

## Consultation Report

### Appendix 8.4: Consultation Responses

#### Thurrock Flexible Generation Plant

Application document number A5.1.8



## **Appendix 8.4 (Part 5 of 5)**

**All Consultation Responses 2019 –  
S42 Statutory continued (from  
Environment Agency to Wales and West  
Utilities)**



Peter Ireland  
RPS – Via E-mail

**Our ref:** AE/2019/124631/01-L01  
**Your ref:** \*

**Date:** 27 November 2019

Dear Mr. Ireland

**THURROCK FLEXIBLE GENERATION POWER PLANT IN THURROCK - REVIEW OF HYDRODYNAMIC MODELLING.**

**LAND TO THE NORTH OF FORMER TILBURY POWER STATION**

Thank you for the opportunity to review appendix 17.2 of the Environmental Statement – Hydrodynamic Modelling and Sediment Assessment. We have undertaken this work under our ongoing agreement – PACENV/1/EAN/00228.

**Hydrodynamic Modelling**

We have reviewed the Hydrodynamic Modelling and Sediment Assessment, whilst we accept the information that has been presented, we require further information in order to be satisfied that the proposed work will not cause any adverse environmental impacts. In particular

\* Peak flood and ebb conditions need to be specified: this ideally needs to be during the Highest Astronomical Tide/a storm surge when currents are at their fastest.

\* Consideration of wind waves: the prevailing wind is typically from the south-south-west and in this width of the estuary, there are likely to be some wind waves. There will be impacts:

- The causeway will intercept some of this and is likely to result in more accretion north east of it (beneficial);
- The dredge pocket is likely to encourage wind waves closer to the intertidal mudflat and is likely to cause some further erosion/loss of intertidal beyond the dredge alone. This should be mitigated for.

We trust this information is useful.

Yours sincerely



**Mr. Pat Abbott**  
**Planning Advisor**

Direct dial 0208 4748011

Direct e-mail [REDACTED]

## **Use of Environment Agency Information for Flood Risk Assessments**

### **Important**

The Environment Agency are keen to work with partners to enable development which is resilient to flooding for its lifetime and provides wider benefits to communities. If you have requested this information to help inform a development proposal, then we recommend engaging with us as early as possible by using the pre-application form available from our website:

<https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

We recognise the value of early engagement in development planning decisions. This allows complex issues to be discussed, innovative solutions to be developed that both enables new development and protects existing communities. Such engagement can often avoid delays in the planning process following planning application submission, by reaching agreements up-front. We offer a charged pre-application advice service for applicants who wish to discuss a development proposal.

We can also provide a preliminary opinion for free which will identify environmental constraints related to our responsibilities including flooding, waste, land contamination, water quality, biodiversity, navigation, pollution, water resources, foul drainage or Environmental Impact Assessment.

In preparing your planning application submission, you should refer to the Environment Agency's Flood Risk Standing Advice and the Planning Practice Guidance for information about what flood risk assessment is needed for new development in the different Flood Zones. This information can be accessed via:

<https://www.gov.uk/flood-risk-assessment-standing-advice>  
<http://planningguidance.planningportal.gov.uk/>

You should also consult the Strategic Flood Risk Assessment or other relevant materials produced by your local planning authority.

You should note that:

1. Information supplied by the Environment Agency may be used to assist in producing a Flood Risk Assessment (FRA) where one is required, but does not constitute such an assessment on its own.
2. This information covers flood risk from main rivers and the sea, and you will need to consider other potential sources of flooding, such as groundwater or surface water runoff. Information produced by the local planning authority referred to above may assist here.
3. Where a planning application requires an FRA and this is not submitted or is deficient, the Environment Agency may raise an objection.



Mr J Morley  
RPS  
[REDACTED]

**Our ref** EAn/2019/112521

**Date** 05 February 2019

Dear Mr Morley

### Enquiry regarding Products 5, 6 and 7 for Tilbury

Thank you for your enquiry which was received on 10 January 2019 about your project at Tilbury.

We respond to requests under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

The information we hold has been uploaded to our sharefile system and can be accessed for 30 days using these links: <https://ea.sharefile.com/d-s2698345280b421fb>,  
<https://ea.sharefile.com/d-s9ace4e8d378431e8>

### Coastal Modelling

Our New Coastal Hydraulic Modelling 2018 is now available on the .gov.uk website. To find the new mapping please use the following link: <https://flood-map-for-planning.service.gov.uk/>

You may be aware that some Local Planning Authorities have updated their Strategic Flood Risk Assessments (SFRAs) using data from this modelling study. As SFRA's are not updated regularly we agreed that they could use draft outputs as we wanted to ensure that the SFRA's were not out of date as soon as they were published.

Name	Product 5
Description	Report - Tilbury Flood Storage Reservoir Study 2014 by Mott MacDonald.  Report - Tilbury Integrated Flood Strategy 2015 JBA Consulting Final Report Jan 2017.  Report - Thurrock Flood Strategy – ICM Model Operation Manual and Model Log v2.0
Licence	<a href="#">Environment Agency Conditional Licence</a>
Conditions	1.0 You may use the Information for your internal or personal purposes and may only sublicense others to use it if you do so under a written licence which includes the terms of these conditions and the agreement and in particular may not allow any period of use longer

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Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

Website: <https://www.gov.uk/government/organisations/environment-agency>



INVESTOR IN PEOPLE



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Name	Product 6
Description	Model Output Data for Tilbury Integrated Flood Strategy 2015 JBA Consulting.
Licence	<a href="#">Environment Agency Conditional Licence</a>
Conditions	<p>1.0 You may use the Information for your internal or personal purposes and may only sublicense others to use it if you do so under a written licence which includes the terms of these conditions and the agreement and in particular may not allow any period of use longer than the period licensed to you.</p> <p>2.0 Notwithstanding the fact that the standard wording of the Environment Agency Conditional Licence indicates that it is perpetual, this Licence has a limited duration of 5 years at the end of which it will terminate automatically without notice.</p> <p>3.0 We have restricted use of the Information as a result of legal restrictions placed upon us to protect the rights or confidentiality of others. In this instance it is because of third party data. If you contact us in writing (this includes email) we will, as far as confidentiality rules allow, provide you with details including, if available, how you might seek permission from a third party to extend your use rights.</p> <p>4.1 The Information may contain some data that we believe is within the definition of “personal data” under the Data Protection Act 1998 but we consider that we will not be in breach of the Act if we disclose it to you with conditions set out in this condition and the conditions above. This personal data comprises names of individuals or commentary relating to property that may be owned by an individual or commentary relating to the activities of an individual.</p> <p>4.2 Under the Act a person who holds and uses or passes to others personal data is responsible for any compliance with the Act and so we have no option but to warn you that this means you have responsibility to check that you are compliant with the Act in respect of this personal data.</p> <p>5.0 The location of public water supply abstraction sources must not be published to a resolution more detailed than 1km<sup>2</sup>. Information about the operation of flood assets should not be published..</p> <p>6.1 Where we have supplied model data which may include model inputs or outputs you agree to supply to the Environment Agency copies of any assessments/studies and related outputs, modifications or derivatives created pursuant to the supply to you of the Information, all of which are hereinafter referred to as “the Data”.</p>

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Information Warnings	Please be aware that model data is not raw, factual or measured but comprises of estimations or modelled results based on the data available to us.
Attribution	Contains Environment Agency information © Environment Agency and/or database rights.

Name	Product 7
Description	<p>Calibrated and Verified Model Input Data for Tilbury Flood Storage Reservoir Study 2014 by Mott MacDonald, 2D TuFlow.</p> <p>Calibrated and Verified Model Input Data for Tilbury Integrated Flood Strategy 2015 JBA Consulting.</p>
Licence	<a href="#">Environment Agency Conditional Licence</a>
Conditions	<p>1.0 You may use the Information for your internal or personal purposes and may only sublicense others to use it if you do so under a written licence which includes the terms of these conditions and the agreement and in particular may not allow any period of use longer than the period licensed to you.</p> <p>2.0 Notwithstanding the fact that the standard wording of the Environment Agency Conditional Licence indicates that it is perpetual, this Licence has a limited duration of 5 years at the end of which it will terminate automatically without notice.</p> <p>3.0 We have restricted use of the Information as a result of legal restrictions placed upon us to protect the rights or confidentiality of others. In this instance it is because of third party data. If you contact us in writing (this includes email) we will, as far as confidentiality rules allow, provide you with details including, if available, how you might seek permission from a third party to extend your use rights.</p> <p>4.1 The Information may contain some data that we believe is within the definition of “personal data” under the Data Protection Act 1998 but we consider that we will not be in breach of the Act if we disclose it to you with conditions set out in this condition and the conditions above. This personal data comprises names of individuals or commentary relating to property that may be owned by an individual or commentary relating to the activities of an individual.</p>

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	<p>4.2 Under the Act a person who holds and uses or passes to others personal data is responsible for any compliance with the Act and so we have no option but to warn you that this means you have responsibility to check that you are compliant with the Act in respect of this personal data.</p> <p>5.0 The location of public water supply abstraction sources must not be published to a resolution more detailed than 1km2. Information about the operation of flood assets should not be published..</p> <p>6.1 Where we have supplied model data which may include model inputs or outputs you agree to supply to the Environment Agency copies of any assessments/studies and related outputs, modifications or derivatives created pursuant to the supply to you of the Information, all of which are hereinafter referred to as “the Data”.</p> <p>6.2 You agree, in the public interest to grant to the Environment Agency a perpetual royalty free non-exclusive licence to use the Data or any part thereof for its internal purposes or to use it in any way as part of Environment Agency derivative products which it supplies free of charge to others such as incorporation into the Environment Agency's Open Data mapping products.</p>
Information Warnings	None
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### Data Available Online

Many of our flood datasets are available online:

- Flood Map For Planning ([Flood Zone 2](#), [Flood Zone 3](#), [Flood Storage Areas](#), [Flood Defences](#), [Areas Benefiting from Defences](#))
- [Risk of Flooding from Rivers and Sea](#)
- [Historic Flood Map](#)
- [Current Flood Warnings](#)

### What's In Your BackYard (WIYBY) is no longer available.

Most of the data is still available via other sharing services such as [DATA.GOV.UK](#), [MAGIC map](#) and new [GOV.UK digital services](#). Where the datasets are no longer available as maps, you will be able to download and use within specialist applications.

To find out all the services the Environment Agency have available, please click [here](#).

For any other enquiries please send your request to us at:

[Enquiries\\_EastAnglia@environment-agency.gov.uk](mailto:Enquiries_EastAnglia@environment-agency.gov.uk).

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Website: <https://www.gov.uk/government/organisations/environment-agency>

### Additional information

Please be aware that we now charge for planning advice provided to developers, agents and landowners. If you would like advice to inform a future planning application for this site then please complete our <https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion> and email it to our Sustainable Places team [planning.ipswich@environment-agency.gov.uk](mailto:planning.ipswich@environment-agency.gov.uk). They will initially provide you with a free response identifying the following:

- the environmental constraints affecting the proposal;
- the environmental issues raised by the proposal;
- the information we need for the subsequent planning application to address the issues identified and demonstrate an acceptable development;
- any required environmental permits.

If you require any further information from them (for example, a meeting or the detailed review of a technical document) they will need to set up a charging agreement. Further information can be found on our [website](#).

