (0) 113 2204427

E [REDACTED]

W [REDACTED]

W www.rpsgroup.com

From: Purvis, Chris [REDACTED]

Sent: 14 December 2018 09:21

To: Jonathan Morley

Cc: 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage

Subject: [EXT] RE: Thurrock FGP

Hi Jonathan

I am liaising with my colleague in planning policy about this as they have the SFRA. I will update you when I have heard back.

Regards

Chris Purvis | Principal Planner (Major Applications) | Environment and Place

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 thurrock.gov.uk



From: Jonathan Morley [REDACTED]

Sent: 12 December 2018 12:40

To: Purvis, Chris [REDACTED] >

Cc: 'atroup@stateraenergy.co.uk' <atroup@stateraenergy.co.uk>; Tom Dearing [REDACTED];

Simon Gamage <[REDACTED]>

Subject: Thurrock FGP

Importance: High

Good afternoon Chris,

Further to my voice mail message it would be greatly appreciated if you could give me a call at the earliest opportunity.

We are looking to obtain model outputs associated with the most recent Thurrock SFRA (2018).

Look forward to hearing from you soon.

Best regards

Jonathan

Jonathan Morley BSc (Hons)
Principal Consultant
RPS

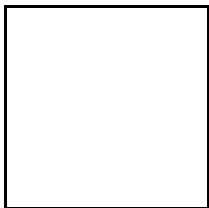
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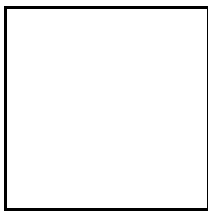
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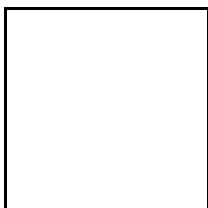
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contact

From: ESP Utilities Group Ltd <donotreply@espug.com>
Sent: 25 October 2018 16:37
To: contact
Subject: Reference: PE137268. Plant Not Affected Notice from ES Pipelines

Thurrock Power Plant Team
Thurrock Power Limited

25 October 2018

Reference: Thurrock Power

Dear Sir/Madam,

Thank you for your recent plant enquiry at: (Thurrock Power).

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

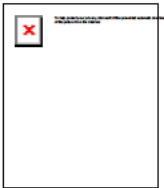
ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espipelines.com

Yours faithfully,

Roz Chomacki
Plant Officer



Bluebird House
Mole Business Park
Leatherhead
KT22 7BA

☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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contact

From: David Burch <[REDACTED]>
Sent: 23 October 2018 14:18
To: contact
Subject: Thurrock Flexible Generation Plant, Tilbury Marshes, Thurrock

Importance: High



I am writing on behalf of Essex Chambers of Commerce who represent a range of businesses large and small across the county including in Thurrock. At a national level we are one of 53 Chambers of Commerce accredited by the British Chambers of Commerce.

Essex Chambers support the proposals for the construction and operation of a gas fired flexible generation electricity plant and battery storage facility by Thurrock Power Limited on Tilbury Marshes. We believe that the UK needs to have as wide a range of power production and distribution methods as possible and that this scheme will help to add to the diversity of generation methods for the future.

Thurrock and south Essex more generally are projected to grow substantially in terms of both housing and businesses and this scheme will therefore help provide secure energy sources for the future.

We note that the scheme's site adjoins the Port of Tilbury and their planned Tilbury 2 development and trust that it will not impinge on the future success of that project.

Please keep me updated with progress as this project develops. My contact details are as below.

Regards

David Burch
Director of Policy

Essex Chambers of Commerce
Unit 3, Block B, The Red House
Parkside Office Village
Nesfield Road
Knowledge Gateway
Wivenhoe Park
COLCHESTER
CO4 3ZL

T 01206 363739

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Mr Andrew Troup
Director
Thurrock Power
1st Floor, 145 Kensington Church Street
London
W8 7LP

Our ref: ECC/TFPG/S42App
Your Ref: S42 App
Date: 7 December 2018

Sent by email: contact@thurrockpower.co.uk

Dear Mr Troup,

**RE: Thurrock Power Limited (a Statera Energy Group Company)
Proposed Flexible Generation Power Plant in Thurrock
Statutory Consultation under Section 42 of the Planning Act 2008**

Thank you for the opportunity to respond on behalf of Essex County Council (ECC) as a neighbouring authority and consultee on this statutory consultation enclosing the Preliminary Environmental Impact Report (PIER) in relation to the proposed Flexible Generation Power Plant in Thurrock.

The Power Plant is a strategic cross-boundary matter and ECC wish to engage with this process. It is noted that the purpose of this consultation is to inform the development of this Nationally Significant Infrastructure Project (NSIP), as stated in paragraph 1.1.2 of the Preliminary Environmental Impact Report (PEIR). Furthermore the preparation of the Environmental Impact Assessment (EIA) is currently at stages 4-6 and that this consultation provides an opportunity to review the findings to date and for our responses to further shape and inform the EIA's baseline, assessment of impacts and potential mitigation proposals as part of this iterative process.

ECC wishes to continue to be engaged with this ongoing process in developing the EIA, to inform the Environmental Statement, which will form part of the application for the Development Consent Order (DCO).

The ECC response highlights a range of issues and comments which require further clarification, additional information and actions in the development of the EIA and these are outlined below and detailed within the appendix.

General comments relating to 'environment'

This Council welcomes the submission of a shadow HRA and Appropriate Assessment for likely impacts on Habitats (European) sites and agree with the conclusion that the proposed mitigation in the form of surface water management features and pollution control safeguards will together ensure that there will be no significant adverse effect on the integrity of the Thames Estuary and Marshes SPA.

This Council notes however that cumulative impacts on wintering birds on functionally linked land and arable land affected by Thurrock Flexible Generation Plant may support birds from the SPA. There is therefore the potential for effects to occur alone and in-combination in relation to the cumulative losses of this habitat and this will be assessed following surveys of wintering birds that are currently ongoing and will be reported in the final HRA report.

This Council recommends that the final HRA document is also updated to be compliant with the recent CJEU ruling Holohan C46117 which imposes more detailed requirements on the Competent Authority.

This Council notes that following its request at EIA scoping (Sept 2018) to seek data from Essex Field Club (EFC), this information will be obtained for the Environmental Statement. This will inform any additional survey requirements to ensure the results can be considered adequate. Records from new or updated surveys undertaken should be shared with both EWT and EFC records centres.

This Council is pleased to see that the PEIR contains information in relation to how it meets the requirements of NPS EN-1 policy on decision making (and mitigation) eg The Secretary of State should have regard to the Government's biodiversity strategy, which includes aims to ensure a halting, and if possible a reversal, of declines in Priority Habitats and Species, with wild species and habitats as part of healthy, functioning ecosystems. However "inform the mitigation strategies to help protect and, where practicable, restore Priority Habitats and Species and the conservation of biodiversity" is not considered sufficient to ensure a "halting of declines" which may require measurable net gains within the project to achieve this. Clarification in the Environmental Statement produced relating to Priority s41 Habitats and Species likely to be present and affected by the development, would therefore be recommended. Consistency of terminology is recommended (Priority species and species of principal importance for the conservation of biodiversity in England).

This Council agrees with PINS scoping opinion comment that the applicant has scoped out bat surveys despite paragraph 8.89 of the Scoping Report, which states that these habitats may be of value to foraging and commuting bats. Five species were identified in the desk study in the PEIR and it is noted that Bats will now be included in the assessment for potential loss of foraging habitat (Section 4) and NE have been consulted on this issue but as of the date of this report, a response is awaited. This Council recommends bat surveys particularly for Nathusius' Pipistrelle during the Autumn migration and use of the National Nathusius Pipistrelle Project results may be useful to the development.

This Council has not yet had the opportunity to review a draft Construction Environment Management Plan (CEMP) and recommends that this is agreed as soon as possible ahead of DCO submission to inform this as a Requirement, and include all the details in the BS42020:2013 model condition D.4.1.

We note that an Outline Ecological Management Plan has been prepared and is linked to the Code of Construction Practice (CoCP). We would urge that the ecology and landscape matters are cross referenced with final lighting strategy and recommend a combined long-term Landscape and Ecological Management Plan (LEMP) as a Requirement of the DCO. Mitigation and Compensation should be prepared and that management of any offsite compensatory habitat will be contained in the LEMP which is referenced in 6.3.1 of the Outline EMP.

Until there is sufficient ecological information on protected and priority species, it is not recommended that the principles of ecological issues can yet be included in the Statement of Common Ground with ECC if it is asked to prepare such a document.

If you require further information or clarification on any points raised in this response please contact Matthew Thomas, Growth and Development Manager by email

[REDACTED]

Yours sincerely

Graham Thomas

Head of Planning and Development
Essex County Council

PROPOSED FLEXIBLE GENERATION POWER PLANT IN THURROCK

APPENDIX 1 ECC's detailed comments

Section	Comment
Outline EMP 4.3.8	Reptile habitat creation in Zone F will provide greater area than permanently lost, with translocation of animals from the works area on the basis of providing a like-for-like replacement of habitat on an area basis. It is important to ensure that the carrying capacity of any on site or offsite receptor sites (regardless of area size) must be demonstrated and additional sites identified should more animals be captured than the estimates indicate may be present. Current research indicates a range of multipliers for different species involved in reptile translocation projects and any habitats created must be sufficiently established to provide sufficient food before any animals are translocated.
Outline EMP 5.3.10	It is not clear if any of the hedgerows were considered to meet the trigger for Important hedgerows - >100 passes of bats other than Barbastelle - under the Hedgerow Regulations. Where sections of these hedgerows are temporarily removed, it would be necessary to provide hazel hurdles to ensure connectivity for foraging Barbastelle bats until the new hedge reaches a sufficient height to provide this functionality.
PEIR 2.4.3	This paragraph states that "for breeding birds..... the mitigation area (Zone F) which is an arable field (10.72 ha) again of little potential value for breeding birds." This is misleading given that linnet and skylark was recorded in Zone A (para 4.1 39).
PEIR 4.1.39	<p>This paragraph states that "a total of 40 breeding territories were recorded in Zone A, including Cetti's warbler and the BoCC red listed species cuckoo, house sparrow, linnet, skylark, song thrush, yellowhammer and yellow wagtail" and that "The development of Zone A would result in a decline in the number of territories within the study area."</p> <p>The aim of the mitigation proposed appears is to avoid the loss of species to the overall breeding bird assemblage in the survey area. However this is considered likely to lead to residual loss of territories for Priority species and this impact will require additional consideration to ensure the NPS- EN-1 policy <i>"to ensure a halting, and if possible a reversal, of declines in Priority Habitats and Species"</i>. Other mitigation measures should be reviewed and enable the SoS to meet their s40 NERC duty regardless that the impacts would not be significant in EIA terms.</p>
PIER 4.1.61	Although this section relates to bats, this paragraph states that <i>"the effect on breeding birds is not significant in EIA terms"</i> so it is recommended this error is corrected in the ES.

