

The Wrexham (Gas Fired Power Station) Order

5.5 Statement of Statutory Nuisance

Planning Act 2008 The Infrastructure Planning
(Applications: Prescribed Forms and Procedure) Regulations 2009

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Lead Author:	Atkins

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Glossary

Full Text	Acronym	Notes
Above Ground Installation	AGI	Compound where the infrastructure (pipes, valves and kiosk) is located which is required to connect the Gas Connection to the high pressure gas National Transmission System ('NTS').
AGI Site	-	The land on which the AGI will be located.
Above Ordnance Datum	AOD	Height of land surface above sea level.
Agricultural land classification	ALC	A nationally consistent and recognised method for assessing the potential productiveness of agricultural land.
Air Cooled Condenser		A direct dry cooling system where the steam is condensed and returned condensate to the boiler without water loss. Situated within the Power Station Complex.
Area of Outstanding Natural Beauty	AONB	A landscape designation protected under the Countryside and Rights of Way Act, 2000
Air Pollution Information System	APIS	An information system that provides a comprehensive source of information on air pollution and the effects on habitats and species.
Air Quality Limit Value Regulations 2010		UK regulations to limit the levels of air borne pollutants emitted from industries.
Air Quality Management Area	AQMA	An area designated by a local authority as being at risk of not meeting air quality standards
Air Quality Management Plan	AQMP	A plan developed to improve the air quality in the air quality management area.

Air Quality Modelling and Assessment Unit	AQMAU	An Environment Agency team that targets air quality related issues.
Air Quality Modelling and Risk Assessment Team	AQMRAT	An NRW team that targets air quality related issues
Air Quality Strategy	AQS	The AQS for England, Scotland, Wales and Northern Ireland provides details of national air quality standards and objectives for a number of local air pollutants.
Air Quality Technical Advisory Group	AQTAG	The joint Environment Agency, Natural England and Natural Resource Wales group. AQTAG was established in 2000 by the agency's Habitats Directive Project to provide technical guidance on the assessment of air emissions from IPC/IPPC processes.
Ancient Woodland	-	A woodland that has existed continuously since 1600 or before.
Annual Average Daily Traffic	AADT	Measurement unit for the total volume of vehicle traffic to indicate how busy the road is.
Annual mean (Air Quality)	-	The average of concentrations measured for a pollutant for one year (usually a calendar year, from January to December). Sometimes it may be reported for a pollution year (April to March) which avoids splitting a winter season, useful for pollutants with higher concentrations during the winter months.
Application	-	The DCO application for the Power Station Complex Site made to the Secretary of State under the Planning Act 2008.
Applications: Prescribed Forms and Procedure	APFP	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 which prescribe various matters in connection with the making of an application for development consent

Regulations		under the Planning Act 2008.
Asbestos Containing Material	ACM	Any material containing more than 1% asbestos.
Automatic Traffic Count	ATC	Means of determining traffic levels in the vicinity.
Automatic Urban and Rural Network	AURN	Air quality monitoring site.
Baseline	-	The conditions that exist without a proposed development at the time an assessment or survey is undertaken.
Bat Conservation Trust	BCT	Voluntary organisation which provides advice and guidance relating to bats.
Below Ground Level	Bgl	A measure unit of distance below ground.
Best Available Technique	BAT	The most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, to reduce emissions and the impact on the environment as a whole.
Best and most versatile	BMV	Land in grades 1, 2 and 3a of the Agricultural Land Classification
Biodiversity Action Plan	BAP	Plan concerned with the protection of identified species and habitats.
Best Practical Means	BPM	Reasonably applied means that balance best practice against practical constraints.
British Geological	BGS	The UK public body responsible for all aspects of

Survey		geoscience.
British Society of Soil Science	BSSS	A professional society that aims to advance the study of soil.
BS 4142	-	Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas (2014).
BS 8233	-	Guidance on sound insulation and noise reduction for buildings (2014).
BS 5228	-	Code of Practice for Noise and Vibration Control on Construction and Open Sites 2009 (2009).
Cadw		The Welsh Government's historic environment service. Cadw is a Welsh word meaning 'to keep' or 'to protect'.
CAoL Guidance	-	Department of Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' (September 2013).
Calculation of Road Traffic Noise	CRTN	Department for Transport Memorandum, Calculation of Road Traffic Noise 1988
Carbon Dioxide	CO ₂	A primary greenhouse gas emitted through human activities as well as natural sources.
Carbon Monoxide	CO	One of the combustion products discharged by CCGT power stations.
Chamber of Commerce	CoC	A network of businesses to represent local business interests.
Civil Aviation Authority	CAA	A statutory corporation that oversees and regulates civil aviation in the UK.