Please note we have published revised climate change allowances, which are available online. These new allowances will need to be reflected in your Flood Risk Assessment. If you want to discuss this please call our Sustainable Places team on 0203 025 5475.

TEAM2100: delivering the first 10 years of investment in tidal flood defences for the Thames Estuary 2100 Plan. For more information, visit [the TEAM2100 website](#) or email [team2100@jacobs.com](mailto:team2100@jacobs.com)

Please get in touch if you have any further queries or contact us within two months if you'd like us to review the information we have sent.

Yours sincerely

*Karen Brown*

**Karen Brown**  
**Customers and Engagement Officer**

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Website: <https://www.gov.uk/government/organisations/environment-agency>

## Amber Potts

---

**From:** Jonathan Morley  
**Sent:** 05 February 2019 11:43  
**To:** Tom Dearing; Simon Gamage  
**Subject:** FW: [EXT] EAn/2019/112521 - Tilbury  
**Attachments:** 112521 response.pdf; FRA advisory note.pdf

**Categories:** Tilbury 10872

Finally have something from the EA.

Need to check files provide the required data sets.

Regards

Jonathan

**Jonathan Morley**

Principal Consultant

T +44 1132 206 190

E [REDACTED]

---

**From:** Enquiries\_EastAnglia <Enquiries\_EastAnglia@environment-agency.gov.uk>

**Sent:** 05 February 2019 11:30

**To:** Jonathan Morley [REDACTED]

**Subject:** [EXT] EAn/2019/112521 - Tilbury

Dear Mr Morley

Thank you for your enquiry of 10 January 2019 about your work in Tilbury. Please find our response attached. The data has been uploaded to our sharefile system and can be accessed for 30 days using these links: <https://ea.sharefile.com/d-s2698345280b421fb>, <https://ea.sharefile.com/d-s9ace4e8d378431e8>

If we can be of further help, please do contact us.

Regards

*Karen*

**Karen Brown**

Customers & Engagement Officer, Customers & Engagement Team, East Anglia Area

**Environment Agency** | Bromholme Lane, Brampton, Huntingdon, Cambridgeshire, PE28 4NE

**Environment Agency** | Icen House, Cobham Road, Ipswich IP3 9JD

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## Amber Potts

---

**From:** Jonathan Morley  
**Sent:** 03 April 2019 14:53  
**To:** Tom Dearing; Simon Gamage  
**Subject:** FW: Tilbury SFRA 2018

**Categories:** Tilbury 10872

FYI. I will get a HDD sorted for the data.

Regards

Jonathan

**Jonathan Morley**  
Principal Consultant  
T +44 1132 206 190  
E [REDACTED]

---

**From:** Ruocco, Amy <[REDACTED]>  
**Sent:** 03 April 2019 14:36  
**To:** Jonathan Morley <[REDACTED]>  
**Subject:** RE: Tilbury SFRA 2018

**CAUTION:** This email originated from outside of RPS.

Hi Jonathan

I think a 1TB drive will be required.

Thanks

Amy

**Amy Ruocco**, BSc (hons), MSc  
Senior Water and Flood Risk Consultant, Water, Ports & Power. EMEA  
D +44-(0)1256-310459  
[REDACTED]  
[REDACTED]

---

**From:** Jonathan Morley [REDACTED]  
**Sent:** 03 April 2019 14:05  
**To:** Ruocco, Amy  
**Subject:** RE: Tilbury SFRA 2018

Hi Amy,

We can arrange for a drive to be sent in the post. Can you let me know the rough size of drive required?

Regards

Jonathan

**Jonathan Morley**  
Principal Consultant  
T +44 1132 206 190  
E [REDACTED]



---

**From:** Ruocco, Amy [REDACTED]

**Sent:** 03 April 2019 13:57

**To:** Jonathan Morley [REDACTED]

**Cc:** [REDACTED]; Tom Dearing [REDACTED]

**Subject:** RE: Tilbury SFRA 2018

**CAUTION:** This email originated from outside of RPS.

Hi Jonathan

We do hold the model files but we would need a hard drive from you as the model is very large. If Thurrock are happy for me to provide it direct, please can you send a hard drive to me at;

AECOM  
Midpoint  
Alencon Link  
Basingstoke  
RG21 4PP

Best Regards

Amy

**Amy Ruocco**, BSc (hons), MSc  
Senior Water and Flood Risk Consultant, Water, Ports & Power. EMEA  
D +44-(0)1256-310459  
[REDACTED]  
[REDACTED]

---

**From:** Jonathan Morley [REDACTED]

**Sent:** 03 April 2019 13:48

**To:** Ruocco, Amy

**Cc:** [REDACTED]; Tom Dearing

**Subject:** Tilbury SFRA 2018

Good afternoon Amy,

Hope you are well?

I have been provided with your contact details by Alison McDonald within Thurrock Council.

We are presently looking to get hold of the underlying grid files associated with the Tilbury SFRA 2018 model outputs.

Please can you let me know if you hold these on file and whether there would be any fees applicable with supplying the data.

Best regards

Jonathan

**Jonathan Morley**

Principal Consultant  
RPS | Consulting UK & Ireland  
Suite D10, Josephs Well, Hanover Walk  
Leeds, West Yorkshire LS3 1AB, United Kingdom  
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## Amber Potts

---

**From:** Jonathan Morley  
**Sent:** 08 August 2019 13:48  
**To:** 'atroup@stateraenergy.co.uk'; Tom Dearing; Simon Gamage  
**Subject:** FW: Tilbury FGP  
  
**Categories:** Tilbury 10872

Good afternoon,

Please see below for information.

Best regards

Jonathan

### Jonathan Morley

Principal Consultant  
RPS | Consulting UK & Ireland  
T +44 1132 206 190  
[REDACTED]

---

**From:** Abbott, Pat N [REDACTED] >  
**Sent:** 08 August 2019 13:45  
**To:** Jonathan Morley [REDACTED]  
**Subject:** RE: Tilbury FGP

**CAUTION:** This email originated from outside of RPS.

Hi Jonathan

We have had chats here about resilience and resistance and ultimately this is an issue for the LPA. When we review FRA's we are not prescriptive regarding requirements in this area. So it is up to you what flood events you want to protect against, or be resilient for. Obviously recognising that you shouldn't be aiming to exclude more than 0.6m of water in line with 'Improving the Flood Performance of New Buildings'.

I hope that helps, perhaps the first stop is speaking to Thurrock council – the emergency planner is Ade Adesina, he maybe a useful contact.

Thanks

Pat

---

**From:** Jonathan Morley [REDACTED]  
**Sent:** 06 August 2019 11:29  
**To:** Abbott, Pat N [REDACTED]  
**Cc:** Tom Dearing [REDACTED]; Simon Gamage [REDACTED];  
'atroup@stateraenergy.co.uk' <[atroup@stateraenergy.co.uk](mailto:atroup@stateraenergy.co.uk)>  
**Subject:** Tilbury FGP

Hi Pat,

Hope you are well?

We have finally received the Tilbury SFRA model outputs from AECOM.

If possible please can we open a dialogue with the EA to establish a reasonable level of flood resilience and resistance given the range of model scenarios undertaken?

Best regards

Jonathan

**Jonathan Morley**

Principal Consultant  
RPS | Consulting UK & Ireland  
Suite D10, Josephs Well, Hanover Walk  
Leeds, West Yorkshire LS3 1AB, United Kingdom  
T +44 1132 206 190  
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## Amber Potts

---

**From:** Jonathan Morley  
**Sent:** 23 March 2020 14:49  
**To:** Tom Dearing  
**Cc:** Daniel Smyth  
**Subject:** FW: Interim Climate change

**Categories:** Tilbury 10872

Tom,

Please see below.

Dated 03/12/2019.

Regards

Jonathan

**Jonathan Morley**

Associate Director - Hydrology  
RPS | Consulting UK & Ireland  
T +44 1132 206 190  
[REDACTED]

---

**From:** Abbott, Pat [REDACTED]  
**Sent:** 03 December 2019 09:54  
**To:** Jonathan Morley [REDACTED]  
**Subject:** RE: Interim Climate change

**CAUTION:** This email originated from outside of RPS.

Hi Jonathan

I have spoken to our flood team this morning and they have indicated that you should use the current data that is available. The box which talks about the interim guidance is a bit misleading, as it is not currently available. I am told our modelling teams are still considering this and so to date no updates are available.

Hope that makes sense.

Pat

---

**From:** Jonathan Morley [REDACTED]  
**Sent:** 02 December 2019 15:47  
**To:** Abbott, Pat [REDACTED]  
**Cc:** Tom Dearing [REDACTED]; David Gabb [REDACTED]  
**Subject:** Interim Climate change

Hi Pat,

Thank you for your time earlier.

As discussed, would it be possible to provide a copy of the EA's most recent climate change allowances?

I note from the GOV.UK website that this information is only available upon request from the EA,  
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances#contact>.

Thank you again for your help.

Best regards

Jonathan

**Jonathan Morley**

Principal Consultant  
RPS | Consulting UK & Ireland  
Suite D10, Josephs Well, Hanover Walk  
Leeds, West Yorkshire LS3 1AB, United Kingdom  
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## Amber Potts

---

**From:** Tung, Navtej [REDACTED]  
**Sent:** 01 March 2019 13:18  
**To:** Jonathan Morley  
**Cc:** Purvis, Chris; Tom Dearing; Simon Gamage; McDonald, Alison  
**Subject:** RE: Tilbury SFRA 2018  
  
**Categories:** Tilbury 10872

**CAUTION:** This email originated from outside of RPS.

Hi Jonathan,

Thank you for your email. I have asked my colleague Alison to identify if she is able to access the model outputs to share with you. The SFRA was not developed by my team and therefore I need to enquire as to who developed the modelling work, and if we are in a position to share.

She will be in touch with you midday through next week, as I don't believe she will be able to make the appropriate enquiries until Tuesday at the earliest.

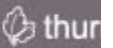
I hope that helps,

Navtej

**Navtej Tung | Strategic Transport Manager | Place**

[REDACTED] | t +44 (0) 1375 652006 | Int 64187 | [REDACTED]  
Thurrock Council, Civic Offices, New Road, Grays, Essex RM17 6SL

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---

**From:** Jonathan Morley [REDACTED]  
**Sent:** 27 February 2019 14:30  
**To:** Tung, Navtej  
**Cc:** Purvis, Chris; Tom Dearing; Simon Gamage  
**Subject:** RE: Tilbury SFRA 2018

Hi Nav,

I was wondering if you have managed to look into the below request for information associated with the 2018 SFRA?

Please give me a call to discuss further as required.

Best regards

Jonathan

**Jonathan Morley**

Principal Consultant  
RPS | Consulting UK & Ireland  
Suite D10, Josephs Well, Hanover Walk  
Leeds, West Yorkshire LS3 1AB, United Kingdom  
**T** +44 1132 206 190  
**D** +44 113 2204427 [REDACTED]  
[REDACTED]  
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---

**From:** Jonathan Morley

**Sent:** 15 February 2019 16:10

**To:** [REDACTED]

**Cc:** 'Purvis, Chris' [REDACTED]; Tom Dearing [REDACTED]

[REDACTED] Simon Gamage

[REDACTED]

**Subject:** Tilbury SFRA 2018

Hi Nav,

Following a discussion with your colleague Alison MacDonald I understand that you are the best person to discuss obtaining the 2018 SFRA model outputs.