Section	Comment
PEIR 6.2.1	This Council welcomes the next steps identified prior to submission of the ES to deliver certainty of impacts and appropriate & effective mitigation for designated sites as well as protected and priority species and habitats. Comments regarding bats above are relevant to this programme of work.

contact

From: Meakins, Corinne <[REDACTED]>
Sent: 29 November 2018 16:02
To: contact
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Apologies if you receive this twice we have had a glitch in our email system and I wasn't sure if this had gone.

Dear Kirsty,

Thanks you for your email reminding us of the Section 42 consultation. We did examine the application but our main planning responsibilities are concerned with the protection of Ancient Woodland and as there doesn't appear to be any involved in the site location, we do not have any comment to make. However, should you be considering any tree planting for screening or as biodiversity/natural capital net gain and wish for any advice on species choice etc, don't hesitate to contact us.

Yours sincerely,

Corinne Meakins

Local Partnership Advisor
East and East Midlands

Forestry Commission England

Tel: 0300 067 4583
[REDACTED]
[REDACTED]

www.forestry.gov.uk

Please note NEW Email Address

Please note my new shorter week working pattern is 8-4.30 pm Monday, Tuesday and Thursday.

From: contact [mailto:contact@thurrockpower.co.uk]
Sent: 22 November 2018 11:25
To: Meakins, Corinne
Cc: eandem@forestry.gsi.gov.uk
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

Dear Corinne,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 Of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty
Kirsty Cassie
Thurrock Power Limited
1st Floor | 145 Kensington Church Street
London | W8 7LP
Tel: 02071860580
Email: contact@thurrockpower.co.uk
Website: www.thurrockpower.co.uk



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Thurrock Power
contact@thurrockpower.co.uk.

Planning and Regeneration Services
Ask for: Mrs A Waterman
Telephone: 01474 33 76 88
Email: avril.waterman@gravesham.gov.uk
My ref: 20181080
Your ref:
Date: 14 November 2018

Dear Sirs

Re: Consultation under Section 42 of the Planning Act 2008 (as amended), by Thurrock Power Ltd, in regard to the construction, operation and decommissioning of a flexible generation power plant providing up to 600 Mega Watts (mw) of electrical generation capacity on a fast response basis, together with up to 500mw of battery storage capacity

Referred to in your application dated 12 October 2018.

Gravesham Borough Council would like to make the following comments/observations in relation to your recent consultation under Section 42 of the Planning Act 2008 (as amended) in relation to the Planning Environmental Information Report (PEIR) dated September 2018 (Your report reference number: OXF10872/Final).

The main part of the application site lies to the north of the former Tilbury Power Station, which is currently being demolished.

It should be noted that consultation has recently been undertaken in relation to the potential construction of a new generating plant by RWE (Tilbury Energy Centre) on the Tilbury Power Station site. That development was referred to as the Tilbury Energy Centre (TEC). However on the 1st November 2018, RWE (the prospective applicant for that development) wrote to interested parties advising that following many feasibility studies, environmental assessments and surveys to enable the submission of an application for a Development Consent Order (DCO) they have made a decision to freeze the TEC development project

Part of the Flexible Energy Generating Plant (FEGP) proposal site has also been subject to a separate DCO application for an extension to the docks to the west (Tilbury 2). To the north lies the main London-Southend railway; to the east low lying open marshland/farmland which may be crossed by the new Lower Thames Crossing Approach Road, should development consent be granted; to the south-west lies the historic Tilbury Fort complex and an Anglian Water Waste Water Treatment Works. To the west lies the main urban area of Tilbury along with associated commercial development.

The application site lies within the Green Belt and (in part) on common land. Landscape is currently impacted on by high voltage power lines that run broadly north-south leading down toward the former Tilbury Power Station site.

The proposal involves the erection of a 660MW gas engine electrical generation peaking plant (potentially in phases); 160 MW battery storage; associated connection to a high pressure gas pipeline to the east; and other associated works. It is no longer intended that the plant be water

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Website www.gravesham.gov.uk

cooled with a connection to the River Thames. Land will be set aside for carbon capture readiness.

Road access to the site for construction and maintenance purposes has yet to be determined but would clearly be from the Thurrock side of the river and not impact on Gravesham. Consideration is being given to the potential to use the River Thames or other ports for the delivery of equipment. Drainage of the site would be via a SUDS system.

The generating plant would comprise up to 60 gas engines as a self-contained unit with generator, cooling system and exhaust stack. If larger engines are chosen, the number would reduce. The engines would be housed in buildings up to 20m high or be grouped into more open encasements. Each engine would have its own exhaust stack or may be grouped into clusters of three or five. The maximum height of the exhaust stacks would be 40m. 20m is basically equivalent to a 5 storey commercial building or 6 storey residential building.

The fast-starting gas-engines would not run continuously but can be run for several short periods each day to balance supply and demand whilst supplementing both traditional and renewable forms of generation. They would also provide a means of re-energising the grid should there be a complete systems failure. Maximum running time of the gas engines would be up to 4,000 hours per year.

Part 5 of the Overarching National Policy Statement for Energy (EN-1, July 2011) (See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarching-nps-for-energy-en1.pdf) lists generic impacts that may arise from infrastructure projects:

- 5.2 Air quality and emissions
- 5.3 Biodiversity and geological conservation
- 5.4 Civil and military aviation and defence interests
- 5.5 Coastal change
- 5.6 Dust, odour, artificial light, smoke, steam and insect infestation
- 5.7 Flood risk
- 5.8 Historic environment
- 5.9 Landscape and visual
- 5.10 Land use including open space, green infrastructure and Green Belt
- 5.11 Noise and vibration
- 5.12 Socio-economic
- 5.13 Traffic and transport
- 5.14 Waste management
- 5.15 Water quality and resources

From a Gravesham Borough Council's (GBC) perspective, the key planning issues in this case are likely to be impacts in terms of:

- Noise and vibration (during operation and construction, including in-combination impacts);
- Air quality and emissions (during operation and construction, including dust and emissions and in-combination impacts);
- Nature conservation impacts (including noise and air quality impacts as above);
- Land use including open space, green infrastructure and Green Belt;
- Landscape and visual impact (including standalone and in-combination impacts with Tilbury2 and Lower Thames Crossing*). (Impact could also occur should the TEC project become unfrozen); and
- Impact on heritage assets through development within their setting (including in-combination impacts on the significance of those assets, which may also affect the

significance of assets to the south of the river given a number of defence related assets in particular are understood and appreciated in their wider historic context).

The site lies within the Metropolitan Green Belt, where Overarching National Policy Statement for Energy (EN-1, July 2011) section 5.10 applies and this will be a major consideration in the determination of the application.

This requires that significant weight should be attached to any harm to the Green Belt through inappropriateness whereby permission should only be granted where the applicant has demonstrated the existence of 'very special circumstances' that clearly outweigh harm through inappropriateness and any other harm.

Notwithstanding the statement at EN-1 paragraph 5.10.12 that gas pipelines are capable of being treated as an 'engineering operation' and therefore not 'inappropriate', in this case the project has to be considered as a whole whereby it would appear to be 'inappropriate' in its entirety.

Given this, it will be necessary for the applicant to demonstrate that there is an overriding need for the facility that constitutes 'very special circumstances' that clearly outweighs harm and that there are no reasonable alternatives whereby that need can be met.

In this respect, it is assumed that this proposal is only speculative at this stage given producers of electricity appear to be required to bid to supply via the electricity capacity market auction process. If this is correct in this case, it is difficult to see how 'very special circumstances' could be demonstrated given the promoter may not win a supply contract in the face of competition from other suppliers.

Whilst Chapter 3 of the PEIR on Alternatives provides a preliminary statement on Green Belt justification, it is assumed that this will be broadened out to both establish the full area of search within which such a plant could be located, especially bearing in mind the 'freezing' of the TEC development proposal, and to identify any sites within that area that may meet the locational criteria. GBC would question whether the TEC site becomes a non-Green Belt reasonable alternative for the proposed FEGP site. Land not in the ownership of the promoter should not be excluded from this process, even if in the current ownership of a competitor, given the DCO process allows for the theoretical use of compulsory purchase powers.

Looking at the National Grid route maps webpage at <https://www.nationalgridgas.com/land-and-assets/network-route-maps> it would appear that there are high pressure gas pipelines extending out onto the Hoo Peninsula beyond the limits of the Green Belt. These area, also appear to have high voltage overhead power line and substation infrastructure as shown on the plans at <https://www.nationalgrid.com/sites/default/files/documents/23099-Appendix%20A4%20-%20Accelerated%20Growth%20System%20Maps.pdf> Alternatives within this area do not appear to have been considered within the PEIR and it would be useful to understand why these were 'screened out'.

In terms of noise and air quality the Council will expect the development to be compliant with the National Planning Policy Framework and National Planning Practice Guidance in relation to these matters (For noise see <https://www.gov.uk/guidance/noise--2> and for air quality see <https://www.gov.uk/guidance/air-quality--3>).

In regard to noise, GBC in relation to the previously consulted upon scoping opinion advised:

'The Council would therefore seek to ensure that potential noise impacts on both existing and potential sensitive noise receptors on the south side of the River Thames are fully understood for both the construction and operational phases.' (See GBC application reference: 20180853).

In terms of the documentation submitted as part of this Consultation in relation to the PEIR, the noise report provided does not specifically address receptors within the borough of Gravesham.

Noise predictions have only been carried out at receptors considered to be the worst affected by construction, operational or decommissioning noise from the development, all of which are in Thurrock. The report goes on to demonstrate by prediction the following:

- There will be a moderate magnitude of impact from certain construction activities at some of the worst effected receptors for short periods;
- Operationally the effect on these receptors is generally of minor impact and so no further mitigation is considered necessary;
- The report includes noise contour maps showing the general effect caused from the construction phase and operational activity. The contours show GBC being well outside the areas identified as being worst affected; and
- The report also include consideration on the potential impact of cumulative effects with other major developments and concludes the noise contribution from this development is minimal and so will not result in any increased noise effect on noise sensitive receptors.

The Council's Environmental Health Officer (EHO) who advises on noise does not consider this development to be on the scale of that proposed at Tilbury 2 or the 'frozen' TEC and is further inland away from GBC boundary, as such he considers that although the report does not provide a specific piece on Gravesham confirming that the area is ruled out as being affected by noise, the Council's EHO considered that receptors within GBC's jurisdiction will be below the Lowest Observed Adverse Effect Level (LOAEL)

In terms of Natural England, GBC consider it appropriate to defer to them in respect of nature conservation impacts as they relate to designated sites given it has been closely involved in the assessment of the Tilbury2 proposals and their consideration of the Statutory Consultation on Lower Thames Crossing in that regard.

The proposal clearly has the potential to have a landscape and heritage impact when viewed from the south of the River Thames because it stands to increase the extent of built development at Tilbury eastwards onto areas of residual marsh and farmland.

Whilst this will be affected by proposals for Tilbury2 and Lower Thames Crossing (should they go ahead in combination or separately) there will be a partial closure of the gap between existing developed areas that could affect the relationship between Tilbury Fort and the West Tilbury Conservation Area.