Classified Turning Counts	CTC	Measurement of vehicle traffic in particular at junctions.
Coal Authority	-	A non-governmental body that manages coal mining operations and coal reserves throughout the UK.
Construction Industry Research and Information Association	CIRIA	A member-based research and information organisation serving the construction industry
Code of Construction Practices	CoCP	A guidance document that sets out standards and procedures for managing environmental impact of constructing major schemes.
Combined Cycle Gas Turbine	CCGT	A form of power station that uses an efficient combination of gas and steam turbines to generate electricity.
Combined Heat and Power	CHP	A means of using waste heat generated by power station e.g. through a local heat distribution network.
Chartered Institute of Ecology and Environmental Management	CIEEM	Professional body governing ecology/ecologists prior to chartership in 2013 the body was known as IEEM and publications refer to this.
Chartered Institution of Highways and Transportation	CIHT	IHT is a professional body for transport professionals.
Commercial and Industrial waste	C&I	Both commercial waste and industrial waste are defined by s75 of the Environmental Protection Act 1990. Commercial waste means "waste from premises ... used wholly or mainly for the purposes of a trade or business or the purposes of sport, recreation or entertainment excluding ... household waste; ...industrial waste and [waste prescribed as being excluded by the Secretary of State]". Industrial waste means "waste from any of the following premises - ... any factory... any premises used for the

		purposes of, or in connection with, the provision to the public of transport services by land, water or air ...any premises used for the purposes of, or in connection with, the supply to the public of gas, water or electricity or the provision of sewerage services... any premises used for the purposes of, or in connection with, the provision to the public of postal or telecommunications services; or ... any mine or quarry or any premises used for agriculture within the meaning of the Agriculture Act 1947".
Common Bird Census	CBC	A standardised methodology to map breeding bird territories.
Construction, demolition and excavation waste	CDEW	A type of construction waste as identified by the Natural Resource Wales
Committee on the Medical Effects of Air Pollutants	COMEAP	An advisory body that advises the UK government on all matters concerning the health effects of air pollutants.
Conceptual Site Model	CSM	A model that identifies the possible pathways by which a contaminant from a particular source can affect a particular receptor.
Conservation Areas	CA	An area of special architectural and historic interest designated by the local planning authority pursuant to the Planning (Listed Building and Conservation Areas) Act 1990.
Construction Stage	-	The construction stage of the Scheme begins with enabling works, which will include site set-up and groundworks. Following this, construction of the Power Station Complex Site, and Gas Connection will be undertaken, followed by commissioning.
Construction and Demolition Waste	C&D	A type of construction waste.

Construction Environmental Management Plan	CEMP	A plan describing how the environmental impacts of the construction activities of a project will be minimised and mitigated that is submitted to the relevant planning authority for approval.
Construction Traffic Management Plan	CTMP	A plan for managing construction traffic that is submitted to the relevant Highway Authority for approval
dB(A)	-	A-weighted decibel – a correction applied to each frequency between 20 Hz and 20 kHz that effectively represents the way the human ear works.
Decibel	dB	Logarithmic scale for measuring sound levels.
Decommissioning Stage	-	Following the end of its operational life, the Power Station Complex would be decommissioned and will revert to open bare ground. The Gas Connection will be purged of gas and is likely to be left in-situ in order to avoid the adverse environmental effects associated with its removal.
Dee Valley Water		A water supply company that covers North East Wales and the North West of England.
Department for Education and Skills	DfES	Government department responsible for education and children’s services.
Department of Energy and Climate Change	DECC	Government department responsible for energy policy
Department for Environment, Food and Rural Affairs	DEFRA	Government department responsible for environmental protection, food production and standards, agriculture, fisheries and rural communities.
Department for Transport	DfT	Government department with responsibility for certain areas of transport policy in Wales that have