We are presently looking to progress the development of a site near Tilbury and the underlying data used to inform the breach model outputs would be very helpful is establishing an appropriate level of flood resilience and/or resistance, where required.

I look forward to hearing from you soon.

Best regards

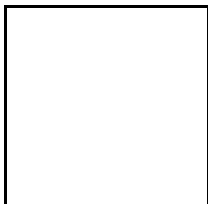
Jonathan

**Jonathan Morley**

Principal Consultant  
RPS | Consulting UK & Ireland  
Suite D10, Josephs Well, Hanover Walk  
Leeds, West Yorkshire LS3 1AB, United Kingdom  
**T** +44 1132 206 190  
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## contact

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**From:** ESP Utilities Group Ltd <donotreply@espug.com>  
**Sent:** 15 October 2019 12:35  
**To:** contact  
**Subject:** Your Reference: The Thurrock Power Development Our Reference: PE139666. Plant Not Affected Notice from ES Pipelines  
**Attachments:** ESN020541 - UKP5697 - DWG350 - Rev6 - Site Layout and Gas Mains Routes - IGT.pdf

Andrew Troup  
Thurrock Power Limited  
1st Floor  
London  
W8 7LP

15 October 2019

Reference: The Thurrock Power Development

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Land to the North of Tilbury substation, Walton Common, Thurrock, RM18 8UL.

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works. **However there is a gas network nearby for which an as-laid is enclosed.**

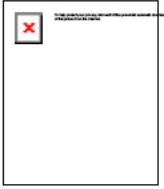
ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

### **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@espug.com](mailto:PlantResponses@espug.com)

Yours faithfully,

Plant Protection Team  
**ESP Utilities Group Ltd**



Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA

☎ 01372 587500    📠 01372 377996

<http://www.espug.com>

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## contact

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**From:** Adam Trussell [REDACTED]  
**Sent:** 21 October 2019 13:05  
**To:** contact  
**Subject:** Thurrock Power Limited ESW Water Main Diversion Response  
**Attachments:** STANDARD CONDITIONS FOR WORKING NEAR NORTHUMBRIAN WATER APPARATUS.pdf; DA-F069\_Developer\_Services\_Mains\_Diversion\_Application\_Form\_17.pdf

Dear Sir/Madam,

I have been passed a copy of your documents from our Property Services department via our Legal Affairs & Secretariat department regarding the Thurrock Power Limited Proposed Flexible Generation Project.

I was requested by the Diversions Project Manager to assess for any potential water main diversions. I reviewed the supplied plan **Zone plan October 2019** and Essex & Suffolk Water (ESW) do have water mains in the vicinity and would require assessment of any proposed construction in the vicinity of the water mains.

The area for assessment is located within D1 – Corridor for Gas pipeline and potentially H – Access Route. C2 plans showing ESW assets can be requested from [plans@eswater.co.uk](mailto:plans@eswater.co.uk) and also attached is the *working near water mains* and a *diversion application forms for information*.

When known please forward diversion enquires to [NDC@nwl.co.uk](mailto:NDC@nwl.co.uk)

[Further Information Website Links](#)

C2 Request [Link](#)  
Diversions [Link](#)

Regards  
**Adam Trussell**  
Designer

T: 01268 664 148 [REDACTED]  
Tweet us: @eswater\_care W: [www.eswater.co.uk](http://www.eswater.co.uk)

Essex & Suffolk Water, Sandon Valley House, Canon Barns Road, East Hanningfield, Chelmsford, CM3 8BD



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## Essex County Fire & Rescue Service

Jo Turton  
Chief Fire Officer / Chief Executive

Andrew Troup  
Freepost THURROCK POWER  
[contact@thurrockpower.co.uk](mailto:contact@thurrockpower.co.uk)

**South West Group Service Delivery Point**  
Basildon Fire Station  
Broadmayne  
Basildon  
SS14 1EH  
Enquiries to : Ken Acton

☎ 01376576700  
✉ [southwestgroupsdp@essex-fire.gov.uk](mailto:southwestgroupsdp@essex-fire.gov.uk)  
🌐 [www.essex-fire.gov.uk](http://www.essex-fire.gov.uk)

Our Ref: CAS-627953  
Your Ref: N/A  
Date: 30<sup>th</sup> October, 2019

Dear Sir,

### **Re: Town & Country Planning Act 1990**

**Planning Application N°:** EN010092-000018

**Description:** Thurrock Power Development Consent Order

**Location:** Land to the North of Tilbury Substation, Walton Common, Tilbury, Essex. RM18 8UL

Thank you for your letter dated 9<sup>th</sup> October, 2019 enclosing drawings of the above proposal as follows:

3 x drawings numbered 10872-0005-18 plan showing zones within the DCO boundary at October 2018;

10872-0005-38 zone plans showing the now proposed DCO boundary;

10872-0138-09 change plan showing the project changes now proposed;

10872-0138-09; showing the project changes now proposed;

10872-0138-09 change plan showing the project changes now proposed;

10872-0156-06 Plan showing the DCO boundary now proposed

The application has been considered and I draw your attention to the following comments:

### **Access**

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13.

The arrangements should be in accordance with the details contained in the Approved Document to Building Regulation B5

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

**Our vision is to make Essex a safe place to live, work and travel**

## **Building Regulations**

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

## **Water Supplies**

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.

## **Sprinkler Systems**

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

If you have any further queries, then please contact the above Officer quoting our reference number.

Yours faithfully



Ken Acton  
Technical Fire Safety



Thurrock Power  
contact@thurrockpower.co.uk

**Planning & Regeneration Department**

**Ask for:** Tony Chadwick

**Telephone:** 01474 337404

**My ref:** 20191074

**Your ref:**

**Date:** 14 November 2019

Dear Sirs

**Consultation under Section 48 of the Planning Act 2008 (as amended), by Thurrock Power Ltd, in regard to proposed changes to the proposal for 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**

Gravesham Borough Council would like to make the following comments/observations in relation to your recent fresh consultation under section 42 of the Planning Act 2008 (as amended) in relation to proposed changes to the project compared with that subject to section 42 consultation from 16 October 2018 to 14 November 2018.

The Borough Council responded on the 14 November 2018 to the previous section 42 consultation. The current proposed changes are, in your summary, in this consultation are:

- *Construction access to the site will be taken from the south and west rather than to the north;*
- *A new permanent causeway into the River Thames will be constructed and used during construction for the delivery of abnormal indivisible loads by water, along with a haul road from the causeway to the construction site. There are two, alternative, options proposed for the route of that haul road in this consultation;*
- *Primary construction access will be from the west through land to the north of the recently constructed Tilbury 2 site and will connect the main Project site to the A1089 public highway;*
- *Previously proposed access routes for abnormal indivisible loads have been removed from the Project;*
- *Previously proposed works to existing public highways to the north of the Project site and the creation of a new construction haul road running east-west from the A126 Gateway Academy roundabout have been removed from the Project;*
- *Alteration of the areas of land to be used for wildlife habitat compensation;*

**Switchboard** 01474 56 44 22

**Minicom** 01474 33 76 17

**Website** [www.gravesham.gov.uk](http://www.gravesham.gov.uk)



**INVESTORS  
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- *Additional land to the west of the main Project site has been included for carbon capture readiness; and*
- *A new footpath has been added to link Fort Road with the replacement common land included in the Project.*

The primary change of relevance to Gravesham Borough Council is the proposal to construct a new permanent causeway into the River Thames along with two alternative access routes, with the consequential amendments to the red line boundary. This brings the construction facilities much closer to the east side of Gravesend and also directly impacts on the marine environment.

The Project Changes report sets out the reasons for the causeway and an outline of its design. Impact on salt marsh is noted along with other issues to do with the dredged channel. There is however no discussion of the landscape, noise, lighting, historic environment and other potential impacts on Gravesham or Thurrock from the proposal. As use of causeway is dictated by the tide it has to be assumed that it could be operational at any point of the day or night. Para 3.5 makes reference to the top of the causeway being 'X meters AOD', please clarify what this should say.

It may be noted that in the September 2018 Scoping Opinion from PINS Table 1.5 on Construction Impacts it says 'If the option to transport materials/abnormal loads via water is pursued, noise impacts from ships/barges should be assessed where significant effects are likely'. This was scoped out previously as no longer being proposed, but is now logically back in scope. There is no information provided on these potential implications of the new proposed causeway so it is not possible to make further comment.

It will be necessary to explore the implications from these proposals on Gravesham including the in combination effects. Tilbury 2 is now permitted and under construction, and far more is known about Lower Thames Crossing than when the original consultation was carried out. From these revised proposals and following the list in Part 5 of the Overarching National Policy Statement for Energy (EN-1, July 2011) lists generic impacts that may arise from infrastructure projects. The following would appear to be potentially relevant:

- 5.2 Air quality and emissions including from marine vessels
- 5.3 Biodiversity and geological conservation
- 5.5 Coastal change
- 5.6 Dust, odour, artificial light, smoke, steam and insect infestation (unexploded ordnance may also be an issue in this areas)
- 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
- 5.15 Water Quality and resources

It is not clear what the future use of the causeway is, which is described as permanent (para 3.1). The new Zone plan (Zone G) suggests that the access connections are temporary whereas for one of the deleted links (see para 3.16 (c)) it was suggested it would remain should large loads be required in the future. Clarity, and the carrying out of environmental assessment, is required.

It is noted that PINS advised the applicant to 'consider a SoCG with neighbouring Local Authorities regarding visual impacts from the project' (S.51 advice 31 Jan 2019). Combined with the proposed changes it would be helpful to have a meeting to understand the proposals better and explore common ground, and meet the PINS suggestion.

The Council has previously advised that a Planning Performance Agreement should be put in place as no fees are received for this proposal. This means that all costs for GBC's input into the project is being borne by the Council.

**INFORMATIVES:-**

**1 DRAWINGS AND DOCUMENTS**

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

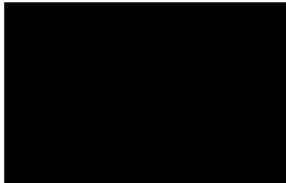
Applicants covering letter  
Project Changes Report  
Section 48 Notice  
Zone Plan October 2018  
Zone Plan October 2019  
DCO boundary October 2019

Reference has also been made to the section 51 advice to the Applicant from Planning Inspectorate:

Meeting Note 31 January 2019  
Meeting Note 20 September 2019

And the Scoping Opinion September 2018

Yours faithfully



**Principal Transport & NSIP Project Manager**



## contact

---

**From:** Karen Thorpe [REDACTED]  
**Sent:** 18 October 2019 16:09  
**To:** contact  
**Subject:** Thurrock Power Ltd - Flexible Generation Plant in Thurrock

Good afternoon,

Thank you for sending the relevant information and material regarding the Flexible Generation Plant in Thurrock.

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 scheme.

Kind Regards

Karen Thorpe

0844 800 1813  
Toll Bar Road, Marston, Grantham, Lincs, NG32 2HT

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**For any gas issues please call the National Gas Emergency Line 0800 111 999.**



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

Thurrock Power

(By e-mail only)

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

05 November 2019

Dear Thurrock Flexible Generation Plant Project Team

**Section 42 Planning Act 2008: Statutory Consultation  
- Thurrock Flexible Generation Plant**

Thank you for your letter of the 24 October 2019 consulting on the proposed Thurrock Flexible Generation Plant under Section 42 of The Planning Act 2008.