The extent of the Conservation Area is shown in the relevant Conservation Area Appraisal (2007) at <https://www.thurrock.gov.uk/sites/default/files/assets/documents/west-tilbury-character-appraisal.pdf> .

Part of this area is designated as a Scheduled Monument and there are also a number of important listed buildings. The most important historical event associated with West Tilbury is the fact that Elizabeth 1 addressed her troops there on the eve of the Spanish Armada in 1588. The inter-relationship between West Tilbury and Tilbury Fort is therefore a very important one that contributes to their significance.

Development that detracts from that relationship and the significance of the heritage assets on the northern shore of the river also have the potential to affect the significance of defence assets on the southern shore given their inter-relationship and this needs to be properly assessed.

This was an issue raised in relation to the Tilbury2 application whereby this authority sought mitigation for any harm via the DCO process and the associated s.106 agreement. The outcome of that process is awaited, with the Inspector's report to the Secretary of State anticipated around the 20 November 2018.

The recommendation in that case may have implications for how the proposal subject of the current consultation should be approached.

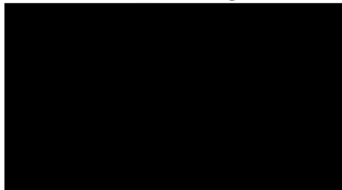
DRAWINGS AND DOCUMENTS

For the avoidance of doubt the following drawings/documents were considered in the formulation of this response:

Applicants covering letter;
Proposed development boundary plan;
Copy of Section 48 Public Notice;
Habitats Regulations Assessment Report;
Volume 1 - Chapter 1 - Non-Technical Summary;
Volume 2 - Chapter 1 - Introduction;
Volume 2 - Chapter 2 - Project Description;
Volume 2 - Chapter 3 - Consideration of Alternatives;
Volume 2 - Chapter 4 - Environmental Impact Assessment Methodology;
Volume 2 - Chapter 5 - Scoping and Consultation;
Volume 2 - Glossary, acronyms and units;
Volume 3 - Chapter 6 - Landscape and Visual Resources;
Volume 3 - Chapter 7 - Historic Environment;
Volume 3 - Chapter 8 - Land Use, Agriculture and Socio-Economics;
Volume 3 - Chapter 9 - Ecology;
Volume 3 - Chapter 10 - Traffic and Transport;
Volume 3 - Chapter 11 - Noise and Vibration;
Volume 3 - Chapter 12 - Air Quality;
Volume 3 - Chapter 13 - Human Health;
Volume 3 - Chapter 14 - Climate Change;
Volume 3 - Chapter 15 - Hydrology and Flood Risk;
Volume 3 - Chapter 16 - Geology, Hydrogeology and Ground Conditions;
Volume 4 - Chapter 17 - Summary of Inter-Related Effects;
Volume 4 - Chapter 18 - Summary of Cumulative Effects;
Volume 4 - Chapter 19 - Summary of Further Mitigation, Residual Effects and Monitoring;
Volume 5 - Appendices to Volume 2 - 2.1 - Enhancement, Mitigation and Monitoring Commitments;
Volume 5 - Appendices to Volume 2 - 2.2 - Code of Construction Practice;
Volume 5 - Appendices to Volume 2 - 2.3 - Accident and Emergency Management Procedures;
Volume 5 - Appendices to Volume 2 - 4.1 - Cumulative Developments and Screening;
Volume 5 - Appendices to Volume 2 - 4.2 - Transboundary Impacts Screening Note;
Volume 6 - Appendices to Volume 3 - 6.1 - Addendum to the Assessment of Landscape and Visual Resources;
Volume 6 - Appendices to Volume 3 - 7.1 - Historic Environment Desk Based Assessment;
Volume 6 - Appendices to Volume 3 - 7.2 - Geophysical Survey Report;
Volume 6 - Appendices to Volume 3 - 8.1 - Agricultural Land Classification Published Data;
Volume 6 - Appendices to Volume 3 - 9.1 - Ecological Desk Study and Survey Report;
Volume 6 - Appendices to Volume 3 - 9.2 - Outline Ecological Management Plan;
Volume 6 - Appendices to Volume 3 - 10.1 - Transport Assessment;
Volume 6 - Appendices to Volume 3 - 11.1 - Baseline Sound Monitoring Report;
Volume 6 - Appendices to Volume 3 - 11.2 - BS4142:2014 Statements of Competency;
Volume 6 - Appendices to Volume 3 - 11.3 - Construction Noise Assessment Methodology and Results;
Volume 6 - Appendices to Volume 3 - 11.4 - Operation Noise Assessment Methodology and Results;
Volume 6 - Appendices to Volume 3 - 11.5 - Standards and Guidance Relevant to Noise and Vibration;
Volume 6 - Appendices to Volume 3 - 12.1 - Assessment of Air Quality Impacts on Ecological Receptors;
Volume 6 - Appendices to Volume 3 - 12.2 - Baseline Air Quality Conditions;

Volume 6 - Appendices to Volume 3 - 12.3 - Stack Height Determination;
Volume 6 - Appendices to Volume 3 - 12.4 - Model Inputs and Outputs;
Volume 6 - Appendices to Volume 3 - 12.5 - Results of Other Scenarios;
Volume 6 - Appendices to Volume 3 - 13.1 - Health Baseline;
Volume 6 - Appendices to Volume 3 - 14.1 - GHG Calculations;
Volume 6 - Appendices to Volume 3 - 15.1 - Flood Risk Assessment;
Volume 6 - Appendices to Volume 3 - 15.2 - Flood Zones and Model Data;
Volume 6 - Appendices to Volume 3 - 15.3 - Surface Water Abstraction Licences, Discharge
Consents and Pollution Incidents; and
Volume 6 - Appendices to Volume 3 - 16.1 - Phase 1 Preliminary Risk Assessment.

Yours faithfully



Planning Manager (Development Management)

contact

From: Michael Hayward <[REDACTED]>
Sent: 31 December 2018 11:52
To: contact
Cc: Neil Donovan
Subject: Thorrock Power
Attachments: Thurrock.JPG

Hi Team,

Gtt (which now owns Interoute and Vtesse) has a leased duct and fibre optic cable which will be within the affected area at the junction of High House Lane and Brentwood road. (drawing attached)

This route is owned and maintained by KPN (which uses Instalcom as their representative), although we are responsible for our own plant protection and installation and changeover of cables should it be required. This duct route may also be affected south of the junction of Biggin Lane, but currently we do not have a cable in that section.

Please feel free to contact me direct should you require any further information.

Best Regards,

Mick Hayward
Lead Engineer Duct & Fibre
[REDACTED]

www.gtt.net



Interoute is a subsidiary of GTT

contact

From: Karen Thorpe <[REDACTED]>
Sent: 12 October 2018 10:08
To: contact
Subject: Thurrock Flexible Generation Plant, Tilbury Marshes

Good morning,

Thank you for sending the relevant information and material regarding the Thurrock Flexible Generation Plant, Tilbury Marshes.

Harlaxton Energy Networks Ltd. at this time has no assets in the area, and will not be implementing any in the near future, therefore Harlaxton has no comment to make on this project.

Kind Regards

Karen Thorpe
Distribution Administration Assistant
0844 800 1813



Visit our website harlaxtonenergynetworks.co.uk and explore at your leisure



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NSIP Consultations
Building 1.2
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

HSE email: NSIP.applications@hse.gov.uk

Thurrock Power Ltd
(By email)

Dear Sir / Madam

09 Nov 2018

**Section 42 Planning Act 2008: Statutory Consultation
Proposed Flexible Generation Power Plant in Thurrock**

Thank you for your letter consulting the Health and Safety Executive (HSE) under Section 42 of the Planning Act 2008, with regard to the proposed Flexible Generation Power Plant in Thurrock.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

We have checked the updated route and, according to HSE's records, there is one major accident hazard site and three major accident hazard pipelines within the proposed development boundary of the Thurrock Flexible Generation Plant for this nationally significant infrastructure project:

Major accident hazard sites:

- 1) HSE ref H1277; operated by British Bata Shoe Company

Major accident hazard pipelines:

- 1) HSE ref 8189, operated by National Grid PLC; 5 feeder Hordon / Tilbury Thomas North
- 2) HSE ref 8191; operated by National Grid PLC; 18 feeder Stapleford / Tilbury Thomas North
- 3) HSE ref 8149; operated by cadent gas ltd; Orsett / Chadwell St. Mary (21)

HSE's Land Use Planning advice would be dependent on the location of areas where public may be present and so it is possible that HSE may advise against this proposal.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

Explosives

HSE has no comment to make as there are no licensed explosive sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

Please note any further electronic communication on this project can be sent directly to the HSE's designated e-mail account for NSIP applications the details of which can be found at the top of this letter.

Alternatively, hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)
NSIP Consultations
1.2 Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Yours faithfully,



Dave Adams

contact

From: Gregory, Andree <[REDACTED]>
Sent: 02 November 2018 13:24
To: contact
Cc: Planning SE
Subject: #6031 Response to Thurrock Power, Land North of Tilbury Power Station, RM18 8UL

For the attention of: Andrew Troup

Site: Thurrock Power, Land North of Tilbury Power Station, RM18 8UL

Development: Statutory Consultation under Section 42 of the Planning Act 2008 – Construct, operate and decommission a flexible generation power plant on land north of Tilbury Substation in Thurrock.

Highways England's Ref No: #6031

Dear Andrew,

Thank you for your consultation letter on the above development at land north of Tilbury Power Station. Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

In the case of this proposed development, Highways England is interested in the potential impact that the development might have upon the M25, in particular Junction 30, the A13 and A1089. We are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN as a result of the construction phase where it may be over a prolonged period of time, with excessive heavy goods vehicles (HGV) and large plant and abnormal load trips. The project of this magnitude has the potential to generate a significant number of HGV and construction staff trips, a large proportion of which from the information you have provided, are likely to use the SRN. In order to minimise potential impacts to the SRN we would look to site operators to identify opportunities to reduce trips during peak periods, this might be through construction and operational management plans to support individual sites and you have started to identify some pertinent information within your consultation.

It should be noted that Highways England's Lower Thames Crossing team has also reviewed this consultation and there are numerous areas where the two proposed schemes overlay, creating potential conflicts. It should be noted that engagement between Highways England (Lower Thames Crossing Project Team) and yourselves has already begun and that engagement will continue as both proposals develop.

At this initial stage, we are concerned with the impact of the construction period on the SRN, in particular the A13 (to the junction with the A108) and M25 Junction 30. We understand that once the site is in operation, the trips associated with the operation of the site will be sporadic and minimal due to the nature of the power plant.

We have looked through the PEIR that has been provided and at this stage we have some queries concerning the information provided. It would be very helpful if these queries (listed below) could be answered, so we can continue working towards understanding the impact this development would have on the SRN and whether any further assessments are required.