		not been devolved.
Deposition	-	The main pathway for removing pollutants from the atmosphere, by settling on land.
Design Manual for Roads and Bridges	DMRB	A suite of technical documents produced by the Highways Agency (as was) that include guidance for environmental appraisal that are also used for non-highways schemes and as such are commonly used in EIA.
Determinand	-	A substance or parameter that is determined analytically, e.g. arsenic concentration in soil, pH of water, concentration of a particular gas in air quality modelling.
Development Consent Order	DCO	An Order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project
Electrical Connection	-	<p>The Electrical Connection is not part of the Application for the Scheme, but will be required for the export of electricity. A number of realistic assumptions have been made regarding the electrical connection works as set out below:</p> <ul style="list-style-type: none"> • The Electrical Connection is likely to consist of underground cabling between the Scheme’s electrical switchgear located within the Power Station Complex and the existing Marchwiell substation, located on Abbey Road on the Wrexham Industrial Estate. • The wider existing electrical distribution network will also need upgrading to accommodate the new generation. This is likely to consist of works to the existing Marchwiell substation, re-stringing of existing pylons between Legacy and Wrexham substations, replacement of the existing portal frame towers between Legacy and Marchwiell substations, and laying of underground cables. Once completed the electrical network which currently serves the Wrexham Industrial Estate will have increased

		capacity and resilience from that which exists presently.
Electricity Market Reform	EMR	UK government's policy to reform the electricity market. The policy aims to deliver low carbon energy and reliable supplies for the UK, while minimising costs to consumers.
Electric and Magnetic Fields	EMF	EMFs comprise electric and magnetic fields. Electric fields are the result of voltages applied to electrical conductors and equipment. Magnetic fields are produced by the flow of electric current.
Emission	-	The direct or indirect release of substances, vibrations, heat or noise from individual or diffuse sources into air, water or onto land, e.g. pollution may be discharged into the atmosphere from a stack or vent.
Emission Limit Value	ELV	Legal enforcement limit on the physical, chemical or biological characteristics of a point source of emission to water or air.
Energy Efficiency Directive 2012	-	Directive 2012/27/EU establishes a framework of measures for the promotion of energy efficiency within the European Union.
Environmental Health Officer	EHO	A local authority health professional responsible for carrying out measures for protecting public health.
Environmental Impact Assessment	EIA	The process of assessing the likely significant environmental impacts of a proposed project as part of gaining planning consent.
Environmental Permit	EP	A permit required in accordance with the Environmental Permitting Regulations.
Environmental Permitting Regulations	EPR	The Environmental Permitting (England and Wales) Regulations 2010 regulate practices that have pollution potential through a permitting system.

Environmental Protection Act 1990	EPA	The Act that covers, amongst other things, the regulation of contaminated land in the UK.
Environmental Protection UK	EPUK	UK environmental Non-Governmental Organization (NGO) working to improve the quality of the local environment
Environmental Quality Standards	EQS	The concentration of a particular pollutant or group of pollutants in water, sediment or biota which should not be exceeded in order to protect human health and the environment.
Environmental Statement	ES	The document which reports the process, findings and recommendations of the EIA.
Environmentally Sensitive Area	ESA	A designation for agricultural areas needing special protection by virtue of their landscape, wildlife or historical value.
Flood Defence Consent	FDC	A consent required by Natural Resources Wales, for construction or maintenance work on over, under or near a main river (usually within 8-10 metres).
Flood Risk Assessment or Flood Consequence Assessment	FRA or FCA	An assessment that determines the risk of flooding to a proposed project.
Full Time Equivalents	FTE	The equivalent number of full time jobs provided by a project - e.g. two half-time jobs equates to one FTE.
Gas Connection	-	This element comprises all the equipment required to connect the Power Station Complex to the National Transmission System, including the Gas Pipeline and the Above Ground Installation. This is being separately consented under the TCPA 1990 though it forms part of the Scheme that has been environmentally assessed through the EIA. The Gas

		Connection forms part of the Order Land.
Gas Connection Route		The route within which the Gas Connection is situated together with the temporary construction working areas.
Gas Pipeline	-	A continuously welded underground steel pipe with a nominal bore of up to 400mm.
Gas Turbine	GT	A turbine driven by hot combustion gases at high temperature.
Great Crested Newt	GCN	A species of newt protected by European Legislation.
Greenhouse Gas	GHG	An atmospheric gas such as carbon dioxide, methane, chlorofluorocarbon, nitrous oxide, ozone, or water vapour that slows the passage of re-radiated heat through the Earth's atmosphere.
Gross Value Added	GVA	A measure of added value to the overall economy of each additional job created.
Ground Investigation	GI	An intrusive or non-intrusive investigation, and subsequent testing of surface and subsurface soil and conditions. This is undertaken to obtain information on the physical and chemical properties of the soil, rock, groundwater and gas regimes at and in the vicinity of a site.
Groundwater Protection: Principles and Practice	GP3	A guidance published by the Environment Agency on Groundwater protection.
Groundwater Source Protection Zone	GSPZ	Areas around groundwater abstraction sources that are defined in order to help protect drinking water from contamination.
Guidance for the Environmental Assessment of Road	GEART	The IEMA guidance on the environmental assessment of road traffic.