**HSE's land use planning advice**

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

According to HSE's records there are no major accident hazard sites and two major accident hazard pipelines within the proposed development boundary of the Thurrock Flexible Generation Plant for this Nationally Significant Infrastructure Project:

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

This is based on, for example, drawing number 10872-0005-38 'Thurrock Flexible Generation Plant, Zone Plan Showing Zones Within The Now Proposed DCO Boundary, dated 30/09/19.

However, according to the same drawing, there will be no permanent populations in the consultation distances around the pipelines. Therefore, for land use planning purposes, HSE would not advise against this Nationally Significant Infrastructure Project.

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 as amended.

Hazardous Substances Consent would be required to store or use any of the Named Hazardous Substances or Categories of Substances 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 sites**

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

### **Electrical Safety**

No comment from a planning perspective.

Please note that any further electronic communication on this project can be sent directly to HSE's designated e-mail account for NSIP applications, the details of which can be found at the top of this letter, or hard copy correspondence should be sent to:

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

Yours sincerely

*pp Linda Cowen*

Dave Adams  
CEMHD4 Policy

## contact

---

**From:** Burgess, Janice [REDACTED]  
**Sent:** 08 November 2019 17:43  
**To:** contact  
**Cc:** Planning SE  
**Subject:** Thurrock Power Limited- Consultation on Project Changes

**Consultation:** Thurrock Power Limited- Consultation on Project Changes

**Highways England Ref.:** #8818

Dear Andrew,

Thank you for your letter dated 9<sup>th</sup> October 2019 inviting Highways England to comment on the above consultation, which indicated that a response was required by 11<sup>th</sup> November.

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. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN.

Having examined the information provided, we have no objection to the proposed changes; relocation of the construction access and installation of a new permanent causeway. **[ ]** We welcome the proposal to bring as much as possible to site via the river.

Point 3.19 states that Highways England are generally satisfied with the construction vehicles using the Asda roundabout, subject to the timings of construction vehicles being managed through a Construction Traffic Management Plan (CTMP). **[ ]** I cannot recall where I have given this assurance. In fact I raised several concerns about the amount of HGV's using the Asda roundabout as a u-turn to get to the development site. I also raised a concern about the potential safety implications of HGV's making the u-turn movement at the Asda roundabout. This is not a movement generally associated with this location. I would like to see the evidence to support the movement of construction vehicles between the Tilbury Port site to the development site. I have not had sight of a **[ ]** draft CTMP to date and we are also not clear on the number of construction vehicles that will be generated by this development. These details should be provided to Highways England as soon as possible, so we can continue to work collaboratively with you to ensure there is no detrimental impact to the SRN **[ ]** and that your development proposals can proceed without undue delay.

Should you have any queries regarding this matter, please contact us at [planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk).

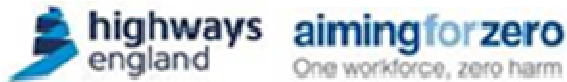
Regards,

Janice

**Janice Burgess, Spatial Planner**  
Highways England Company Limited  
Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ

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Direct Tel: 0300 470 1055 | [REDACTED]  
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<https://www.gov.uk/government/organisations/highways-england> | [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk)

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Historic England

A. Troup Esq  
Thurrock Power Ltd  
145 Kensington Church Street  
London  
W8 7LP

11<sup>th</sup> November 2019

Dear Mr Troup,

**Thurrock Power Ltd: Proposed Flexible Generation Plant  
Consultation on Project Changes**

Thank you for your letter, dated 9<sup>th</sup> October 2019, regarding this proposed development project.

Please note that this response is being sent on behalf of our colleagues based at our East of England office and that all subsequent correspondence should continue to be sent to our Cambridge office.

We are also aware that you have not engaged with us through our Enhanced Advisory Service for pre-application advice. We hope that you will take action to address this situation as there are matters which we have identified here which should be addressed during pre-application.

We understand that this proposed development is classified as Nationally Significant Infrastructure and that you consulted us with a Preliminary Environmental Information Report (PEIR) in October 2018. However, we note that since the PEIR consultation exercise, the design of the proposed project has changed hence this consultation request to us. We have therefore considered the changes, as numbered within your above referenced letter, and we offer the following comments with specific regard to:

- Project change No.1 – Access road being taken from the south and west rather than to the north; and
- Project change No.2 – Construction of a new permanent causeway into the River Thames to allow the delivery of very large loads by water.



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
Correspondence or information which you send us may therefore become publicly available.



Despite the changes to the development, we feel that many of the comments made during the EIA Scoping exercise (our response to the Planning Inspectorate, dated 6<sup>th</sup> September 2018) and in response to the PEIR consultation stage (our advice letter dated 14<sup>th</sup> November 2018) are still relevant.

It is our advice that this proposed development has the potential to impact on deposits of archaeological and palaeo-environmental interest that have been classed as being significant. In particular, as required by the Overarching National Policy Statement for Energy (EN-1), it is apparent that a detailed assessment and evaluation of buried archaeological remains has yet to be completed to inform the preparation of an EIA for this proposed development. It is noticeable that the PEIR in Table 1.4 makes it clear that due to the option of installation of a cooling water pipeline not being pursued that "...no impacts on marine archaeology would occur."

We therefore have not been provided with an assessment by any professional, accredited and experienced archaeological consultant or contractor to determine what the possible risks to any aspect of the historic environment as might be attributable to the construction of a permanent causeway within the tidal Thames. These impacts may be either direct, physically impacting/disturbing deposits or remains, or indirect, altering the local hydrology that may result in waterlogged archaeological deposits in adjacent areas drying out and degrading. For example, the area identified for the causeway has been characterised as an area of saltmarsh and mudflat extending from the upper shore to the low tide mark. There is potential for deposits of archaeological and palaeo-environmental interest to be present in these areas, as well as the potential for waterlogged organic deposits/remains to be preserved. It is therefore important to understand how archaeological remains located within and adjacent to the proposed development may be affected.

The summary of potential environmental effects, mitigation and monitoring presented within PEIR Table 6.1 is therefore incomplete and a supplementary summary table should be produced. Furthermore, the required archaeological assessment should specify the techniques and methodologies to be adopted for all subsequent survey investigations and set out within an outline or draft archaeological Written Scheme of Investigation (WSI). It is apparent from the limited information presented to us in your letter, as dated above, that you must now determine the archaeological potential of the areas subject to impact by this proposed project. Such an assessment must incorporate a strategy to investigate and sample in accordance with a WSI produced in consultation with Historic England and the relevant local authority. We therefore recommend that the following Historic England documents are referred to within any draft WSI produced:

- Historic England (2011) *Environmental Archaeology*;
- Historic England (2016) *Preservation of Archaeological Remains*; and
- Historic England (2018) *Waterlogged Organic Artefacts*

We also recommended that a deposit model is prepared as part of the Desk-Based Assessment (DBA) which should inform the historic environment chapter of the Environmental Statement. Data used in this model should utilise geotechnical investigations conducted at nearby sites and the British Geological Survey borehole register. It is the purpose of this exercise to collate existing information to characterise and understand the sequence of deposits that could be impacted by the



proposed development, as well as investigating the archaeological potential. We therefore direct you to the following publication for further information:

- Carey, C., Howard, A.J., Knight, D., Corcoran, J. and Heathcote (2018) *Deposit Modelling and Archaeology*. University of Brighton & Historic England

It should also be noted that the preliminary DBA deposit model should inform the preparation of a draft WSI so that geophysics and geotechnical investigation techniques used are suitable to guide the design of this proposed development. This is especially useful in areas where deep features/remains are expected and where deeply buried organic deposits such as peat are expected.

We have also checked our National Record of the Historic Environment for this location and it is noticeable that there are records held for this section of the tidal Thames. It is therefore relevant that the additional archaeological assessment that now needs to be conducted adequately determines the risk of encountering possibly previously unknown historic or archaeological sites, especially at the location identified for the proposed permanent causeway.

In conclusion, we recommend that you prepare the following draft documents for consultation with us and the relevant local authority during any remaining pre-application stage of project preparation:

- a supplementary summary of potential environmental effects, mitigation and monitoring to include all relevant proposed changes;
- a DBA technical report comprising a preliminary sedimentary deposit model for the location of the proposed permanent causeway; and
- a draft archaeological WSI which is also to be stipulated as a condition within any draft Development Consent Order (including deemed Marine Licence).

Please note that all further requests for advice made to us should now be part of an agreed Enhanced Advisory Service contract.

Yours sincerely,



Dr Christopher Pater  
**Head of Marine Planning**



Historic England, 4<sup>th</sup> Floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA  
Telephone 020 7973 3700 Facsimile 020 7973 3001  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)

Please note that Historic England operates an access to information policy.  
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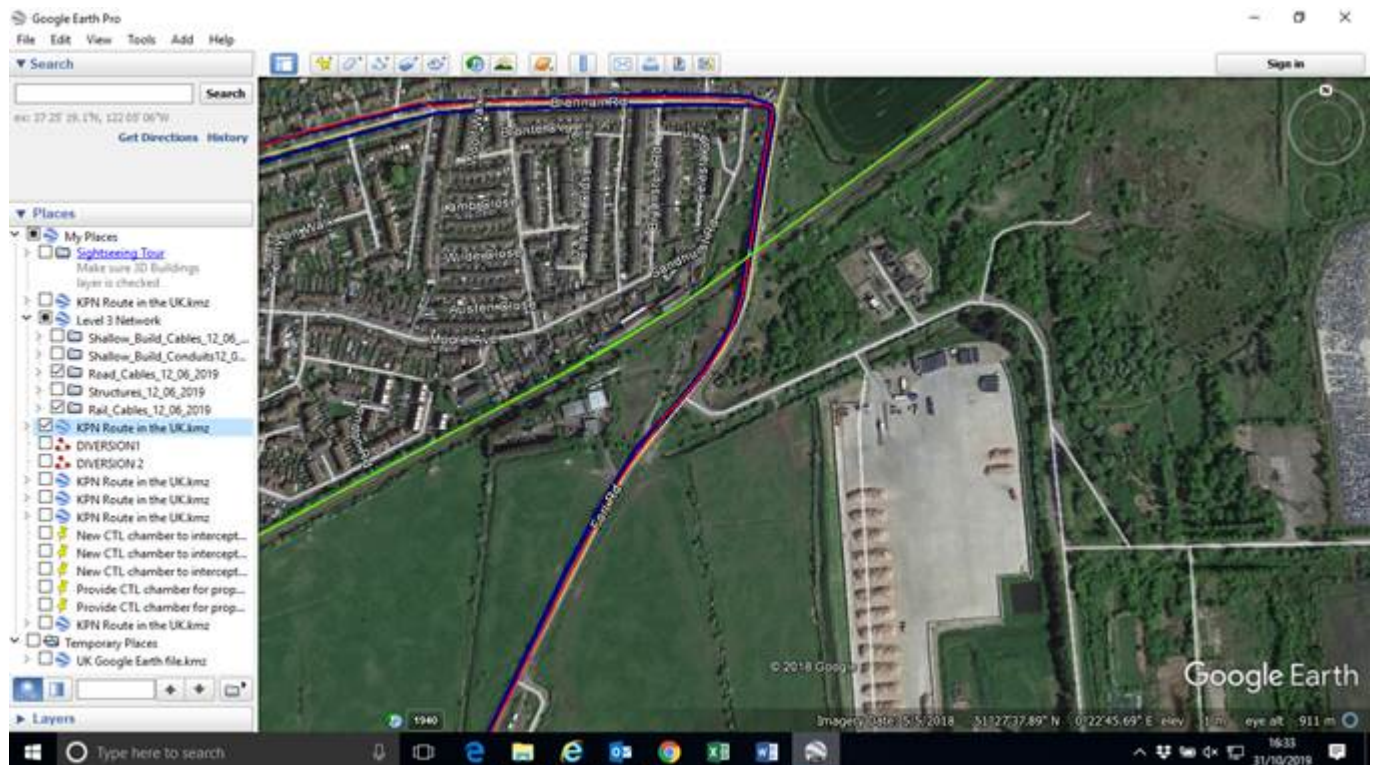
## contact

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**From:** Richard Underwood [REDACTED]  
**Sent:** 31 October 2019 16:47  
**To:** contact  
**Subject:** Consultation on Project Changes

Good afternoon,

With the new Zone Plan, there is one specific area where there may be a slight conflict between KPN and CenturyLink assets. This falls within Zone H and the extract below covers the SU's assets running in Fort Road;



I am sure that this will only require observation of works adjacent to the assets, rather than diversions, but though it best to flag at this stage. As you will probably be aware there are ongoing works in Fort Road at the present time.