- Firstly, from the information provided, it seems that both potential construction routes will be utilising M25 Junction 30. Therefore, all HGVs to and from the site will use M25 Junction 30. Is this correct?
- Could details of where the HGV deliveries will be coming from/travelling to be provided?
- Is the information provided in Table 6.2 and 6.3 of the Transport Assessment based on the construction work being phased; which you have detailed to take 4.5-6 years, or undertaken over the period between 2020-2021?
- Could details of where the construction staff are most likely to be commuting from be provided?
- Could the quantum of construction staff parking spaces be provided?
- It is mentioned that a Construction Staff Travel Plan will be provided with the Development Consent submission. Will there be an attempt to reduce the number of Single Occupancy Car Drivers (75%) to and from the site? What measures are you proposing?

We hope this provides you with more information on Highways England's current position in regards to this development and we welcome your comments back regarding our queries above. We look forward to continue working with you. If you have any questions, please do not hesitate to contact us, via our inbox: planningse@highwaysengland.co.uk

Sent on behalf of Janice Burgess Spatial Planning Manager

Andree Gregory

Spatial Planning Administrator

Tel: +44 (0) 300 470 1256

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://www.highways.co.uk>

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Historic England

EAST OF ENGLAND OFFICE

Mr Andrew Troup
Thurrock Power
1st Floor
145 Kensington Church Street
London
W8 7LP

Direct Dial: 01223 582720

Our ref: PL00490033

14 November 2018

Dear Mr Troup

**Thurrock Power Ltd
Proposed Thurrock Flexible Generation Plant
Statutory Consultation under Section 42 of the Planning Act 2008**

Thank you for your letter received 12 October requesting our comments on the Preliminary Environmental Information Report (PEIR).

The proposed development (Thurrock Flexible Generation Plant) would comprise reciprocating gas engines, batteries and associated electrical and control equipment, a new permanent access road and potential temporary construction access roads, a gas pipeline connection to the gas national transmission system and potentially a cooling water pipeline to the River Thames. The electric export connection will be via underground cables to the adjacent National Grid Tilbury substation.

The historic environment is a finite and non-renewable environmental resource which includes designated and non-designated heritage assets, historic landscapes and sites of historic and evidential interest. It is a rich and diverse part of England's cultural heritage and makes a valuable contribution to our cultural, social and economic life. This development would be within a wider historic landscape that contains a number of designated and non-designated heritage assets. The PEIR report is a summary account of matters which will be fully considered in the Environmental Impact Assessment (EIA).

Historic England regrets that due to unavailability on dates offered by Thurrock Borough Council (p. 6, 1-2.5) we have not yet had the opportunity to discuss these matters with your heritage consultants. Although a meeting has been arranged for the 14 November, this is the closing date for this consultation and our formal response is thus made in advance of that meeting and without the benefit of any pre-application discussion. It should be noted that we received no reply to our letter offering our pre-application service on 26 April 2018.

Designated Heritage Assets: Built Heritage



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.



The PEIR report confirms that no designated heritage assets which would be directly affected by the proposed development. The PEIR report identifies designated heritage assets within a 1-3 and 3-5 km study area. We do not propose to comment on all the assets identified at this stage.

The principal designated heritage assets which the PEIR concludes may be impacted indirectly by the proposed development are the scheduled monuments at Tilbury Fort, Earthworks near West Tilbury Church, WWII anti-aircraft battery at Bowaters Farm, and Coalhouse Fort. Listed buildings include St James' Church, West Tilbury, and the Tilbury Cruise Terminal, both listed at grade II*. Conservation Areas include West Tilbury.

Comments:

- Need to agree viewpoints with Historic England and the LPA's heritage advisers to assess the impact of the proposed development on the setting of these assets (p.6).
- Bowater Farm Battery: The presence of vegetation surrounding the scheduled battery at Bowater Farm does not of itself justify the conclusion that no impacts on its setting will arise since vegetation is not permanent and may be removed (4.1.26).
- Tilbury Fort: we consider the landward defences; their setting and the contribution these make to its significance are of great importance. We consider this to have been significantly understated in the PEIR and do not agree this assessment (4.1.51).
- An assessment of the Earthworks at West Tilbury is described in 3.1.26, but not assessed in Section 4.
- An assessment of St James' Church West Tilbury is missing from Section 4.
- The assessment of the construction, operational and decommissioned phases is simplistic, but we assume it will be fully developed in the EIA.
- The cumulative impacts need to be considered in the light of changes to the proposals for Tilbury Energy Centre and Lower Thames Crossing.

Non-designated Buried Archaeological Remains

The local planning authority's archaeological adviser takes the lead in advising on the identification, assessment and scope for mitigation on non-designated buried archaeological remains. However, we note that a comprehensive assessment and evaluation to establish the potential for buried archaeological remains across all areas of the development which would involve ground works has yet to be completed (Section 2.3). This work will need to be undertaken to inform the EIA in order that the application meets the requirements of the National Policy Statement for Energy on the Historic Environment (para 5.8.8-10) and not carried out post-consent as part of the construction phase (4.1.12-13).





Historic England

EAST OF ENGLAND OFFICE

Given that Historic England is to meet for a Heritage workshop with Thurrock Borough Council and its heritage advisers on the 14 November, I hope the above will provide a basis for further discussion.

Yours sincerely,

[REDACTED]
Deborah Priddy
Inspector of Ancient Monuments
[REDACTED]



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



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contact

From: Andy Low <[REDACTED]>
Sent: 26 November 2018 11:54
To: contact
Cc: enquiries@indigopipelines.co.uk
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Hi Kirsty,

Many thanks for your email. We have received your letter and can confirm that have no apparatus which would be affected by your proposals.

Best regards,

Andy Low

Andy Low | Director of Commercial Operations
Indigo Pipelines Limited
[REDACTED]
[REDACTED]



17 Blythswood Square | Glasgow G2 4AD
www.indigopipelines.co.uk

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From: contact <contact@thurrockpower.co.uk>
Sent: 22 November 2018 14:42
To: enquiries@indigopipelines.co.uk
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

To whom this concerns,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty

Kirsty Cassie

Thurrock Power Limited

1st Floor | 145 Kensington Church Street

London | W8 7LP

Tel: 02071860580

Email: contact@thurrockpower.co.uk

Website: www.thurrockpower.co.uk



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Thurrock Power
1st Floor
145 Kensington Church Street
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W8 7LP

**Environment, Planning and
Enforcement**

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

Phone: 03000 415718

Ask for: Chloe Palmer

BY EMAIL ONLY

14 November 2018

Dear Sir/Madam,

Re: Thurrock Flexible Generation Plant – Formal Consultation

Thank you for providing Kent County Council (KCC) with the opportunity to comment on the information presented in the Preliminary Environmental Impact Report (PEIR). The County Council has reviewed the PEIR and its comments are set out in full below.

Habitats Regulation Assessment Report

As the proposed development is located within Essex, KCC is not commenting on the direct impact of the proposed development on protected/notable species or habitats.

However, the construction/operational phases of the proposed development have the potential to impact on the designated sites within Kent. A Habitats Regulations Assessment (HRA) has been submitted as part of the application; however, KCC highlights that the HRA has not fully considered all of the designated sites within 15km of the proposed development site.

The Medway Estuary and Marshes Special Protection Area (SPA) and Ramsar site is shown on Figure 1 of the HRA Report as being within 15km of the proposed development site. However, the HRA does not assess the impact of the proposed development on the designated site, nor does it set out how it has reached the conclusion that the designated site does not need to be assessed as part of the HRA. Therefore, KCC considers that the HRA is incomplete, and there is a need for a revised HRA to be produced as part of the Development Consent Order (DCO) application.

The County Council would appreciate the opportunity to consider the report in full once this additional information is submitted.

Preliminary Environmental Information Report

Directive 2014/52/EU entered UK law on 16th May 2017 as a part of the Environmental Impact Assessment (EIA) Regulations and requires appropriate consideration of major accident and disaster risks to be undertaken.

Although the proposed development does not qualify as a Control of Major Accident Hazards (COMAH) site, it would be good practice to develop and maintain an onsite emergency and business continuity plan. This could potentially be developed with local resilience partners and could address potential risks such as flooding, flue gas escape and waste fires.

The County Council considers that one key issue is ensuring that the scheme delivers significant and appropriate environmental mitigation. This should be provided in areas such as contaminated waste water storage, air quality safeguards (encompassing both industrial processes and traffic emissions), intensity of operation and staffing (and any associated travel plan). The type of landscaping, sustainable urban drainage infrastructure and other ecological mitigation should be considered within this context.

KCC would welcome continued opportunity to engage throughout the progression of the DCO. If you require further information or clarification on any matter in this letter, then please do not hesitate to contact KCC.

Yours sincerely,



Katie Stewart

Director - Environment, Planning and Enforcement

contact

From: Katie Miller [REDACTED]
Sent: 22 November 2018 18:22
To: contact
Subject: THURROCK POWER - KENT DOWNS AONB UNIT CONSULTATION OCTOBER 2018

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for consulting the Kent Downs AONB Unit on the above.

I can confirm that we have no comments to make at this stage.

Kind regards

Katie Miller
Planning Manager
Kent Downs AONB Unit

West Barn, Penstock Hall Farm
Canterbury Road
East Brabourne
Ashford
Kent TN25 5 LL

Tel 01303 815170



Development Management
Planning Department
Regeneration & Growth
Civic Offices, 2 Watling Street,
Bexleyheath, Kent, DA6 7AT
Telephone 020 8303 7777

The person dealing with this matter is: Mark Watling
Direct Dial: 0203 045 5771
[Redacted]

Our Application Reference Number: 18/02731/ALA

Date: 8.11.2018

Thurrock Power Ltd
1st Floor
145 Kensington High Street
London
W8 7LP

BY EMAIL

Dear Sir

Re: Statutory Consultation under Section 42 of the Planning Act 2008 to construct, operate and decommission a flexible generation power plan on land north of Tilbury Substation in Thurrock

Thank you for the opportunity to comment on the above. I can confirm that the London Borough of Bexley wishes to raise no objections to the proposal.

Yours faithfully

[Redacted Signature]

Mr R Lancaster
Head of Development Management

contact

From: contact
Sent: 26 November 2018 10:15
To: Andrew Troup; Tom Dearing; Stephanie Boswall
Subject: FW: Thurrock Flexible Generation Plant Section 42 Consultation
Attachments: Thurrock Flexible Generation Plant - MMO Response

MMO response, however this is to the Scoping Report not the PEIR as their concerns are mainly around cooling water. I'll respond guiding them to the PEIR on the website and let them know that the option of cooling water has now been dropped.

K

From: Short, Jamie (MMO) [REDACTED]
Sent: 26 November 2018 10:07
To: contact <contact@thurrockpower.co.uk>
Subject: RE: Thurrock Flexible Generation Plant Section 42 Consultation

Good morning Kirsty,

Thank you for your email. Having reviewed our records it appears MMO responded to this request on 7th September 2018. I've attached the response.

I hope this answers your query, if you have any further questions please don't hesitate to contact me.