Traffic		
Guidance on Transport Assessment	GTA	Department for Transport guidance dated March 2007 on the preparation of Transport Assessments as archived 22 October 2014 and replaced by NPPG “Transport evidence bases in plan making”
Guidelines for Landscape and Visual Impact Assessment, 3rd Edition	GLVIA	Guidance produced by the Landscape Institute and the Institute for Environmental Management and Assessment dated 17 April 2013
Habitat	-	A place where an organism (e.g. human, animal, plant, micro-organism) or population of organisms live, characterised by its surroundings.
Habitat Regulations Assessment	HRA	An assessment required under the European Directive 92/43/EEC.
Habitat Suitability Index	HSI	A method for assessing the suitability of ponds for their potential to support Great Crested Newts.
Health and Safety Executive	HSE	The non-departmental government body responsible for workplace safety in the UK.
Heat Recovery Steam Generator	HRSR	A means of recovering heat energy from hot exhaust gases in order to produce steam for driving a turbine.
Heavy Duty Vehicle	HDV	HGVs, buses and coaches.
Heavy Goods Vehicle	HGV	A truck that when laden has a total weight of more than 3500 kg.
Hectare	ha	10,000m ² or 2.471 acres
Highway Authority	HA	The relevant highway authority responsible for the non-core road network (i.e. roads other than trunk

		roads and motorways).
Historic Environmental Record	HER	The record held by the local planning authority of known archaeological sites, buildings and landscapes of relevance to the historic environment.
Hover	-	An otter's day nest or resting site.
Indices of Multiple Deprivation	IMD	An index to measure deprived areas in local councils.
Industrial Emissions Directive	IED	EU Directive on industrial emissions that came into force in January 2011.
Industrial Estate Road (N)		The new road which connects Wrexham Industrial Estate to the A534.
Infrastructure Planning Commission	IPC	The public body that previously examined applications for development consent to build Nationally Significant Infrastructure Projects, abolished through the Localism Act 2011 with the role replaced by the Planning Inspectorate and decisions on whether or not to grant a DCO being made by the Secretary of State.
Institute of Acoustics	IOA	Professional body for Acoustics, Noise and Vibration professionals.
Institute of Air Quality Management	IAQM	IAQM is a professional body for air quality professionals.
Institute of Environmental Management and Assessment	IEMA	IEMA is a professional body for environmental professionals that provide industry guidance on many topics including EIA.
Institute of Gas Engineers and Managers	IGEM	IGEM is a chartered professional body, licensed by the Engineering Council.

Integrated Pollution Prevention and Control Directive	IPPC	The EU Directive (2008/1/EC) incorporated into UK law by the Environmental Permitting Regulations on prevention and control of industrial emissions. The Directive aims to achieve a high level protection of the environment through measures to prevent or, where that is not practicable, to reduce emissions to air, water and land from activities listed in Annex I of the Directive (e.g. energy industries, production and processing of metals, mineral industry, chemical industry, intensive pig and poultry farming, waste management, some food and drink industries etc.).
ISO 9613-2	-	Acoustics- Attenuation of sound during propagation outdoors – Part 2: General method of calculation.
Joint Nature Conservation Committee	JNCC	The public body that advises the UK government and devolved administrations on UK-wide and international nature conservation.
Kilovolt	kV	A measure of electrical potential.
Kingmoor Park Access Road	-	The road leading from Bryn Lane to the Power Station Complex Site numbered Work 5 on the Works Plan and in Schedule 1 to the Order
LA ₁₀	-	A-weighted noise level exceeded for 10% of the measurement period.
LA ₉₀	-	A-weighted noise level exceeded for 90% of the measurement period.
LA _{eq}	-	A-weighted equivalent continuous sound level.
LA _{max}	-	A-weighted maximum sound pressure level recorded over a given period.
Local Air Quality Management	LAQM	The mechanism by which the Government's air quality objectives are to be achieved.