Please let me know if you have any questions, or require further information.

Best regards,

**Richard Underwood**  
**Project Manager**

Instalcom Limited  
Borehamwood Ind Park  
Rowley Lane  
Borehamwood  
WD6 5PZ

Office: +44 (0)208 731 4600  
Fax: +44 (0)208 731 4601  
[REDACTED]

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



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## contact

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**From:** Katie Miller [REDACTED]  
**Sent:** 14 October 2019 15:51  
**To:** contact  
**Subject:** Consultation on Project Changes

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

I can advise that the AONB Unit has no comments to make on the proposed changes.

Kind regards

Katie Miller  
**Planning Manager**

Kent Downs Area of Outstanding Natural Beauty Unit  
West Barn, Penstock Hall Farm, Canterbury Road, East Brabourne, Ashford, Kent, TN25 5LL

Katie.miller@kentdowns.org.uk <http://www.kentdowns.org.uk>  
Tel: 01303 815170 | Fax: 01303 815179

*Please note I work part-time, usually Monday to Wednesday*



*Enhancing landscapes and life in the Kent Downs*

Our reference: DCO/2018/00015

Mr Andrew Troup  
Statera Energy Limited

**By email only**

08 November 2019

Dear Mr Troup,

**Thurrock Flexible Energy Plant Consultation: Proposed Flexible Energy Generation Plant in Thurrock: Project Changes Report Section 48 Planning Act 2008**

Thank-you for your letter dated 9 October 2019, requesting a consultation response from the Marine Management Organisation (MMO) of “Thurrock Power Limited’s” Project changes Report (PCR) under Section 48 of the Planning Act 2008 (the 2008 Act).

Thurrock Power (TP) proposes to develop a flexible generation plant (the Project) on land north of Tilbury Substation in Thurrock. The flexible generation plant will provide up to 600 megawatts (MW) of electrical generation capacity on a fast response basis when called by the National Grid, together with up to 150 MW of battery storage capacity. The proposed development is a Nationally Significant Infrastructure Project (NSIP) for which TP will submit an application to the Planning Inspectorate (PINS) for development consent.

**The MMO’s role in Nationally Significant Infrastructure Projects**

The MMO was vested under 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 English inshore and offshore waters and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring (MHWS) tide. They also include the waters of every estuary, river or channel where the

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<sup>1</sup> Under Part 4 of the 2009 Act

tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

In the case of NSIPs, the 2008 Act enables Development Consent Orders (DCO) for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

As a statutory consultee under the 2008 Act, the MMO advises developers during pre-application on those 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, deposit or removal within the marine area, this includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, 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 (DML) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO's website<sup>3</sup>. Further information on the interaction between the PINs and the MMO can be found in our joint advice note<sup>4</sup>.

## **MMO comments**

The MMO has reviewed the consultation documents received on 09 October 2019 in consultation with our scientific advisors at Centre for Environment, Fisheries and Aquaculture Science (Cefas). Please find the MMO's comments provided below:

### **1. Observations**

- 1.1. In general, the PCR does not provide a sufficient or comprehensive review of potential impacts of the Project. Therefore the MMO can only provide limited observations/comments at this time.
- 1.2. The MMO note the PCR proposes a permanent causeway into the river Thames. This would require assessment and monitoring to take place both before and after construction to ensure that there are no significant impacts to the marine environment. The MMO advise ongoing dialogue with ourselves, Natural England (NE), and the Environment Agency (EA) to ensure the correct assessment have been done using the best available evidence and methods.

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<sup>2</sup> Section 149A of the 2008 Act

<sup>3</sup> <https://www.gov.uk/planning-development/marine-licences>

<sup>4</sup> <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>

- 1.3. Given the nature of the Project, it is likely that there will be uncertainties in impact predictions, and it is likely that monitoring of the foreshore topography/bathymetry will be appropriate. Mitigation is not discussed in the documents supplied, although paragraph 3.9 indicates the concept design of the causeway was developed to minimise scouring. This level of detail is expected at this stage, however the MMO would anticipate future mitigation measures to be informed by the outcomes of impact assessment/sample analysis.
- 1.4. Whilst the design for the causeway remains conceptual the MMO advise that consideration be given to using a piled jetty structure rather than a solid causeway. This is in order to reduce disruption to hydrology at the site which may lead to morphological changes. Further design iterations could be informed by modelling so as to best assess any impacts pre-construction.
- 1.5. As a methodology for impact assessments was not included within the documents for review further scoping may be required. Further, cumulative and inter-related impacts were not discussed. The MMO hope to see consideration of this in future – a further scoping may be appropriate to determine this.
- 1.6. As the effects on coastal processes have not been properly considered in this document the MMO would hope to see an impact assessment in the Environmental Statement (ES) including but not limited to bathymetric surveys and monitoring, particularly across the foreshore area.

## **2. Recommendations:**

- 2.1. The PCR provided only basic information regarding the causeway design and the causeway plan location sketch. Further detail should be provided, including:
- Design details (including structure dimensions, exact location and whether the structure will have a piled or solid foundation);
  - Details of any dredging (including coordinates of the proposed dredge area, further expected side slope angles, expected depth of dredging below existing seabed level, and whether any maintenance dredging will be required);
  - Construction methodology (including plant that would be used to construct the causeway);
  - Further description of how the seabed would be 'prepared' for barge grounding, including detail of dredging methods and operations;
  - Expected size and draft of the barges and description of berthing operations.
- 2.2. The PCR has no methods for identifying and assessing the impacts of the permanent causeway. Based on the relatively brief description of the proposed works provided, impacts to consider include, but are not limited to:
- Scour and/or accretion around the structure and any material placed as bed preparation in the vessel birthing area;
  - Morphological impacts on the bank up and downstream of the causeway and dredging area, including change to bed morphology due to dredging activities and vessel movements (wake generation and propeller wash);

- The generation of sediment plumes and subsequent sedimentation on the surrounding river geomorphology (both near field and far field) due to capital and maintenance dredging activities, vessel movement and causeway construction activities.
- The loss of habitat under the footprint of the structure and scour protection.

2.3. Whilst limited mitigation was proposed in the PCR, the MMO suggest the TP consider that jetty operations could be designed to minimise topographic impacts. This could be done by imposing a minimum water level at which vessels will move around the causeway area to minimise propeller wash effect, or imposing a speed limit to reduce vessel wakes.

2.4. The PCR did not discuss cumulative and inter-related impacts of the Project. The MMO suggest an assessment of the individual project components and their capacity for cumulative effects upon hydrodynamics and geomorphology as a result of dredging, construction and operation activities.

In addition to point 2.3, cumulative impacts between the project and third-party projects should consider any local Shoreline Management Plans, as well as any nearby foreshore structures and projects. An area of influence should be determined based on the assessment of potential project effects and its extent justified within the context of the local littoral cell. Cumulative assessment should consider interaction of predicted effects with third party projects within this zone.

2.5. In addition to point 1.3, the ES should include a full description of expected scour, accretion and morphological effects likely to be caused by the causeway. Design changes implemented to reduce potential effects are welcomed and can be presented within the ES as “embedded mitigation” matters.

2.6. The curved design of the causeway will create a semi-enclosed area, within which hydrodynamic energy levels are likely to be reduced. Conversely, flows may accelerate around the end and outer edge of the jetty. This could have subsequent effects by way of erosion and accretion which should be appropriately assessed through prediction of impacts of hydrodynamics. The output of these assessments would then inform predictions of scour and of impacts to geomorphology (using appropriate predictive methodologies and/or modelling).

2.7. Limited detail has been provided regarding dredge operations and further information is required for the MMO to be able to comment in detail. The PCR suggests sediment samples are currently undergoing analysis. Any analysis must be carried out by an MMO validated laboratory. The sample analysis results will be required on an MMO results template to support a DML for dredge and disposal activities. With regard to the dredging activities the further information required will include, but is not limited to:

- Dredge methodology (location, depth, volume);
- Type of material (sample analysis/capital or maintenance);
- Dredge history of the area;
- Disposal methodology/site assessment;



- KLM file or Shapefile (to assess the exact location of the dredge)

2.9 Paragraph 3.10 of the PCR highlights “*it is possible that new saltmarsh will be created in the lee of causeway offsetting [saltmarsh habitat] loss. This will be considered in the full Environmental Statement (ES)*”. This indicates that TP acknowledge this as a potential effect, and the manner in which this will be considered in the ES should be explicitly described. The MMO also recommend early engagement with Natural England would be beneficial.

2.10 The MMO is not aware of the date of the bathymetric data, however up to date bathymetric and intertidal topographic information of the project area should be provided as a baseline prior to project start. This may also be used as an input for any predictive modelling undertaken within the impact assessment. Geotechnical information of the underlying sediments would be useful for morphological effect assessments and the uncertainties that arise due to the lack of this data should be discussed and justified within the assessment.

2.11 Further data from third-party sources should be sought where possible, complemented by baseline studies to undertake required assessments. For example - Tidal level data is available from the Flood Information service <https://flood-warning-information.service.gov.uk/river-and-sea-levels> and <https://www.ntsif.org/>. Tidal current speed should also be sought or predicted if observational data are not readily available. Existing models of the area may contain relevant data. EA Light Detection and Ranging (LiDaR) records provide relevant coverage of intertidal topography.

The items highlighted in this letter should be considered in the initial scope of the EIA, however please note that this letter is not a definitive list of all ES/EIA requirements and other subsequent work may prove necessary. The MMO reserves the right to make further comments on the Project throughout the pre-application process and may modify its present advice or opinion in view of any additional information that may subsequently come to our attention.

## Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours sincerely,

Lindsey Mullan  
Marine Licencing Case Officer

[Redacted signature block]



## **Decision Notice**

MC/18/3083



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

**Applicant Name:**  
Mr Andrew Troup

Planning Service  
Physical & Cultural Regeneration  
Regeneration, Culture, Environment &  
Transformation  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR  
01634 331700  
01634 331195

[Planning.representations@medway.gov.uk](mailto:Planning.representations@medway.gov.uk)

### **Town and Country Planning Act 1990**

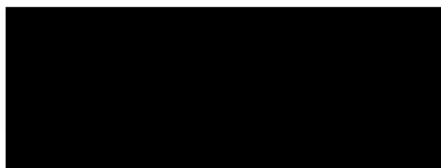
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**Location:** Land North Of Tilbury Substation In Thurrock.