Kind Regards,

Jamie Short | Marine Licensing Case Officer (Thames Tideway Tunnel) | Marine Licensing | Marine Management Organisation
0208 225 6469 [REDACTED] | Lancaster House, Hampshire Court, Newcastle upon Tyne. NE4 7YH
Web: www.gov.uk/mmo | Twitter: [@the_MMO](https://twitter.com/the_MMO) | Facebook: www.facebook.com/MarineManagementOrganisation

Enabling sustainable growth in our marine area.

From: Davis, Andrew (MMO)
Sent: 23 November 2018 10:57
To: Fay, Tim (MMO) <[REDACTED]>
Cc: Short, Jamie (MMO) <[REDACTED]> DCO/2018/00015@marinelicensing.marinemanagement.org.uk
Subject: FW: Thurrock Flexible Generation Plant Section 42 Consultation

Hello both

FYA

Regards
Andy

From: contact [<mailto:contact@thurrockpower.co.uk>]
Sent: 22 November 2018 10:59
To: SH - MFA Marine Consents (MMO) <marine.consents@marinemanagement.org.uk>
Subject: Thurrock Flexible Generation Plant Section 42 Consultation

To whom this concerns,

You are receiving this email to follow up on the Thurrock Flexible Generation Plant consultation under section 42 Of the Planning Act 2008. A consultation letter was sent to you in advance of the formal consultation period, which ran from 16th October to 14th November 2018, and we are following up with you as an organisation that has not yet provided feedback on our development proposals. We are keen to engage with you and should be grateful if you would confirm receipt of our original letter and indicate whether you are intending to respond/provide feedback. If you would like to discuss any aspect of the proposed development or have any questions, please do not hesitate to contact us by email (contact@thurrockpower.co.uk) or by telephone (0207 1860580).

We look forward to hearing from you.

Kind regards,

Kirsty
Kirsty Cassie

Thurrock Power Limited
1st Floor | 145 Kensington Church Street
London | W8 7LP
Tel: 02071860580
Email: contact@thurrockpower.co.uk
Website: www.thurrockpower.co.uk



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Marine Management Organisation

Comments on Environmental Impact Assessment Scoping Report

Title: Thurrock Flexible Generation Plant

Applicant: Thurrock Power Ltd

MMO Reference: DCO/2018/00015

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1 Proposal

1.1 Thurrock Power Ltd proposes to develop a flexible generation plant on land north of Tilbury Substation in Thurrock. The flexible generation plant will provide up to 600 megawatts (MW) of electrical generation capacity and up to 150 MW of battery storage capacity on a fast response basis when called by the National Grid. If consented, it will provide resilience to the electricity grid when this is needed due to intermittent generation from other sources (such as wind power) or short term demand from consumers.

1.2 If consented, the flexible generation plant itself will comprise reciprocating gas engines, batteries and associated electrical and control equipment. A new permanent access road and potential temporary construction access roads, a gas pipeline connection to the gas national transmission system and potentially a cooling water pipeline to the River Thames are proposed for development. The electrical export connection will be via underground cables to the immediately adjacent National Grid Tilbury Substation.

2 Project Background

2.1 Alternative sites and technologies for the proposed development have been considered by Thurrock Power. The proposed development site offers a suitable connection to the London 275 kilovolt (kV) transmission network at Tilbury Substation. The guidance of national policy, consultation with National Grid and a detailed assessment of 'Best Available Technology' have together led the applicant to conclude that there is a need for a flexible generation plant using the technology proposed.

3 Location

3.1 The proposed main development site is located on land south west of Station Road near Tilbury, Essex, and comprises undeveloped land with no current buildings. The main development site is around 18 hectares (ha) in size and the entire area within the draft application boundary is around 182 ha. The main development site is approximately 800m east of Tilbury, with its immediate surroundings being agricultural land, other than the National Grid 275 kV Tilbury Substation immediately to the south, and the railway line passing through the application site boundary to the north of the main development site.

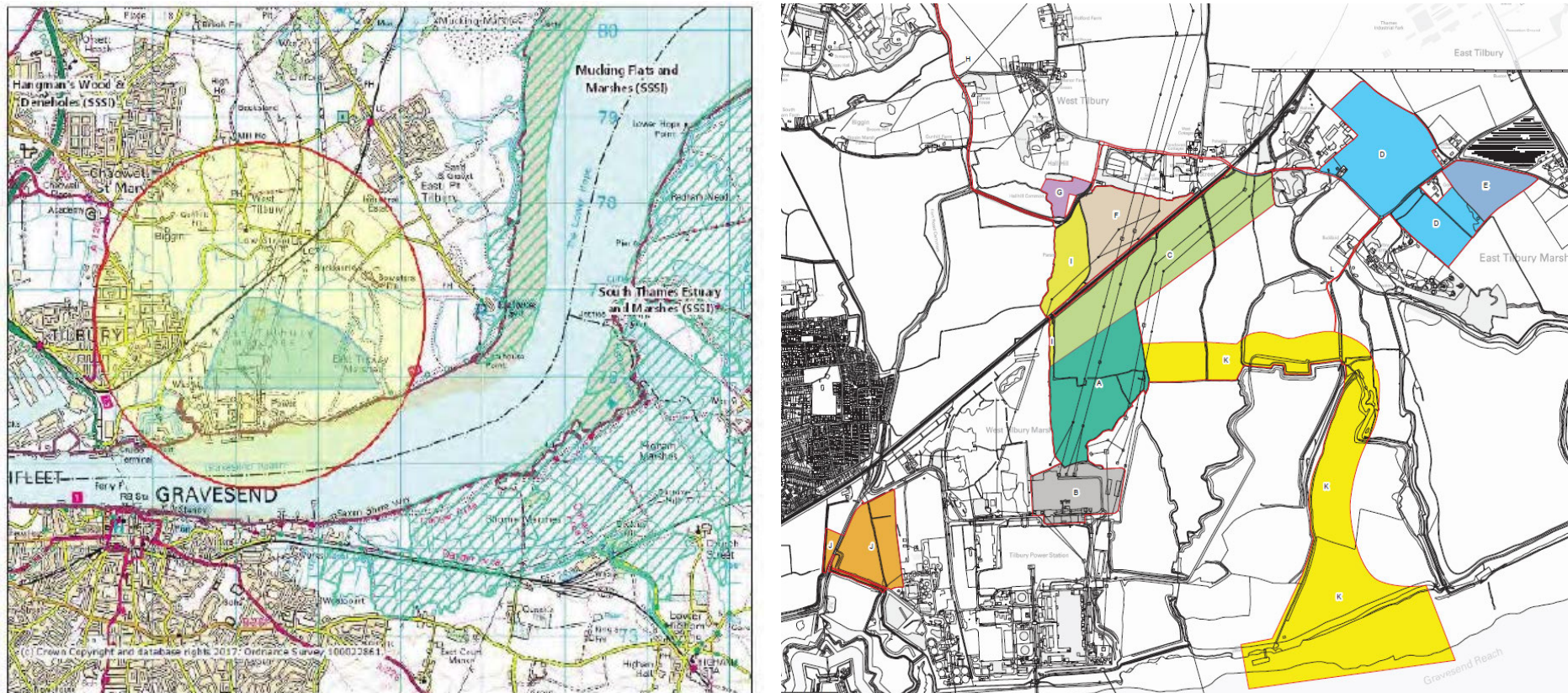


Figure 1: Location of proposed works for Thurrock Flexible Generation Plant (See EIA Scoping Report Figures for further details)

4 The Marine Management Organisation's role in Nationally Significant Infrastructure Projects

4.1 The Marine Management Organisation (MMO) was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in the marine area by way of a marine licence¹. Marine licences are required for deposits or removals of articles or substances below the level of Mean High Water Springs (MHWS), unless a relevant exemption applies under the Marine Licensing (Exempted Activities) (Amendment) Order 2013 (the "2013 Order").

4.2 In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the Planning Act 2008 (the "2008 Act") enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences². Alternatively, applicants may wish to separately seek consent for a marine licence directly from the MMO rather than having it deemed by a DCO.

4.3 For NSIPs where applicants choose to have a marine licence deemed by a DCO, during pre-application the MMO will advise developers on the aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction within the marine area, this would also include assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

4.4 Whether a marine licence is deemed within a DCO or consented independently by the MMO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations. This includes ensuring that there has been a thorough assessment of the impact of the works on the marine environment (both direct and indirect), that it is clear within the DCO which works are consented within the deemed marine licence, that conditions or provisions imposed are proportionate, robust and enforceable and that there is clear and sufficient detail to allow for monitoring and enforcement. To achieve this, the MMO would seek to agree the deemed marine licence with the developer for inclusion with their application to the Planning Inspectorate ("PINS").

4.5 Further information on licensable activities can be found on the MMO website³. Further information on the interaction between PINS and the MMO can be found in our joint advice note⁴.

4.6 The MMO recognises there is some overlap between the geographical jurisdiction of the MMO and the local planning authorities (i.e. between MHWS and mean low water springs).

¹ Under Part 4 of the 2009 Act

² Section 149A of the 2008 Act

³ <https://www.gov.uk/guidance/do-i-need-a-marine-licence>

⁴ <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2012/04/Advice-note-11-Annex-B-MMO.pdf>

4.7 The MMO has considered this and is of the view that matters which fall within the scope of the marine licensing provisions of the 2009 Act (i.e. anything below MHWS) are generally best regulated by conditions on marine licences. This should minimise the risk of inconsistency between different schemes of regulation, or of a duplication of controls.

4.8 In considering applications for marine licences to be consented independently by the MMO, the MMO regularly consults with bodies including, but not limited, to:

- The Environment Agency
- Natural England
- Natural Resources Wales (for works in or affecting Wales)
- the Maritime and Coastguard Agency
- Historic England
- local planning authorities
- local harbour authorities
- local inshore fisheries and conservation authorities
- the Royal Yachting Association (RYA)
- the Royal Society for the Protection of Birds
- the corporation of the Trinity House of Deptford Strond.

4.9 Where a marine licence is to be deemed within a DCO, the MMO would expect that comments provided by the above list of bodies and any other relevant bodies are taken into consideration.

5 Activities for this project that would be licensable under the 2009 Act

5.1 The report includes very limited detail regarding construction activities and their associated methodologies. Whilst this is the case, based on the information supplied, it would appear that construction of the intake and outfall structures and all associated works below MHWS associated with the proposed cooling water system would be licensable under the 2009 Act.

5.2 In addition to this, it would appear that from the scoping report (Section 3.35) the applicant proposes to utilise a jetty to the South East of the land package to facilitate access via barge (Item K, Figure 2, Sheet 1). Works to facilitate the use of the jetty as an access asset are also likely to be licensable under the 2009 Act.

5.3 Any additional works or activities taking place within the UK Marine Area (Section 42 of the 2009 Act) which may require a marine licence under the 2009 Act should be notified to the MMO at the earliest opportunity, and the impacts of such works considered in the Environmental Impact Assessment (EIA) process.

6 Scoping Opinion

6.1 On 10th August 2018, the Planning Inspectorate requested a Scoping Opinion from the MMO. In so doing, a Scoping Report entitled “EIA Scoping Report – Thurrock Flexible Generation Plant” has been submitted to the MMO for review.