Landscape Character Area	LCA	A area of defined landscape character in Wales.
Land Plans	-	The plans showing the land over which it is proposed to exercise powers of compulsory acquisition or a right to use land; land in relation to which it is proposed to extinguish or suspend existing easements, servitudes and other private rights and/or impose restrictive covenants (submitted with the Application Document Reference 2.2).
LANDMAP	-	A landscape characterisation and assessment system used across Wales.
Large Combustion Plant Directive	LCPD	European legislation to reduce acidification, ground level ozone and particles throughout Europe by controlling emissions of sulphur dioxide, nitrogen oxides and from large combustion plants in power stations.
Laydown Areas	-	<p>The temporary (Work numbered 2A on the Works Plan) and temporary/permanent (Work numbered 2B on the Works Plans) laydown areas required for the Scheme.</p> <p>The Laydown Area shown on the Works Plan and numbered Work 2A in Schedule 1 to the Order is located on the eastern side of the Power Station Complex and will be up to 3.6 ha in size. It will be used during construction of the Scheme only.</p> <p>The Laydown Area shown on the Works Plan and numbered Work 2B in Schedule 1 to the Order is located adjacent to the south eastern corner of the Power Station Complex and will be up to 0.25 ha in size. It will be used during construction of the Scheme and for maintenance activities during operation.</p>
Lead Local Flood Authority	LLFA	The authority responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and maintaining a register of flood risk assets.

Light Duty Vehicles	LDV	Vehicles with a weight less than 3.5 tonnes (gross weight).
Listed Building		A building that has been placed on the statutory list of buildings of Special Architectural or Historic Interest and protected by the Planning (Listed Building and Conservation Areas) Act 1990.
Local Nature Reserve	LNR	Statutory designation for places with wildlife or geological features that are of special interest locally.
Local Wildlife Site	LWS	Wildlife rich sites selected for their local nature conservation value.
Made Ground	-	Man-made deposits artificially placed comprising a wide variety of material e.g. concrete, brick etc - typical of previously developed sites.
Maelor Gas Works	-	An existing above ground installation which takes gas from the NTS and distributes it via existing infrastructure.
Maelor Gas Works Access Road	-	The existing road and track between the B5130 and the Maelor Gas Works, which will be used to access the Gas Connection.
Maintenance or Maintain	-	Includes to the extent assessed in the Environmental Statement, inspect, repair, adjust, alter, remove, refurbish, reconstruct, replace and improve any part, but not the whole, of the authorised development and “maintaining” is to be construed accordingly
Manual for Streets	MfS	The guidance produced by the Department for Transport and Department for Communities and Local Government on road layout and balancing the needs of different road users, with a focus on residential roads, dated 29 March 2007.

Megawatts of electrical power	MWe	Measurement of electrical power.
Megawatts of thermal power	MWth	Measurement of thermal power.
Milligrams per normal cubic metre	mg/ Nm ³	Unit of concentration of emission limit values.
Multi Agency Geographical Information for the Countryside	MAGIC	A web-based mapping browser showing various geographical designations e.g. nature conservation sites, heritage sites.
Municipal Solid Waste	MSW	Household waste.
National Cycle Network	NCN	A network of signed and promoted cycle routes across the UK.
National Grid Company	NGC	National Grid's principal operations are the ownership and operation of regulated electricity and gas infrastructure networks.
National Nature Reserve	NNR	Statutory designations, where places with wildlife or geological features that are significant at a national level.
Natura 2000 sites	-	A network of European designated sites including Special Protection Areas (designated under Directive 2009/147/EC) and Special Conservation Areas as listed in Annex I and II of the EU Directive 92/43/EEC ("Habitats Directive")
Natural Resources Wales	NRW	NRW is a Welsh Government Sponsored Body, created in 2013, which took over the work of Countryside Council for Wales, Environment Agency Wales and Forestry Commission Wales.

National Policy Statements	NPS	Statement of planning policy concerning the consenting of NSIPs in the UK – designated under the Planning Act 2008. The Secretary of State must make his or her decision on an application for a DCO in accordance with a relevant NPS unless other considerations apply.
National Transmission System	NTS	The strategic natural gas pipeline serving the UK.
Nationally Significant Infrastructure Project	NSIP	As defined by the Planning Act 2008, which includes within the definition of an NSIP any onshore generating station in England and Wales of more than 50 MW.
National Air Traffic Control Services	NATS	The main air traffic control service provider within the UK.
Nitrate Vulnerable Zone	NVZ	A designated area where land drains into and contributes to nitrate found in nitrate-polluted waters.
Nitric Oxide	NO	Combustion product discharged by CCGT power station
Nitrogen dioxide	NO ₂	Combustion product discharged by CCGT power station
Oxides of nitrogen	NOx	Comprises mainly NO and NO ₂ , combustion products discharged by CCGT power stations.
Noise Sensitive Receptor	NSR	Receptors principally residential dwellings (existing or for which planning consent is being sought/ has been given) and any building used for long term residential purposes (such as a nursing home).
Non-Road Mobile machinery	NRMM	Construction vehicles or plant which are transported to site on low loaders as they are not suitable for