**Proposal:** Consultation under Section 42 of the Planning Act 2008 to construct, operate and decommission a flexible generation power plant

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I refer to your letter of consultation regarding the above and would inform you that the Council **RAISES NO OBJECTION** to it.



David Harris  
Head of Planning  
Date of Notice 8 November 2018

## **TOWN & COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS) (ENGLAND) (AMENDMENT) (REGULATIONS 2013)**

### **TOWN AND COUNTRY PLANNING ACT 1990**

#### ***Appeals to the Secretary of State***

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** from the date of this notice for appeals being decided under the **Commercial Appeals Service** and **6 months** from the date of this notice for all other **minor and major applications**.
  - However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
    - **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
    - **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
  - Appeals must be made using a form which you can obtain from the Planning Inspectorate by contacting Customer Support Team on 0303 444 50 00 or to submit electronically via the Planning Portal at

[https://www.planningportal.co.uk/info/200207/appeals/110/making\\_an\\_appeal](https://www.planningportal.co.uk/info/200207/appeals/110/making_an_appeal)

#### **Commercial Appeals Service**

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

#### **All other Minor and Major Applications**

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the

proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.

### ***Purchase Notes***

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



## Ministry of Defence

Andrew Troup  
Thurrock Power Limited  
1<sup>ST</sup> Floor 145 Kensington  
Church Street  
London  
W8 7LP

## Defence Infrastructure Organisation

Safeguarding Department  
Statutory & Offshore  
Defence Infrastructure Organisation  
Kingston Road  
Sutton Coldfield  
West Midlands  
B75 7RL

Tel: [REDACTED]

E-mail: [DIO-safeguarding-statutory@mod.gov.uk](mailto:DIO-safeguarding-statutory@mod.gov.uk)

[www.mod.uk/DIO](http://www.mod.uk/DIO)

Our reference: DIO 10046721

07 November 2019

Dear Andrew,

### **MOD Safeguarding**

**Proposal:** Flexible Generation Plant in Thurrock

**Location:** Land to North Of Tilbury Station, Walton Common, Thurrock

**Boundary outline** 567922 177501  
**Grid Ref:** 566573 175399  
565386 176639  
566325 176811  
566236 177446

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 14/10/2019.

After reviewing the documents, I can confirm the MOD has no safeguarding concerns with regards to this proposal.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely

Mrs Kalie Jagpal  
Assistant Safeguarding Manager

## contact

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**From:** Jefferies, Spencer <[REDACTED]>  
**Sent:** 11 November 2019 21:57  
**To:** contact  
**Subject:** Consultation on project changes - National Grid response

Good evening,

National Grid have previously responded to your consultations. We welcome the increased detail submitted with this consultation

We will continue to work with Thurrock Power during further consultations and the DCO process.

Please keep me on the distribution list for future deadlines. Myself and Andrew will continue to liaise with each other on aspects of the DCO in the coming months.

Kind regards

**Spencer Jefferies BSc AssocRTPI**

Town Planner

Land and Acquisitions, Land and Property

**nationalgrid**

[REDACTED]  
[REDACTED]

National Grid House, (Floor C2), Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA  
[nationalgrid.com](https://www.nationalgrid.com) | [Twitter](#) | [LinkedIn](#)

In order to deal with your query/request, we may need to collect your personal data. For more information on National Grid's privacy policy in respect of your personal data, please see the attached link| <https://www.nationalgrid.com/group/privacy-policy>

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For the registered information on the UK operating companies within the National Grid group please use the attached link: <https://www.nationalgrid.com/group/about-us/corporate-registrations>

## contact

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**From:** NATS Safeguarding <NATSSafeguarding@nats.co.uk>  
**Sent:** 05 November 2019 15:07  
**To:** contact  
**Cc:** NATS Safeguarding  
**Subject:** Thurrock Flexible Generation Plant - Consultation on Project Changes (SG26698)

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

**NATS**

**NATS Safeguarding**

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



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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.

---



1 Eversholt Street

London, NW1 2DN

E: [REDACTED]

T: [REDACTED]

11<sup>th</sup> November 2019

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

Dear Sir / Madam

I write in respect of the above consultation under Section 42 and Section 44 of the Planning Act 2008 associated to Thurrock Power Limited (a Statera Energy Group Company) proposal. Having considered the details of the project changes consultation I can confirm that Network Rail wishes to make the following comments.

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**

As mentioned in our original response dated 13<sup>th</sup> November 2018, Network Rail had initially two areas of concerns (the site access and the proposed underground pipe adjacent to the railway). The amendments to the DCO have addressed the site access concerns, as the primary access route will now be via Fort Road bridge and not via the level crossing on Station Road.

The original proposal also contained plans to transport abnormal loads across the railway which was also of concern to Network Rail. The amendments now state that abnormal loads will be transported via boat thus removing the need to cross the railway.

However, it appears that the exact details/position regarding the permanent access road, gas pipeline route, and construction laydown in Zone C are still unknown. As a result, we cannot fully assess the impact and are therefore unable to provide full comments at this stage. Depending on the impact on Network Rail's infrastructure, an Asset Protection Agreement may be required to be signed (depending on the receipt of full information as referred to above) before proceeding with any design or construction work alongside, above or below Network Rail's Infrastructure. Prior to any development/construction or alterations to the site by Thurrock Power Limited, further site-specific safety requirements, engineering technical approval and detailed conditions will need to be sought from Network Rail's Anglia Asset Protection team ([AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk)). The process for obtaining approval is outlined on Network Rail's web page <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

Network Rail have standard protective provisions which will need to be included in the DCO as a minimum. Thurrock Power Limited should therefore contact Janie Thorn, email: [REDACTED] to request a copy of these and to discuss any other agreements that will need to be entered into with Network Rail.

A number of legal and commercial agreements may 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. It should be acknowledged that any easement required in relation to the proposed bridge widening over the railway will need to go through Network Rail's clearance process and other rail industry processes.

Thurrock Power Limited should be aware that they may be responsible for charges/costs associated to Network Rail's pre-application engagement in relation to the proposed Interconnector project.



Thank you again for providing Network Rail with the opportunity to comment on this DCO consultation. I trust that the comments above are clear, but if you require any further information or have any queries do not hesitate to contact me.

Yours sincerely,

**Nick Donoghue**

Town Planning Technician

## contact

---

**From:** Helena Payne <[REDACTED]>  
**Sent:** 08 November 2019 14:19  
**To:** contact  
**Cc:** James Trimmer; Lucy Owen  
**Subject:** FW: Thurrock Power Limited - Proposed Flexible Generation Plant DCO - project changes (PLA Response)

FAO: Andrew Troup

Dear Andrew

A minor correction to the PLA response, please accept my apologies. The below now includes the correction and should replace my previous e-mail response to you.

Helena

---

**From:** Helena Payne  
**Sent:** 08 November 2019 14:08  
**To:** 'contact@thurrockpower.co.uk' <contact@thurrockpower.co.uk>  
**Cc:** James Trimmer [REDACTED]; Lucy Owen [REDACTED]  
**Subject:** Thurrock Power Limited - Proposed Flexible Generation Plant DCO - project changes (PLA Response)

FAO: Andrew Troup

Dear Andrew

Thank you for consulting the Port of London Authority (PLA) on the proposed Thurrock Flexible Generation Plant. The PLA's response relates to the project changes, which have been introduced subsequent of the original PEIR in October 2018. The main changes to the project include (amongst other things):

- Change to the redline boundary to include the River Thames;
- A new permanent causeway into the River Thames is proposed to be constructed and used during construction for the delivery of very large loads by water.

The order limits (as shown on the submitted DCO boundary drawing) now includes a section of the River Thames to enable the construction of a causeway. This causeway will extend into the Thames, which will enable deliveries to be made by water. Impacts on the river, both from a conservancy, marine ecology and navigational point of view, must now be considered.

The PLA has previously made representation on the Scoping for the Environmental Statement, which will accompany the application for a Development Consent Order (DCO) for the proposed scheme. However, it appears that the submission does not include an amended ES, which would be expected to take into consideration the environmental impacts of the proposed changes (including the proposed causeway). It is assumed an amended EIA Scoping report will be submitted and that the PLA will have opportunity to review it ahead of formal submission? Until the amended ES has been made available to the PLA, and notwithstanding the detail contained within the Project Changes Report (October 2019), it has not been possible to consider, in detail, the acceptability of the proposed changes.

However, on review of the accompanying documents to your letter (amended drawings and Project Changes Report) of the 9<sup>th</sup> October 2019, it is pleasing to see that the proposed amendments include for the use of the River to

transport large loads. The PLA fully supports use of the River in this regard, which will have a positive impact on both the economic and environmental wellbeing of the Thames (for example reduction of CO2 and resultant reduction of lorry movements). Details of how the causeway will operate have been provided within the Project Changes Report, this includes (amongst other matters):

- Installation of a gate within the flood defence to allow access through;
- Barges will arrive at high-tide and will position itself above the required beaching position. As the tidal level falls, the barge will settle onto the prepared area of the river foreshore;
- A mobile crane will travel down the causeway to assist deployment of the barge ramp;
- Access to the causeway will be via a temporary haul road;
- The barge will wait for raising tides before leaving the site
- Up to 60 barge deliveries are expected in total. These deliveries are likely to be at intervals of three days or more during the construction programme.

From an environment perspective, and following on from previous pre-application engagement, it will be necessary for the Applicant to provide further information relating to the improvements of ground stability. If there is a need for these works ahead of constructing the causeway, measures to stabilise the ground must be provided. This information has not been submitted in support of the proposed changes. In addition, an assessment must also be undertaken by the environmental specialists into the impact of the works and mitigation measures that would need to be provided. This assessment should take into account the proximity of the works to priority habitats, protected sites and species. Again, this information should be provided within an amended ES.

Paragraph 3.9 of the submitted Project Changes Report mentions developing the design to minimise significant scouring of the foreshore. This will need to be demonstrated within the ES, given the potential impact on the saltmarsh and mudflat. Reference has been made under 3.10 of the Report to saltmarshes and states that *“some of the saltmarsh will be lost through the construction of the causeway. However, it is possible that new saltmarsh will be created in lee of causeway offsetting that loss. This will be considered in the full ES”*. Therefore, the PLA expects to see this reflected in amendments to the ES prior to formal submission. Coastal saltmarsh is a UK BAP Priority Habitat and an important habitat for migratory fish in the Thames. The PLA would expect any loss of this habitat as a result of works associated with this project to be compensated for. At the point of application, the PLA must be provided with details surrounding the design of the compensation area, with specific information regarding construction, species to be planted (which must be native species only) and the proposed maintenance routine to ensure habitat establishment and including any relevant litter management.