6.2 We have significant concerns surrounding some of the screening & scoping decisions to-date particularly with respect to environmental impacts in the Marine Environment (such as fisheries). Beyond this matter which is clarified below, the MMO is broadly in agreement with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the EIA and must be included in any resulting Environmental Statement.

7 Cultural Heritage

7.1 The MMO welcomes the methodology for informing the Cultural Heritage Assessment which can be found in section 8.27 of the scoping report, but would defer to Historic England and their formal response to the PINS on this matter.

7.2 The MMO note that there are a number of heritage features within the vicinity of the proposed project area. The MMO is content that these have been considered in section 8.23 of the scoping report, and as per section 7.2 of this report, welcome the methodology for assessing potential impacts.

8 Landscape and Visual Impact

8.1 The MMO welcomes the methodology for informing the potential landscape and visual impacts which can be found in section 8.10 of the scoping report, including considering mitigation measures as part of the iterative design process.

8.2 Visual disturbance to local ornithological features should be considered in any final ensuing ES. The MMO draw your attention to the local Royal Society for the Protection of Birds (RSPB) Thames Estuary and Marshes Important Bird Area (IBA) which is within the direct vicinity of the proposed outfall, intake and jetty work area.

8.3 Visual disturbance to the species within the vicinity of works should be considered in any final ensuing ES. Whilst Natural England are most well-placed to advise on this matter, the MMO draw your attention to the following local designated sites: Mucking Flats and Marshes Site of Special Scientific Interest (SSSI); South Thames Estuary and Marshes SSSI; Thames Estuary and Marshes Special Protected Area and; Thames Estuary and Marshes Ramsar.

9 Noise and Vibration

9.1 The ES should include an assessment of the potential risk of impact of underwater noise on sensitive receptors. This should be supported by relevant and recent scientific literature, for example, Popper et al (2014) for fish and National Marine Fisheries Service (NMFS) (NOAA) (2016) for marine mammals.

9.2 The MMO agrees with the scoping in of 'aquatic environment' for further assessment. Section 8.110 of the report identifies that 'there may be disturbance of aquatic ecological receptors in the vicinity of the development during construction, including direct effects such as underwater noise on fish and aquatic mammal species'. However, detailed information on the construction works is limited at this stage. The MMO expect this to be expanded on as part of the ES.

9.3 Although not explicitly clear in the report, the MMO requests that the potential impacts of underwater noise on marine receptors to be considered in the

Environmental Statement (ES). Underwater noise (e.g. increased background noise and specific sound sources) may impact marine receptors in the following various ways:

- Masking – noise can interfere with an animal's ability to detect biologically important sounds
- Behavioural changes – noise can cause animals to alter their behaviour
- Physiological stress
- Auditory injury (hearing loss) – temporary or permanent
- Non- auditory injury / tissue damage
- Direct or indirect mortality

9.4 The MMO note that at this stage, no specific mitigation measures in relation to underwater noise have been proposed. This must be considered in the ES.

9.5 The MMO supports the scoping-in of the aquatic environment for further assessment. Specific marine receptors (to be scoped in) have not been identified as such, although information on the baseline conditions is provided in the report.

9.6 Detailed information of the proposed construction works is also limited, however, underwater noise has been identified as having the potential to directly affect fish and marine mammals. As above, the MMO expects that the potential impacts of underwater noise on marine receptors will be considered in the ES and this should be substantiated with detailed species-specific assessments.

9.7 Noise disturbance to local ornithological features should be considered in any final ensuing ES. The MMO draw your attention to the local RSPB Thames Estuary and Marshes IBA which is within the direct vicinity of proposed outfall, intake and jetty work area.

9.8 Noise disturbance to the species within the vicinity of works should be considered in any final ensuing ES. Whilst Natural England are most well-placed to advise on this matter, the MMO draw your attention to the following local designated sites: Mucking Flats and Marshes Site of Special Scientific Interest (SSSI); South Thames Estuary and Marshes SSSI; Thames Estuary and Marshes Special Protected Area and; Thames Estuary and Marshes Ramsar.

10 Contaminated Land, Land Use and Hydrogeology

10.1 The MMO welcomes the intention to assess the potential for contamination, particular consideration should be given to disturbance of the river bed sediment (both during construction and operation) within section 8.101 of the ES.

11 Marine Ecology and Fisheries

11.1 The scoping report discusses the likely requirement for thermal plume modelling to fully assess the potential impacts from the cooling water intake. The MMO request clarification that this includes the potential impact to benthos near the outfall pipe should be sought for the ES.

11.2 At present, the scoping report (section 8.112) only cites RWE Tilbury with regards to in-combination impacts concerning thermal plume. MMO require this to be

expanded on, taking into account any other facilities within an agreed study area which may lead to a temperature uplift on the Thames Water Body.

11.3 To date, the MMO has not been approached to inform the scope of thermal and/or chemical modelling for the cooling water system. MMO would expect these discussions to take place as a critical requirement at this stage of the project.

11.4 All other benthic aspects relevant to the construction and operation of the development have been scoped in. However, the intertidal and subtidal surveys are stated to commence in August 2018. Details of sampling design have not been clarified. Details on sampling equipment, methodology, sample location and level of sample replication should be provided in the ES and be sufficient for addressing the underlying reasons for the survey requirement i.e. biota, particle size distribution and contaminants.

11.5 Relevant datasets from the aquatic ecology surveys undertaken for the RWE Tilbury Energy Centre (TEC) development may become available and provide suitable information for the proposed development. This information should be provided in the ES.

11.6 In addition, an assessment of the cumulative impacts of the RWE TEC development's water-cooling proposal will be carried out. This information should be provided in the ES.

11.7 The MMO considers the data gathering and consideration of likely effects on benthos are appropriate.

11.8 Chemical treatment of biofouling within the once through water cooling system is not thought to be necessary due to knowledge of the nearby Tilbury Power Station's similar system; thus, avoiding the impact of chemical emissions on the benthos. If the use of chemical treatment is necessary, then the impacts of this will need to be scoped in to the ES.

11.9 The scoping report does not include information on how the cooling water intake arrangement mitigates the risk of impingement, and therefore the impact to the benthos has not been presented. MMO would expect consideration of this to be presented in the ES, and strongly disagree with the lack of inclusion at this stage.

11.10 Table 8.7 within the scoping report concludes that the fish screen will prevent fish from entering the pipe – the MMO fundamentally disagrees with this conclusion at this stage, noting that the project is significantly far from a point where such a conclusion can be reached. The risks associated with impingement, entrainment and entrapment of species within the cooling water system are significant and must be considered by the applicant at the earliest opportunity. Engagement is strongly encouraged with both the MMO, and the Environment Agency.

11.11 It should also be clarified that whilst it may be possible to mitigate fish impingement through the use of specialised screens (such as that which is quoted in the report), the entrainment and impingement of fish eggs, larvae and other plankton will be much more difficult. The MMO would expect the risk of this to be

proportionately assessed, given both: the likelihood that organisms will be entrained and impinged, and the commercial, economic and environmental importance of vulnerable fish receptors. As such, MMO would consider it necessary to seek plankton advice to assess this impact.

11.12 With regard to details regarding mitigation where the cooling water intake is concerned, MMO would expect to see specifications and methodology of the protective wedge wire screen including where inside the cooling pipe this would be placed; the target species that would benefit; evidence that it is effective to the point that is being assumed by the applicant, i.e. that it is effective enough to significantly mitigate against fish impingement. The applicant must provide further detail as to why their selected screen is sufficient in the mitigation of threat to marine life.

11.13 MMO support the applicant's recognition of the Thames Estuary recommended Marine Conservation Zone (rMCZ) as being a potentially relevant marine receptor, particularly given the area's national importance for fish spawning and nursing. MMO recommend continuation of the assumption that the rMCZ should be assessed as if it were a verified MCZ.

11.14 MMO note that the applicant has accurately identified the notable fish receptors smelt (*Osmerus eperlanus*), herring (*Clupea harengus*), sprat (*Sprattus sprattus*), thornback ray (*Raja clavata*), dover sole (*Solea solea*), seabass (*Dicentrarchus labrax*) and sea lamprey (*Petromyzon marinus*). The applicant has also accurately identified the national importance of the Thames for smelt spawning: indeed, this population is considered the most important in the UK. MMO recommend that the applicant consider specific smelt conservation advice compiled by the Zoological Society of London.

11.15 MMO would expect the applicant to consider the increased vulnerability of European seabass in UK waters, as per UK restrictions on fishing activity, in their consideration of likely significant effects.

11.16 The entire Thames Estuary is also considered to be a very important area for Sole – particularly with regard to spawning activity. This in turn supports one of the most important commercial fisheries in the North Sea region. This stock is also considered to be at risk of reduced reproductive capacity and as such, the MMO expect proportionate consideration of the potential impact of the cooling water outflow on Sole in the Thames, and the North Sea.

11.17 The baseline environment assessment was informed by data and reports from the Environment Agency (EA), Water Framework Directive (WFD), Cefas and the Thames Estuary Dredge Association (TEDA). Whilst this is a broad range of good material to support the baseline description, MMO note that TEDA data are somewhat dated, and that there could be more relevant up to date material used. These data also refer to the Outer Thames Estuary, which, whilst relevant to a higher level, do not give the best description of the Thames' riverine environment. Nonetheless, the baseline environment description is detailed and accurate

12 Estuarine and Geomorphology & Coastal Processes

12.1 Section 8.7 of the scoping report discusses water cooling system construction impacts due to sediment disturbance, displacement and removal, sediment suspension and resettlement, and changes to hydrodynamics. The operational phase of the cooling water system also has potential to cause similar effects, and these should also be scoped in and included in the ES.

12.2 Changes to the hydrodynamics from installation of temporary and permanent structures (cooling water pipes) is identified in the context of effects on aquatic ecology (paragraph 8.110). However, changes to the hydrodynamics could also affect riverbank morphology, with potential changes to sediment transport regime and bed level (scour). The MMO expect to see morphology of the riverbank (intertidal and subtidal) to be identified as a receptor and included in the ES.

12.3 Impacts relating to coastal processes that have been explicitly scoped out include saltmarsh assessment and use of what is referred to as an 'existing consented jetty'. Any new or amended jetty structure will need to be considered with respect to coastal processes (see item 13.2 below). Notwithstanding this clarification, table 8.7 provides sufficient justification for these impacts being scoped out and the MMO is largely in agreement with these conclusions (excluding the points above including 11.10). However, impacts on riverbank and riverbed morphology should be scoped in, and the EIA should assess whether there will be far field impacts that could influence the saltmarsh.

12.4 Riverbank morphology and bathymetry should be suitably monitored if impacts are expected to occur as a result of the water-cooling system. PSA analysis will form a useful part of the assessment, however should be complemented by bathymetric surveys.

12.5 The applicant will consider the option for either an air based or water-based cooling system, and MMO expect this decision to be informed by the outcomes of the EIA. This embeds mitigation into the project design process.