		driving on roads.
Non-Technical summary	NTS	The non-technical summary of the Environmental Statement.
North & Mid Wales Trunk Road Agent	NMWTRA	NMWTRA is responsible on behalf of Welsh Government for managing the strategic road network in North and Mid Wales
Okta	-	A unit used in expressing the extent of cloud cover, equal to one eighth of the sky.
Operation	-	The routine day to day functioning of the Scheme, including Maintenance activities.
Order	-	The Wrexham (Gas Fired Power Station) Order, being the Development Consent Order which has been applied to be made by the Secretary of State authorising the Power Station Complex Site, a draft of which is submitted with the Application (Document Reference 3.1)
Order Land	-	The land as shown on the Land Plans (Document Reference 2.2) within which the Scheme may be carried out.
Order Limits	-	The limits shown on the Works Plans (Document Reference 2.3) within which the Power Station Complex Site may be carried out.
Ordnance Survey	OS	National mapping agency for Great Britain
Overhead Line	OHL	Network of overhead electricity distribution and transmission lines
Part II A	-	The section of EPA 1990 that deals with contaminated land.
Annual Average Flow Rate for surface	Q_{BAR}	-

water runoff		
Particulate Matter	PM	Very small solid or liquid particles.
Pathway	-	The route by which contamination moves from a source to a given receptor.
Peak Particle Velocity	PPV	A term used to measure vibration through a solid surface. When a vibration is measured, the point at which the measurement takes place can be considered to have a particle velocity.
Percentage Heavy Goods Vehicles	%HGV	Percentage of traffic that is classified as Heavy Goods Vehicles over a given period.
Percentile	-	A value below which that percentage of data will either fall or equal. For instance, the 98th percentile of values for a year is the value below which 98% of all of the data in the year will fall, or equal.
Permitted Development	-	Development that is deemed under legislation to have planning consent without the need to obtain planning permission.
Personal Protective Equipment	PPE	Equipment a person may wear to protect themselves from risks e.g. high-visibility jackets, gloves, steel toe capped boots.
Pipeline Inspection Gauge	PIG	Pipeline inspection and cleaning device.
Planning Act 2008	PA 2008	England and Wales legislation which established the legal framework to apply for, examine and determine applications for Nationally Significant Infrastructure Projects.
Planning Inspectorate	PINS	Executive agency supported by the Department for Communities and Local Government which deals with planning appeals, national infrastructure, planning

		applications, examinations of local plans and other planning related and specialist casework in England and Wales.
Planning Policy Wales	PPW	Overarching land use planning policy for Wales, produced by the Welsh Government (edition 8, January 2016).
Pollution Prevention Guidance	PPG	Environment Agency published guidance on pollution prevention and best practice
Potential Contaminant Linkages	PCL	The existence of a contamination source and a receptor where a pathway is also present linking the two.
Power Station Complex	-	The power generating element of the Scheme including gas turbine building, Stack(s), HRSG(s), transformers, steam turbine building, admin/control building, heat interface building, pressure regulation installation, water tanks, car parking, internal site roads, workshop, water treatment plant, switchyard, switchgear room and surface and foul water drainage (please refer to Works numbered 1A to 1G in Schedule 1 to the Order).
Power Station Complex Site		The Power Station Complex, Laydown Areas, surface water drainage, landscaping and ecological mitigation, (Works numbered 1, 2, 3, 4 and 5 in Schedule 1 to the Order and as shown on the Works Plan).
Preliminary Environmental Information Report	PEIR	A report describing the preliminary environmental assessment during the pre-application process of an NSIP.
Pressure Regulating Installation	PRI	Part of the Power Station Complex where the gas is received from the Gas Connection. The PRI conditions the gas before use in the gas turbine(s)

Previous Scheme		The scheme proposed by WPL in 2011, for a power station with a generating capacity of up to 1,200 MW _e detailed in the Previous Scoping Report and which has been superseded by the Scheme which is the subject of the Application.
Previous Scoping Opinion		The Scoping Opinion issued by the Secretary of State in January 2013.
Previous Scoping Report		The Scoping Report submitted by WPL to the Secretary of State in November 2012.
Public Right of Way	PRoW	Paths on which the public have legally protected rights to pass.
Ramsar site		A designation for wetlands of International importance.
Receptor	-	An identified aspect of the environment - e.g. a resident, protected species, heritage asset, controlled water etc - that may be affected by the Scheme and, as such, has been assessed as part of the EIA undertaken.
Registered Parks and Gardens		Gardens and designed landscapes of special architectural and historic importance, placed on a register by Cadw.
Remediation	-	The clean-up of contaminated soil to make it suitable and safe for future use.
River Basin Management Plan	RBMP	A management tool created by Natural Resources Wales to use for integrated water resources management.
Rochdale Envelope	-	The Rochdale cases provide the basis upon which a project can be described by a series of maximum extents – the ‘worst case’ scenario - allowing the detailed design of the scheme to vary within this