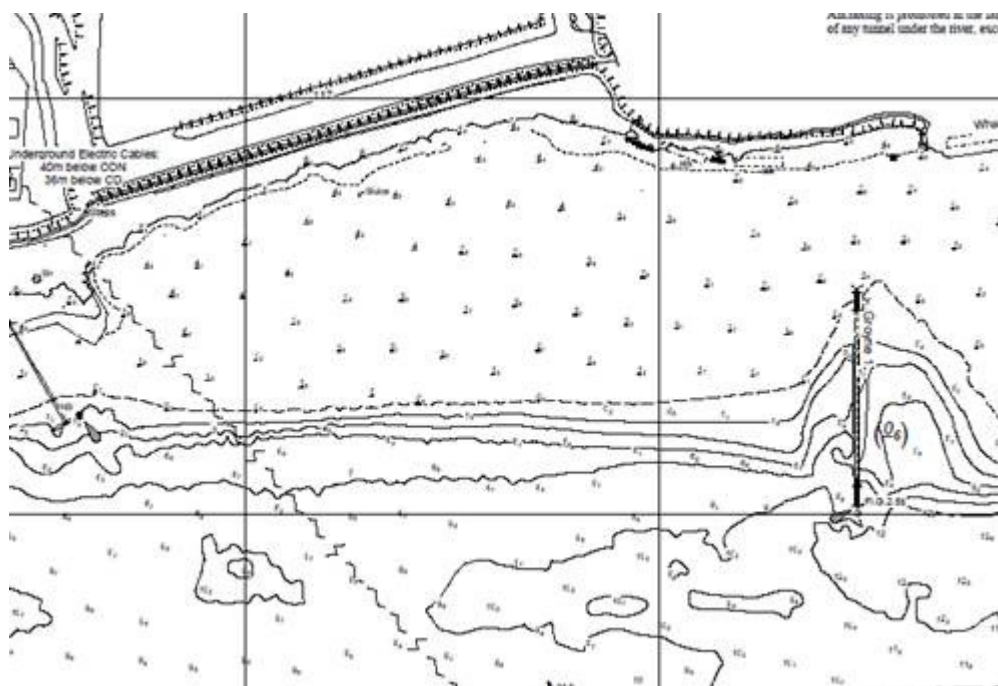
The detail provided regarding the operation of the causeway suggests that vehicles will be driven onto it. As such, the PLA would expect to see a pollution plan submitted, including mitigation for the potential of vehicles getting stuck on the causeway, should be provided with the DCO submission.

Any proposed removal of foreshore sediment could require a dredge licence. The potential for ongoing maintenance of dredged area should also be considered.

The concept design suggests that leaving the causeway in place permanently will provide an ecological habitat enhancement. More detail/information will be expected as to how the causeway provides a habitat enhancement and this should be provided within a revised ES. A WFD assessment will also need to be carried out.

The amended redline boundary, which includes an area of the Thames/riverbed, appears quite large compared to the causeway drawings the PLA has previously seen. Is there a reason for the area needing to be this size? The outline of the causeway also appears to be very close to the PLA Diver Shoal groyne number 1. The PLA expect to see some form of protection given to this during construction and mitigation/protection must be included within the ES. The PLA would expect to see any accidental damage made good at the cost of the applicant. It must be noted that whilst there are no immediate concerns with regards to the River and riverbed being included within the redline boundary, the PLA would resist any attempt to purchase this part of the riverbed.

As an additional observation, it is unclear from the submission whether the Applicant is aware of the location of a deep cable tunnel, which crosses the corner of the site? This is clearly shown on the available PLA charts (extract below). Is this likely to have any bearing on the development of the proposed causeway?



From a river navigational point of view, there are no immediate issues resulting from the proposed causeway, although further information regarding the general securing arrangement of vessels using the causeway will be needed. Consideration of the proximity to Tilbury and Tilbury 2 must also be addressed.

The proposed causeway would be a permanent structure, and the PLA will need to see details of what is being proposed for the structure long term. It appears that the use of the causeway will only be for a limited period and for a specific purpose with no real long-term benefit. How will its maintenance be managed in the long term? Would it be of benefit to consider the causeway as a temporary work with a removal and re-instatement clause contained within any agreement/consent? The PLA would be interested to understand what will happen with the causeway after the construction phase of the development, and after deliveries/loads have been carried out (on completion of the project). This information would be expected to be provided within the formal submission, and the PLA would welcome further engagement on these matters ahead of the submission of the DCO.

The Project Changes Report refers to 'mean high water'. Please be aware following an update of the PLA's Act, it is proposed that we no longer refer to the mean highwater mark, but the highwater mark (HRO). You should be aware of these changes prior to any formal submission of the DCO application.

I trust this is of assistance to you.

Regards

Helena

**Helena Payne**  
Senior Planning Officer

*Port of London Authority*

*T: +44 1474 562385 /* [REDACTED]

*Follow us at @LondonPortAuth*

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11 November 2019

By e-mail to [contact@thurrockpower.co.uk](mailto:contact@thurrockpower.co.uk)

Andrew Troup  
Thurrock Power  
15th Floor 145 Kensington Church Street  
London,  
W8 7LP

Dear Mr Troup

**Thurrock Power Limited  
Proposed Flexible Generation Plant in Thurrock  
Consultation on Project Changes**

This is the response on behalf of our client, Port of Tilbury London Limited ("PoTLL"), to the consultation by Thurrock Power ("the promotor") on Project Changes in respect of the Proposed Flexible Generation Plant in Thurrock ("the Scheme").

The comments in this letter are made from the perspective of PoTLL's role as:-

1. the owner and operator of the Port of Tilbury; and
2. the owner of a planned new Port Terminal on the western part of the former Tilbury Power Station site (known as Tilbury2) which was the subject of an application for a Development Consent Order that was made on 20<sup>th</sup> February 2019 and which is presently under construction. Tilbury2 is therefore 'operational land' held by PoTLL in its role as a statutory undertaker. The first phase of Tilbury2 will be operational in April 2020.

The Scheme lies immediately adjoining the northern part of the Tilbury2 site, with a common boundary some 700m in length. The land within the Tilbury2 Order limits in this part of the Tilbury2 site is now being used in part for ecological mitigation and will remain undeveloped, and in part for the construction and aggregates terminal ("CMAT"). Works to create the ecological mitigation area have already been largely completed.

From your letter, it appears that the Order limits for the Scheme have now been changed and the changes include PoTLL land to allow for the primary construction of the Scheme.

Cont.....



## **Previous comments**

PoTLL responded to the promotor's statutory consultation by letter dated 12 November 2018. In that response we noted that at that stage it did not appear as though any of PoTLL's land lay within the proposed Order limits for the Scheme. We further noted that should the promotor seek access across the Tilbury2 site, subject to commercial discussions, PoTLL would be prepared to license access for construction purposes. However, this would be contingent on the strict agreement that there would be no interruption of or interference with the operation of the Port at Tilbury2 or any construction works on that site that may be still on-going, and suitable protective provisions within the DCO being agreed.

Detailed comments were also made on the ecological implications of the Scheme proposals at that time.

## **General comments on proposed changes**

PoTLL note that the proposed Order limits have been significantly altered since the statutory consultation.

We further note that at this stage, no updated development description or environmental information has been published which explains the nature of the changes or their potential environmental implications. Your letter of 9 October 2019 very broadly describes the reasons for the changes, describing them as 'design refinements that have led to improvements to the Scheme.'

PoTLL notes that a section 48 notice has been served in respect of this October 2019 consultation, indicating that this consultation is intended to be a statutory consultation pursuant to sections 42 to 49 of the Planning Act 2008. If this is the case, then it is considered by PoTLL that an unacceptable amount of information has been provided, in particular:

- the 'DCO boundary' and Zones Plan are at such a high scale that it is difficult to properly interpret the impact on PoTLL's land and operations; and
- no preliminary environmental information has been provided in respect of the Scheme inclusive of these changes, such that the likely significant environmental effects of the Scheme as so changed can be understood (pursuant to Regulation 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017). The Changes Report provided as part of the consultation describes the changes and the baseline that they impact, but does not explain their environmental impact (for example the impact on navigation and shipping of constructing and operating a causeway adjacent to an operating port berth).

In the absence of any further detail, PoTLL must inevitably reserve judgement as to the acceptability of the Scheme both in terms of its environmental impacts and implications for



the Port's on-going operation, particularly but not exclusively at Tilbury2.

As such, further engagement with PoTLL in relation to environmental issues and the interaction of the effects of the Scheme with the operation and maintenance of Tilbury2 is required and PoTLL would encourage you to re-consider the adequacy of your consultation to date.

### **Comments on changes to the draft Order plans**

#### Access arrangements

We note that the promotor now proposes that the Order limits include an access route through the Tilbury2 development.

As stated previously, subject to a commercial transaction, PoTLL do not object in principle to the use of this route on a temporary basis, albeit PoTLL does have concerns about how this use would interact with the efficient and safe operation of Tilbury2. PoTLL would need to know considerably more details to level of traffic, types of vehicles, frequency of use, hours of operation, etc. In particular PoTLL would need to ensure that the temporary use of the route through Tilbury2 caused no conflict with vehicle movements on the internal Tilbury2 road network associated with the RoRo terminal and CMAT. Moreover, the route crosses rail sidings that will route north-south close to the eastern boundary of the Tilbury2 site. The management of the interaction between rail movements and construction traffic associated with the Scheme will need careful consideration.

More broadly, PoTLL wishes to understand clearly the access strategy for the Scheme, both during construction and operation, and the impact on the local highway network including the new Tilbury2 link road (between Fort Road and Ferry Road) and the A1089 (in particular the roundabout adjoining the ASDA supermarket and Amazon E-fulfilment Centre).

#### Use of the river Thames

The Summary of Project Changes notes that a new permanent causeway into the river Thames will be constructed, with a haul road from the causeway to the construction site.

PoTLL has concerns about the proposed causeway and use of the river Thames in close proximity to the Tilbury2 jetty. PoTLL will need to be satisfied that whatever structure is constructed, any dredging that might be needed, together with its use by vessels within the river, does not interfere with the safe and efficient operation of vessels using Tilbury2. PoTLL is also concerned that there is likely to be interaction between environmental effects of the Scheme and of Tilbury2 in this area, particularly in relation to benthic ecology. Protective and other provisions relating to these aspects of PoTLL's statutory undertaking will need to be discussed with PoTLL and then included in the promoter's draft DCO for the Scheme.

#### Interaction with Tilbury2 Ecological Mitigation

PoTLL remains concerned as to the interaction of the Scheme with the adjoining Tilbury2

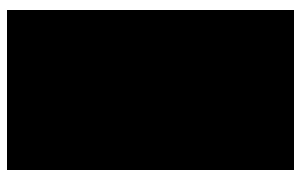




and in particular the Tilbury2 ecological mitigation area which is located in the north-east corner of the Tilbury2 site. Moreover, we note that a further extension of the Order limits in this area is proposed, noted in the Summary of Proposed Changes as being needed for 'carbon capture readiness'. The geographical proximity of this element of the Scheme to the Tilbury2 ecological mitigation area is such that clarity will be needed as to the potential impact during construction and operation of this facility at the time it is brought forward (recognising that carbon capture technology is not feasible at the present time).

I trust that the above will be taken into account in bringing the Scheme forward, in accordance with the promoter's legal obligations under section 49 of the Planning Act 2008.