12.6 Monitoring and mitigation may be required if the water-cooling system is selected; this is not covered in the scoping document but should be addressed in the ES. If the development includes a cooling water system, then impacts on riverbank and bed morphology should be scoped in and assessed appropriately within the EIA. The proposed assessment of effects on aquatic ecology is focussed on construction impacts. This should be extended to consider operational impacts of the cooling water system on sediment disturbance, displacement/removal of seabed sediments, sediment suspension and resettlement.

13 Navigation

13.1 The MMO expect consideration to be given to navigation and other users of the sea, given that the proposal includes marine works (specifically construction of a jetty and potential use of barges). Given the quantity of material to be brought onto site, it is concerning that this has not been addressed under sections 8.41-8.52 of the scoping report.

13.2 It is the MMO's understanding that the jetty proposed (item K, Site Plan Development Zones) is a Thames Tideway Tunnel (TTT)-related structure and during licensing (MLA/2017/00055), it was stated that 'The jetty itself has been designed as a temporary structure and is expected to operate for 5 years for the Tideway project before being decommissioned.' We are also aware that the corresponding licence covering this structure (L/2017/00214/1) includes proposals for its decommissioning. There are a number of outstanding questions to be answered with respect to the jetty; if works are planned before the end of the TTT-jetty use, how will access be coordinated so as to avoid navigational risk and, more broadly, in order to reduce conflict between legitimate users of the sea? Conversely, if works are set to extend beyond the period where the Jetty is being used by the TTT project, what provision is in place to use the jetty for access (noting that the current structure is due to be decommissioned after TTT use).

13.3 The Maritime Coastguard Agency, local harbour authority and local boating/yacht clubs all may wish to comment on potential navigational issues relating to the project.

14 Health Impacts

14.1 The MMO welcomes the intention to consider potential impacts to Human Health in respective topics within the ES (for example air quality & contamination), rather than a separate chapter, due to the lack of potential for impacts given the nature, scale and location of the project.

15 Traffic & Transport

15.1 The MMO welcomes the approach to assess potential impacts from traffic and transport during construction and operation of the proposed works. The Local Planning Authority and Department for Transport may wish to comment.

15.2 As discussed in section 13.1 of this report, given the quantity of material to be brought onto site, it is concerning that use of the jetty for barge access has not been addressed under sections 8.41-8.52 of the scoping report.

16 Climate Change

16.1 The MMO welcomes the approach to carry out assessments on the potential impacts from greenhouse gas emissions through construction and operation of the proposed works, as discussed in sections 8.190-8.197 of the scoping report.

16.2 The MMO note that reference is not made to the forthcoming updated climate change predictions under UKCP18. UKCP09 (and its forthcoming replacement UKCP18) are an important source of data to inform climate change resilience. This should be borne in mind going forward and a precautionary approach should be taken with regards to 'worst case' coastal process / flood risk impacts considered with respect to the site operating throughout periods of climate change.

17 Water Resources & Flood Risk

17.1 The MMO welcomes the scope of assessments in relation to potential impacts to water quality, groundwater & risk of flooding as a result of the proposals. For further comment on these matters, MMO defers to the Environment Agency.

17.2 As discussed in section 16.2 of this report, a precautionary approach should be taken with regards to 'worst case' coastal process / flood risk impacts considered with respect to the site operating throughout periods of climate change.

18 Cumulative Impacts & In-Combination Impacts

18.1 The MMO welcomes the approach to carry out a Cumulative Effects Assessment in order to assess impacts from incremental changes caused by other projects in the vicinity of these works. There is likely to be significant stress introduced into the marine environment with this proposal.

18.2 There are a number of activities which may coincide in their introduction of stress into the marine environment, both in the immediate vicinity and in the wider Thames Estuary. Those in the immediate vicinity include:

- Cement works jetty at Frog Island, Dagenham
- Tilbury Power Station
- Tilbury Terminal 2
- Rainham Jetty, Essex
- Belvedere Energy Park, Bexley

19 Risk of Major Accidents and Disasters Relevant to the Project

19.1 The MMO would expect to see a full consideration in the ES, of how the surrounding environment would be impacted should a major accident/disaster, which is not within Thurrock Power Ltd's control, destroy or damage the facility, for example as a result of a tidal surge.

20 Planning Context

20.1 In relation to cooling options, Sections 3.24-3.27 of the scoping report state that "The applicant may select a preferred solution during subsequent stages of the pre-application process, may seek development consent for both options within the project design envelope, or may make a local authority Town and Country Planning Act application outside the DCO consenting regime for the cooling water connection as 'associated development'". The MMO note that in order for the project to be fully assessed in its entirety then all potential options must be assessed with the ES (and design envelope). The approach described within the EIA scoping report is in conflict with the 'project as a whole' approach to EIA; given the potential significance of marine-impacts if direct cooling via The Thames is taken forward, this needs to form part of the overall ES.

20.2 Section 1.16 of the scoping report details the consultation carried out to-date. No MMO consultation has been carried out prior to this stage, which is concerning given the MMO is a key regulator for activities taking place below MHWS. If a cooling

water intake and access (through a jetty, for example) is required, there may be significant challenges to overcome and the lack of prior discussion is therefore a concern.

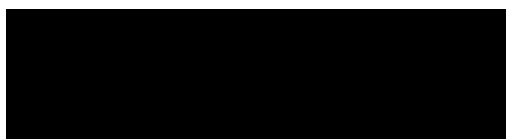
21 Conclusion

21.1 The topics highlighted in this scoping opinion must be assessed during the EIA process and the outcome of these assessments **must** be documented in the ES in support of the application. This statement, however, should not necessarily be seen as a definitive list of all EIA requirements. Given the scale and programme of these planned works other work may prove necessary.

21.2 Although a number of elements have been raised throughout this document which must be taken into account at EIA/ES stage, MMO have a number of particular concerns – namely, the risks posed to fisheries species through the potential cooling-water system, and the claims that fish will be prevented from entering the cooling water system; as described above, it is MMO's stance that the project is a significant way from reaching this conclusion.

21.3 Further concerns remain regarding the lack of an approach to MMO with regard to informing the scope of thermal / chemical modelling for the cooling water system.

21.4 Interaction with the MMO at the earliest opportunity is recommended, in order to attempt to resolve these and other key issues.



Jamie Short
Marine Licensing Case Officer
7 September 2018

Land and Acquisitions

Spencer Jefferies
Development Liaison Officer
Network management

Direct tel: [REDACTED]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:

contact@thurrockpower.co.uk

14 November 2018

Dear Sir/Madam

**THURROCK POWER LIMITED (STATERA ENERGY GROUP COMPANY)
PROPOSED FLEXIBLE GENERATION POWER PLANT IN THURROCK
Statutory Consultation under Section 42 of the Planning Act 2018**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 16th October 2018 regarding the proposed Order. NGET and NGG wish to express their interest in further consultation while the impact on our assets is still being assessed.

In respect of existing NGET and NGG infrastructure, both will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus; providing that the order affects NGET & NGG apparatus in any way.

NGET assets affected by the proposed Order (asset plan attached):

TILBURY2 275KV SUBSTATION
TILBURY4 400KV SUBSTATION
YYJ 400 KV Over Head Line Route
ZB 275KV Over Head Line Route
ZJ 400KV Over Head Line Route
400 KV cables joining TILBURY2 & TILBURY4

NGG assets affected by the proposed Order (asset plan attached):

FEEDER 18 – MATCHING GREEN TO TILBURY – High Pressure Gas Pipeline

Please see relevant guidance for working near NGET & NGG assets below.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGET's & NGG's apparatus, both will require appropriate protection and further discussion on the impact to its apparatus and rights.

Specific Comments – Electricity Infrastructure:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004).
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should **ONLY** cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

Cables Crossing:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.

- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

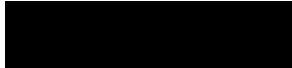
- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

Technical information and guidance documents mentioned above in regards to National Grid's apparatus can be found at:

<https://www.nationalgrid.com/uk/about-grid/our-networks-and-assets/land-planning-and-development>

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours sincerely



Spencer Jefferies
Development Liaison Officer, Land and Acquisitions.

contact

From: ROSSI, Sacha <[REDACTED]>
Sent: 15 October 2018 15:36
To: contact
Subject: Thurrock Power Plant [SG26698]
Attachments: DOC121018-121018120808.pdf

Dear Sirs,

NATS anticipates no impact from the proposed development at Thurrock, north of the Tilbury Power sub-station, and has no comments to make on the DCO. NATS will respond to any formal consultation from the relevant authority when this is received.

Please note our contact details below and our preference to receive correspondence electronically.

NATS LTD
Safeguarding Office
4000 Parkway
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☎: 01489 444 687

✉: natssafeguarding@nats.co.uk

Regards
S. Rossi
NATS Safeguarding Office

NATS

Sacha Rossi

ATC Systems Safeguarding Engineer

D: 01489 444 205

E: [REDACTED]

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NATS means NATS (En Route) plc (company number: 4129273), NATS (Services) Ltd (company number 4129270), NATSNAV Ltd (company number: 4164590) or NATS Ltd (company number 3155567) or NATS Holdings Ltd (company number 4138218). All companies are registered in England and their registered office is at 4000 Parkway, Whiteley, Fareham, Hampshire, PO15 7FL.

Date: 22 November 2018
Our ref: 261766
Your ref:



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Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr. Andrew Troup

Planning consultation: Thurrock Power Limited – Proposed Flexible Generation Power Plant in Thurrock. Statutory Consultation under section 42 of the Planning Act 2008

Thank you for your consultation on the above received on 12 October 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Please accept our apologies for the late submission of these comments.

We understand that you are consulting us in line with paragraph 67 of the Planning Act 2008 “Guidance on pre-application consultation”, and that further consultation may be required in line with paragraph 85, particularly when the draft Environmental Statement has been prepared. We also appreciate that this consultation under S42 of the Planning Act 2008 also encompasses consultation on the preliminary environmental information, and that some overlap exists between these various requirements. Natural England welcomes both formal and informal pre application consultation and refers you to our annex C to the NID advice note 11.

Natural England has previously provided advice on this proposal through our Discretionary Advice Service (DAS) at a site meeting on the 19th February 2018, via subsequent telephone discussions and email exchanges, and through our response to the Environmental Impact Assessment Scoping Consultation dated 7th September 2018 (our ref: 255103). Our dialogue with the applicant thus far has enable us to identify the key issues and opportunities presented by this NSIP project, which we outline below. Whilst we have not reviewed the Preliminary Environmental Information Report exhaustively, we have sought to reference this key document where appropriate.