		'envelope' without invalidating the corresponding EIA. This envelope has been assessed in the EIA for the Scheme.
Scheduled Monument	SM	A "nationally important" archaeological site or historic building, protected under the Ancient Monuments and Archaeological Areas Act 1979.
Scheme (also referred to as the "WEC")	-	The construction, operation, maintenance and eventual decommissioning of the Power Station Complex Site (Work numbered 1-5 in Schedule 1 to the Order) and the Gas Connection.
Scoping Opinion	-	The Scoping Opinion provided by the Secretary of State in May 2014 and included in the Appendices to the Environmental Statement (Document Reference 6.4, Appendix 5.1).
ScottishPower Electricity Networks or SP Manweb plc	SPEN	Company which operates the electrical distribution network in the North Wales and Cheshire area.
Secretary of State	SoS	The decision maker for a NSIP application and head of the relevant government department. In the context of the Application the decision maker is the Secretary of State for Energy and Climate Change.
Site (also referred to as the "WEC Site")	-	The area in which the Scheme will be constructed, operated and decommissioned as defined by the Order Land.
Site of Nature Conservation Interest	SNCI	Non-statutory areas of local importance for nature conservation.
Site of Special Scientific Interest	SSSI	A geological or biological conservation designation denoting a protected area in the UK.
Site Waste Management Plan	SWMP	The strategic document dealing with the effective management of materials used for the construction and the operation of the Scheme ensuring that waste

		is considered at all stages of the Scheme. The SWMP will form part of the CEMP for the Scheme.
Spraint	-	Otter Faeces
Soil Framework Directive 2006	SFD	Proposed Directive (proposal withdrawn in 2014) to promote the sustainable use of soil and protect soil as a natural resource.
Sound Power Level	SWL	The Sound Energy flow per unit of time.
Sound Pressure Level	SPL	Logarithmic measure of the sound pressure of a sound relative to a reference value, the threshold of hearing.
Special Area of Conservation	SAC	Area of protected habitats and species as defined in the European Union's Habitat Directive (92/43/EEC).
Special Landscape Areas	SLA	Local designation to provide protection for locally significant and attractive landscapes.
Special Protection Area	SPA	A designated area for birds under the European Union Directive on the Conservation of Wild Birds (2009/147/EC)
Stack(s)	-	The structure by which the exhaust gases and waste heat from the Power Station Complex will be emitted to the atmosphere during Operation.
Statement of Community Consultation	SoCC	A statement describing how an applicant proposes to consult the local community about a project.
SuD's Approval Body	SAB	-
Sulphur Oxides	SOx	One of the combustion products discharged by CCGT power stations.

Sustainable Drainage Systems	SuDS	Water management practices and facilities that drain surface water more sustainably than the conventional practice of routing run-off through a pipe to a watercourse.
Switchgear	-	The combination of switches, fuses or circuit breakers used to control, protect and isolate electrical equipment. Can be air-insulated or gas-insulated.
Technical Advice Notes	TAN	Technical Advice Notes produced by the Welsh Government which provide detailed planning guidance on technical issues.
Tonnes per annum	tpa	Unit for measuring waste produced.
Town and Country Planning Act 1990	TCPA 1990	The Act which consolidates certain enactments relating to town and country planning (excluding special controls in respect of buildings and areas of special architectural or historic interest and in respect of hazardous substances)
Transport Analysis Guidance	TAG	Guidance from the Department for Transport on how to assess transportation schemes first published on 29 October 2013 and last updated on 10 November 2014.
Tree Preservation Order	TPO	A written order made by the local authority which makes it an offence to intentionally damage or remove a tree protected by that order without the authority's permission.
Urban Wastewater Treatment Directive	-	A European Directive to protect the environment from the adverse effects of urban waste water.
Waste (England & Wales) Regulations 2011	-	Legislation for waste prevention, management and introduction of waste hierarchy.
Waste Framework	WaFD	The Waste Framework Directive is a European Union Directive which requires all EU states to take the