Yours sincerely



MARTIN FRIEND  
**DIRECTOR**  
FOR VINCENT AND GORBING



Cc Peter Ward – Port of Tilbury London Limited  
John Speakman – Port of Tilbury London Limited





Public Health  
England

Environmental Hazards and  
Emergencies Department  
Centre for Radiation, Chemical and  
Environmental Hazards (CRCE)  
Seaton House  
City Link  
London Road  
Nottingham  
NG2 4LA

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

[www.gov.uk/phe](http://www.gov.uk/phe)

Your Ref:

Our Ref: 52288

FREEPOST THURROCK POWER

5<sup>th</sup> November 2019

Dear Sir/Madam

**Nationally Significant Infrastructure Project  
Application for an Order Granting Development Consent for the proposed Thurrock  
Flexible Generation Plant  
Consultation on Project Changes**

Thank you for your letter of 9<sup>th</sup> October 2019 notifying Public Health England (PHE) to the above National Significant Infrastructure Project (NSIP) consultation.

We note that there are a number of proposed changes including, alterations to the areas of impacted common land and replacement land area; changes and enhancements to wildlife habitat conservation area; refinement of the gas pipeline route; a reduction in the area needed for connection to the National Grid substation and changes to the construction access routes.

The proposed access route changes involve the development of a permanent causeway to the River Thames to allow for the receipt of abnormal loads by water and a temporary haul road (zone G) and temporary road access from the west (rather than the previous northern approach route) (zone H).

We note that we have replied to earlier consultations, as listed below, and this response should be read in conjunction with that earlier correspondence.

Request for Scoping Opinion  
Public Consultation: Section 42

06 September 2018  
28 November 2018

The additional information supplied does not change our previous responses above. We note that the change in the access road (zone H) potentially leads to development traffic being in closer proximity to a larger number of residential properties, although it is recognised that the development of the River access will remove some vehicular traffic. We would expect to see detailed impact

assessments included within the Environmental Statement for these proposed construction access routes.

Yours faithfully

On behalf of Public Health England  
[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

## contact

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**From:** [REDACTED]  
**Sent:** 11 November 2019 11:29  
**To:** contact  
**Subject:** RWE Generation UK Plc - Thurrock Power Consultation on Project Changes  
**Attachments:** 00206BB9E01F191107162808.pdf

Dear Sir/Madam,

RWE Generation UK Plc (RWE) writes in response to the current consultation on Thurrock Power Limited's proposed Flexible Generation Plant at Tilbury (the Development).

RWE owns Tilbury Power Station (the Site) which lies to the South of the proposed Development. The Change Plan that accompanies the consultation (Your ref: 10872-01338-09) shows that the Site is now included within the Development for the purposes of constructing a causeway on the River Thames, a temporary heavy haul road through the Site to the Development, a further access to the adopted highway and ecological mitigation.

RWE has been in discussion with the applicant regarding these proposals and in principle is supportive of the Development. However, RWE is retaining the option to develop energy proposals on its Site that may be effected by the Development (particularly the proposed heavy haul route (Zone G), the access route to public highway (Zone H) and the ecological mitigation land (Zone F4)). RWE is a holder of an electricity generation licence under Section 6 of the Electricity Act 1989 and a deemed statutory undertaker under the Planning Act 2018 and wishes to ensure that its land interests at the Site are suitably protected in any future DCO. It also wishes to ensure that a negotiated settlement is reached, in relation to the grant of property rights, to further ensure that RWE's future development proposals are not inhibited as a result of the Development.

In terms of minimizing the impact of the Development on RWE's land, in relation to the haul road identified on the Change Plan, RWE wishes the applicant to consider an alternative route from the proposed causeway running directly North (see attached plan). This route option will ensure that the haul road will remain peripheral to RWE's land ownership and minimises the possibility of any disruption to future development plans. RWE also wishes to be satisfied that any changes to the existing flood defence on its land are agreed with it. Regarding the ecological mitigation land (Zone F4), it is probable that this land will be required by RWE for its own development purposes and will not be available for use by the applicant.

If you have any queries please do not hesitate to contact me.

Kind regards

Matthew Trigg  
Development Planning Manager  
**RWE Generation UK plc**  
Electron  
Windmill Hill Business Park  
Whitehill Way  
Swindon  
SN5 6PB  
tel: 01793 893184  
[REDACTED]

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Npower Group Limited, company number 8241182

Npower Limited, company number 3653277

RWE Generation UK plc, company number 3892782

RWE Technology UK Limited, company number 7056922

Registered Office: Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire SN5 6PB, Registered in England and Wales.

Civic Offices, New Road, Grays Essex, RM17 6SL

Development Management

Applicant: Stratera Energy

**Our Ref:** 19/01838/SCO

**E-Mail:** [dm@thurrock.gov.uk](mailto:dm@thurrock.gov.uk)

**Date:** 13 January 2020

Dear Mr Troup

**Planning Act 2008**

**Reference:** 19/01838/SCO

**Proposal:** Further Consultation to a future Development Consent Order [DCO/NSIP] - Two Gas Fired Electricity Generating Stations (GFEGS) at 299.99MW each and a Battery Storage Facility (BSF) at 150MW to be known collectively as Thurrock Power Flexible Generation Plant

**Location:** Land to the north of the former Tilbury Power Station

Further to your letter and email dated 25 September 2019, your email dated 20 November 2019 and our recent telephone discussions I write to you regarding the above.

In light of the revised information the LPA has undertaken a further consultation process internally with the following internal consultees:

- Thurrock Council: Environmental Health;
- Thurrock Council: Flood Risk Advisor;
- Thurrock Council: Highways;
- Thurrock Council: Landscape and Ecology Advisor; and
- Thurrock Council: Public Health.

Consultation responses can be viewed via the website link below using the application reference provided:

<https://www.thurrock.gov.uk/search-planning-records/planning-records-online>

I trust that the above comments and enclosures are of assistance. The above information is given without prejudice to the LPA's future comments or position in relation to a formal submission pursuant to the 2008 Act.

Yours sincerely



Chris Purvis  
Major Applications Manager

## contact

---

**From:** Stephen Vanstone <[REDACTED]>  
**Sent:** 05 November 2019 10:56  
**To:** contact  
**Cc:** Trevor Harris; Russell Dunham  
**Subject:** Flexible Generation Power Plant in Thurrock - Project Changes Consultation  
**Attachments:** Scan\_StephenV\_051120191939\_001.pdf

Good morning Andrew,

With reference to the attached, I note that the development area includes an area within the River Thames and a new marine facility. Therefore, Trinity House advise that any marine works below the high water mark should be fully assessed within a Marine Navigation Risk Assessment, provided as part of the Environmental Statement.

The Port of London Authority (PLA) should be consulted directly concerning the above, including any proposed risk mitigation measures relating to these marine works.

Kind regards,

**Stephen Vanstone**

Navigation Services Officer | Navigation Directorate | Trinity House

[REDACTED] | 0207 4816921

[www.trinityhouse.co.uk](http://www.trinityhouse.co.uk)



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<https://www.trinityhouse.co.uk/legal-notice>



## contact

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**From:** >Plant Enquiries Team <PlantEnquiriesTeam@virginmedia.co.uk>  
**Sent:** 17 October 2019 12:55  
**To:** contact  
**Cc:** Narayan, Vijay 02  
**Subject:** RE: Development - Thurrock Power Station - Consultation Process 11 October to 11 November

Hi,

Would you please help us the correct postcode or grids to find the accurate details along with the map.

**Alason Jennifer Nathan** | Plant Enquiry Co-ordinator  
**Virgin Media Services** | Mayfair Business Park, Broad Lane, Bradford, BD4 8PW  
**T** 0870 888 3116 (Option 2)  
[Plant.enquiries.team@virginmedia.co.uk](mailto:Plant.enquiries.team@virginmedia.co.uk)

---

**From:** Clarke, Steven  
**Sent:** 16 October 2019 10:52  
**To:** >Plant Enquiries Team; Westcott, Ian; Browne, Mike  
**Cc:** McCullagh, Stephen; 'Sharma, Gaurav 02'; Hudson, Ryan; >Core Wayleave; Inglis, Keith; Hammond, Jordan  
**Subject:** Development - Thurrock Power Station - Consultation Process 11 October to 11 November

Dear all

Please find attached correspondence from Thurrock Power - in relation to development at the above.

**Please note that any representations must be addressed to Freepost Thurrock Power or [contact@thurrockpower.co.uk](mailto:contact@thurrockpower.co.uk) before 12th November 2019.**

I am sending this to:

1. The Real Estate and Retail team (copying Steve McCullagh who can then, if required, assist with a “dots on map” exercise to identify whether we have any technical/corporate or retail properties within the area in question) and if so the relevant team member will then respond direct to the relevant enquirer/authority or their appointed agent.
2. The Plant Enquiries team (copying Ryan Hudson and Gaurav Sharma) to undertake their own investigations in respect of network infrastructure and, if appropriate, liaise directly with the relevant enquirer/authority/agent.
3. Wayleaves team in case they are affected.

Thanks

Steve

Steve Clarke | Senior Legal Counsel

Virgin Media Limited | Griffin House, 161 Hammersmith Road, London, W6 8BS

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## contact

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**From:** Sophie Dawkins <[REDACTED]>  
**Sent:** 10 October 2019 15:24  
**To:** contact  
**Subject:** RE: Land to the north of Tilbury substation, Walton Common, Thurrock, RM18 8UL  
**Attachments:** scanned-sophie.dawkins-20191010151648.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,

Wales & West Utilities plans should now be obtained from LSBUD (<https://www.linesearchbeforeudig.co.uk/>).

If you are working on behalf of a utility company, local authority or contractor working on behalf of a local authority and would still like to continue receiving asset information directly from WWU's Plant Protection Team, an administration fee of £36.00 + VAT will now be applicable.

If you would like to proceed with your request, please let us know whether you will be paying by card or cheque and we will process your request.

Please note that your request will not be processed until we receive payment.

Kind Regards,

Sophie.

Sophie Dawkins  
Administrative Assistant | Plant Protection Team Wales & West Utilities Ltd Wales & West House Spooner Close  
Coedkernew Newport  
NP10 8FZ  
Tel: 02920 278912  
[REDACTED]

"Our privacy notice can be found on our website (<http://www.wwutilities.co.uk/legal/>) or a paper copy can be provided to you on your request. This sets out how we will collect and use information about you."

On 3rd December 2018, WWU's asset information became available on LinesearchbeforeUdig. (LSBUD). LSBUD is an online search facility that allows its users to obtain the asset information and safety advice for over 75 active members. Utility companies, Local Authorities and any Contractors working on behalf of a Local Authority, can obtain asset location details and associated safety information free of charge. WWU charges apply for those who are obtaining the information for the purposing of reselling. Please note; charges may apply from other asset owners.

From 1st October 2019, if you are working on behalf of a Utility company, Local Authority or Contractor working on behalf of a Local Authority and would still like to continue receiving asset information direct from WWU's Plant Protection Team, an administration fee of £36.00 + VAT will be applicable.

You can register for a LSBUD account by clicking on the following link and completing an application  
<https://www.linesearchbeforeudig.co.uk/>

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## **Appendix 8.4 (Part 5 of 5)**

**All Consultation Responses 2019 –  
S47**

11, The New College of Cobham,  
Cobhambury Road, Cobham,  
Gravesend. DA12 3BG

11/10/2019.

Dear Sir,

Thank you for all the papers  
(less a reply envelope) regarding the  
Thurrock revised plan.

I welcome River-delivery for large  
loads. I trust the new proposed  
primary construction access route on  
the West is the best solution for all  
living and getting about in Essex.

From the Kent side of the  
River-Thames I have no further-  
comment to make.

Yours Faithfully,

1639.

PETER HARTLEY