European sites – Thames Estuary & Marshes Special Protection Area & Ramsar site

Natural England understands that the project design has evolved over recent months, and at the time of providing our advice for the EIA scoping stage, we identified that the impacts of a proposal which included the option of a cooling pipe linked to the river Thames would need to consider and assess impacts to the Thames Estuary and Marshes SPA and Ramsar site (and component Sites of Special Scientific Interest). We now understand that the option of a cooling pipe will not be progressed through the NSIP process, and we provide our comments on this basis. Accordingly, likely significant effects to the Thames Estuary & Marshes SPA / Ramsar site are much reduced, however we have highlighted in our EIA scoping response that impacts to functionally linked land

(FLL) should remain scoped into the HRA with survey and assessment undertaken accordingly. The current draft HRA does not include possible impacts to FLL, and so we recommend that this is updated. We understand that some over-wintering bird surveys are underway in order to explore whether, and if so the degree to which, the application site (or adjoining land which may be disturbed) holds a functional linkage to the SPA / Ramsar site. This consideration should also include any routes crossed by gas pipelines (not just cooling water pipelines).

We further note from the submitted materials that there is now no longer a proposed use of any existing or new jetty facility, which was proposed as linked to the cooling water pipe option no longer required. Again, we provide our comments on this basis.

We are however pleased to see that the HRA document recognises the recent ECJ ruling “People over Wind” and its implications for HRA, and proceeds to Appropriate Assessment stage for effects which cannot be screened out with the inclusion of mitigation measures. Some technical errors should be corrected, including use of the expression “interest species” as a sub-heading of section 5, where “interest features” is preferred.

Please note that the SPA is incorrectly referenced as the “Thames Medway Estuary & Marshes SPA / Ramsar” at paragraph 5.1.49 of the HRA report (but seems to be correctly referenced elsewhere).

It is also unclear to us whether the HRA has taken a precautionary approach where data is outstanding. For example surveys for over-wintering birds are ongoing, to explore whether any functionally linked land is likely to be significantly affected. The final submitted HRA should make this clearer, adopting a precautionary approach where uncertainty remains.

Water Quality

Further, we note that the AA conclusion of “no adverse effect on site integrity” is dependant upon a site-wide drainage strategy that has yet to be completed. Whilst such a document might well include necessary and appropriate safeguards, it is premature at this stage for the AA to conclude as it has without the drainage strategy in place. We recommend that the AA is updated in due course once the drainage strategy is in place (and any other necessary accompanying documents), prior to its submission with the DCO application.

Air Quality

We note that in particular, operational Air Quality impacts have been screened out from further assessment within the Habitats Regulations Assessment. The rationale for this decision seems to be based on an appropriate evidence base, making use of the Air Pollution Information System (APIS). Estuarine habitats are less sensitive to changes in air quality, however it is important that the EIA considers SSSI sites and habitats in its assessment of sites sitting beneath the N2K suite in the designation hierarchy. Paragraph 4.2.1 of the PEIR chapter 9 refers the reader to Volume 6, Appendix 12.1 “Air Quality Impacts on Ecological Receptors”. We note that the Air Quality chapter references SSSI’s to be scoped in as sensitive receptors at a range of 15km (e.g. paragraph 2.4.5), and we welcome this precautionary approach.

We note that several designated sites are listed as predicted to exceed 1% of the maximum NOx process contribution at paragraph 1.4.6. The Process Environmental Contribution (PEC) are below the critical level at all sites except Holehaven Creek SSSI, where Natural England would tend to agree with the ecologists conclusions at paragraph 1.4.7.

For acid deposition, we note that the process contribution exceeds 1% of the critical load, notably for Thorndon Park SSSI, where the ecologist has offered a view that “*It is therefore considered highly unlikely that a 0.15% increase in acid deposition in this location would result in any significant effect on the SSSI*” at paragraph 1.4.13. Natural England is seeking additional site specific opinion on this statement and its supporting assessment, before it can wholly agree with this conclusion.

Further justification should be provided for the cumulative effects assessment for Canvey Wick SSSI, where at paragraph 1.4.18 the justification for no significant effect for NOx deposition is provided for saltmarsh habitats, which are not found at Canvey Wick SSSI. A rationale referencing correct habitat types should be provided.

Protected Species

Natural England understands that the PINS scoping report has advised that the Inspectorate does not agree to scope out the need for bat surveys given some apparent suitability for this species group. In its response, the applicant refers to some advice provided by Natural England on this point, and we understand that a decision to scope out bat surveys was described in an email to us dated 12th March 2018, and our holding response dated 29th March 2018 described the overall proposals as “broadly acceptable” however the email points out that this was not a full response for various reasons. Natural England has not therefore requested bat surveys specifically to date, and given that the PEIR details that there are no potential bat roost sites in the main development area, there is no licensable function for us to perform with respect to bats for this NSIP project.

As such we do not consider that this is a matter for Natural England to comment on per se as part of our statutory function – we would not normally comment on all matters related to ecology exhaustively outside of impacts to designated sites and licensable species, unless we regarded them as otherwise nature conservation priorities for the area. However should the applicant wish to seek our advice, then we will be pleased to provide this as part of our Discretionary Advice Service, in due course. This principle applies to other elements of the scheme, where further discussion is either required or has been requested of us (e.g. scope of over-wintering bird surveys and white-clawed crayfish).

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Please note that our discussions with the applicant and their ecology team are live and ongoing, and we intend to meet with them in the coming weeks to progress and if possible resolve as many outstanding concerns prior to submission of the DCO.

Although we have not exhaustively assessed the PEIR for impacts to protected species, we note for example there appears to be an error at chapter 9 paragraph 4.1.23-5 where mitigation for reptiles is described in the section on invertebrates. This should be corrected.

Common Land

Natural England has already provided some advice on the proposals for replacement Common Land via our DAS advice service. We note that the original proposed location for replacement Common Land has changed, but we have advised that in our view the current proposed scheme is broadly acceptable. We also note that various comments regarding the compatibility of replacement Common Land with broader ecological mitigation requirements have been raised in the EIA scoping exercise, and we agree that these should be carefully examined to ensure compatibility of usage and ongoing future management requirements. Furthermore the arrangements for in-perpetuity management should be set out in any DCO submission (to include any funding and responsibilities clearly defined). Again, whilst some of these uses fall outside of Natural England’s statutory remit, we would be happy to provide further advice on the Common Land replacement proposal via our ongoing DAS discussions should this be requested.

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Environmental Net Gain

The new NPPF requires development proposals to demonstrate that projects can deliver environmental net gain. For example, paragraph 170 requires that “Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity”. The principle of environmental and biodiversity net gain is also increasingly featuring in the more up to date National Policy Statements, which we recognise are the primary policy documents for NSIP projects (nevertheless the revised NPPF should be recognised as holding weight as a relevant policy reference.

Natural England regards the Thurrock Flexible Generation Plant as having opportunities to contribute towards strategic biodiversity net gain objectives in the Tilbury area. The proposal is located within the context of other NSIP development with which we have also sought net gain objectives, particularly with respect to nationally important invertebrate assemblages. These include the Port of Tilbury NSIP, the recently frozen Tilbury Energy Centre NSIP, and the Lower Thames Crossing NSIP. We suggest that the Thurrock Flexible Generation Plant could also seek to complement the nature conservation priority outcomes of these projects on its land holding and also within adjacent replacement common land, as opportunities arise. We would be happy to discuss this further with the applicant in due course.

Yours sincerely

Jonathan Bustard
Casework Manager
West Anglia Area Team



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E: [REDACTED]
[REDACTED]

Thurrock Power
1st Floor
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W8 7LP

13th November 2018

Dear Sir/Madam

**R.E Thurrock Power Limited- Proposed Flexible Generation Power Plant under
Section 42 of the Planning Act 2008**

I refer to your letter in respect of the consultation under Section 42 of the Planning Act 2008 on Thurrock Power's proposal for a proposed Flexible Generation Power Plant in Thurrock, Tilbury.

Network Rail is a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests, will need to be carefully considered.

Impact on Network Rail Infrastructure

Network Rail has been reviewing the information to date and at this stage it is not sufficiently detailed to fully assess potential impacts of the scheme on the railway and further information will be required to properly respond on the likely impacts of the proposed scheme.

Two initial points of concerns relate to site access and the proposed underground pipeline area adjacent to the railway. Section 6.2 of the consultation letter 'Access Routes' states that the existing access to the main development site is via a farm track from a junction with Station Road immediately south of the level crossing over the railway. During construction of the proposed development, access will be required for heavy goods vehicles (HGVs), abnormal loads for certain items and for construction workforce traffic. The proposed access routes include the use of Station Road Level Crossing, as well as, the possibility of transporting abnormal loads over the railway at Parsonage Common.

As well as our concerns over the impact on the railway infrastructure, Network Rail raises concerns that the construction phase will lead to a permanent need to cross the railway, which may lead to a significant increase in vehicular and pedestrian movements across this Level Crossing or surrounding Level Crossings in the vicinity of the development site. Network Rail's position is that there shouldn't be any increase or change in usage to Level Crossings in the

area. Any increase in movement across Level Crossings increase risk. Accordingly, we will need further and better particulars from you to understand the position and we reserve the right to comment further on this aspect of the development when further details are available.

The project description states that, 'Zone C- a corridor of land south of the railway line', will be the area in which an underground gas pipeline will be constructed, between Station Road and the main development site (Zone A). Network Rail will require further details once the gas pipeline within this corridor has been finalised. The construction of an underground pipeline in this area may have an impact on the operational railway, which Network Rail will need to consider in full when available.

Network Rail reserve the right to produce additional and further grounds of concern when further details of the application and its effect on Network Rail's land are available.

Network Rail will be seeking protection from the exercise of compulsory purchase powers over operational land either for permanent or temporary purposes. In addition, Network Rail will wish to agree protection for the railway during the course of the construction works and otherwise to protect our undertaking and land interests. Network Rail reserves the right to produce additional and further grounds of concern when further details of the application and its effect on Network Rail's land are available. In addition, any rights for power or other lines under, over or alongside the railway line will require appropriate asset protection measures deemed necessary by Network Rail to protect the operational railway and stations. We have standard protective provisions which will need to be included in the DCO as a minimum therefore contact should be made to Janie Thorn, email: Janie.Thorn@networkrail.co.uk to obtain a copy of the relevant wording. In addition a number of legal and commercial agreements will need to be entered into, for example, asset protection agreements, , method statements, connection agreements, property agreements and all other relevant legal and commercial agreements. This list is not exhaustive and will need to be reviewed once more details of the scheme are discussed between the parties.

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land. In addition, security of the railway boundary will require to be maintained at all times. In any event you must contact Network Rail's Asset Protection Engineers as soon as possible in relation to this scheme on the following e-mail address AssetProtectionAnglia@networkrail.co.uk

Network Rail is prepared to discuss the inclusion of Network Rail land or rights over land subject to there being no impact on the operational railway, all regulatory and other required consents being in place and appropriate commercial and other terms having been agreed between the parties and approved by Network Rail's board.

Network Rail also reserves the right to make additional comments once we have evaluated the proposals in more detail.

Summary

Network Rail would be grateful if the comments and points detailed within this consultation response are considered by Thurrock Power.

Network Rail would welcome further discussion and negotiation with Thurrock Power in relation to the proposed development.

If you have any questions or require more information in relation to letter please let me know.

Yours sincerely

Jonathan Aldis

Town Planner