Directive		necessary measures to ensure waste is recovered or disposed of without endangering human health or causing harm to the environment. It has been transposed to the Waste (England & Waste) Regulations in 2011.
Water Framework Directive	WFD	The Water Framework Directive is a European Union directive which commits EU member states to achieve good qualitative and quantitative status of all water bodies by 2015.
Water Resources Act 1991	WRA	Legislation to prevent and minimise pollution of water.
Welsh Government	-	Welsh Government is the devolved Government for Wales with responsibility for the economy, education, health, planning, and other policy areas.
Welsh Water		Supplies wastewater services within the Scheme area.
Weighted Sound Reduction Index	R_w	Single-number quantity which characterises the airborne sound insulation of a material or building element over a range of frequencies when tested in a laboratory.
Wildlife and Countryside Act 1981		Legislation which protects animals, plants and certain habitats in the UK.
Wrexham Energy Centre (also referred to as the "Scheme")	WEC	The construction, operation, maintenance and eventual decommissioning of the Power Station Complex Site (Work numbered 1-5 in Schedule 1 to the Order) and the Gas Connection.
WEC Site (also referred to as the "Site")	-	The area in which the Scheme will be constructed, operated and decommissioned as defined by the Order Land.
Wrexham County	WCBC	The unitary authority area within which the Scheme is

Borough Council		located
Wrexham Industrial Estate	WIE	The substantial industrial estate to the east of Wrexham within which the Power Station Complex Site will be located.
Wrexham Power Limited	WPL	The applicant and developer of the Scheme.
World Health Organisation	WHO	A United Nations agency concerned with public health.
Works Plan	-	The plan showing the Power Station Complex Site and the limits (and limits of deviations) within which the Power Station Complex Site may be carried out (Document Reference 2.3).
Zone of Theoretical Visibility	ZTV	A computer generated plan showing a maximum area of the surroundings within which a project could theoretically be viewed.

◆ Executive summary

This Statement of Statutory Nuisance (Statement) has been prepared by Atkins on behalf of Wrexham Power Limited (WPL). It considers whether the Wrexham Energy Centre (WEC, or the Scheme) would engage one or more of the statutory nuisance provisions set out in Section 79(1) of the Environmental Protection Act 1990 (as amended) (the EPA 1990) and covers the potential causes from the construction, operational, maintenance, and decommissioning phases of the Scheme to cause statutory nuisance.

The requirement for this Statement is set out in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) at regulation 5(2)(f) which states that: "the application must be accompanied by... a statement whether the proposal engaged one or more of the matters set out in section 79(1) (statutory nuisances and inspections therefore) of the Environmental Protection Act 1990 and, if so, how the applicant proposes to mitigate or limit them".

This Statement has also been prepared with reference to the National Infrastructure Planning Service Document- 'Defence to Proceedings in Respect of Nuisance (2013)'.

This Statement screens out the types of statutory nuisance that are not applicable to the Scheme, and focuses on those where the potential for statutory nuisance exists. It then continues to discuss the mitigation measures set out in the Environmental Statement (ES, Document reference 6.2), the draft Construction Environmental Management Plan (CEMP, Appendix 19.1 of the ES), Construction Traffic Management Plan (CTMP, Appendix 7.5 of the ES) and other documents, including extracts from the site waste management plan (SWMP, Appendix 15.2 of the ES) submitted as part of the Application.

This Statement concludes that the potential for the Scheme to cause statutory nuisance, with the mitigation measures in place, is low to negligible. Where complaints are received, the draft CEMP sets out the communications, complaint investigation and resolution measures to be put in place to ensure timely and satisfactory resolution. Requirement 4 in Schedule 2 to the Order (document reference 3.1) requires a CEMP to be submitted to and approved by the relevant planning authority prior to commencement of construction of the Scheme. The CEMP must be substantially in accordance with the draft CEMP.

As noted above, the CEMP together with associated documents, including the SWMP, are secured by Requirements in Schedule 2 of the Order.

The Scheme will also be registered under the Considerate Constructor Scheme (CCS), and will be managed according to the CCS requirements. In conjunction with the monitoring, inspections and verifications and the internal and external communications plans outlined in the draft CEMP, the specific mitigation measures will effectively manage and minimise statutory nuisance effects being experienced by the local community during the construction phase.

During operation, the Scheme will be subject to controls in an Environmental Permit (EP), regulated by Natural Resources Wales (NRW) under the Environmental Permitting (England and Wales) Regulations 2010. This, in conjunction with the specific mitigation measures proposed in the ES, will effectively minimise statutory nuisance effects being experienced by the local community in the operational phase.

Chapter 1 ◆ Introduction

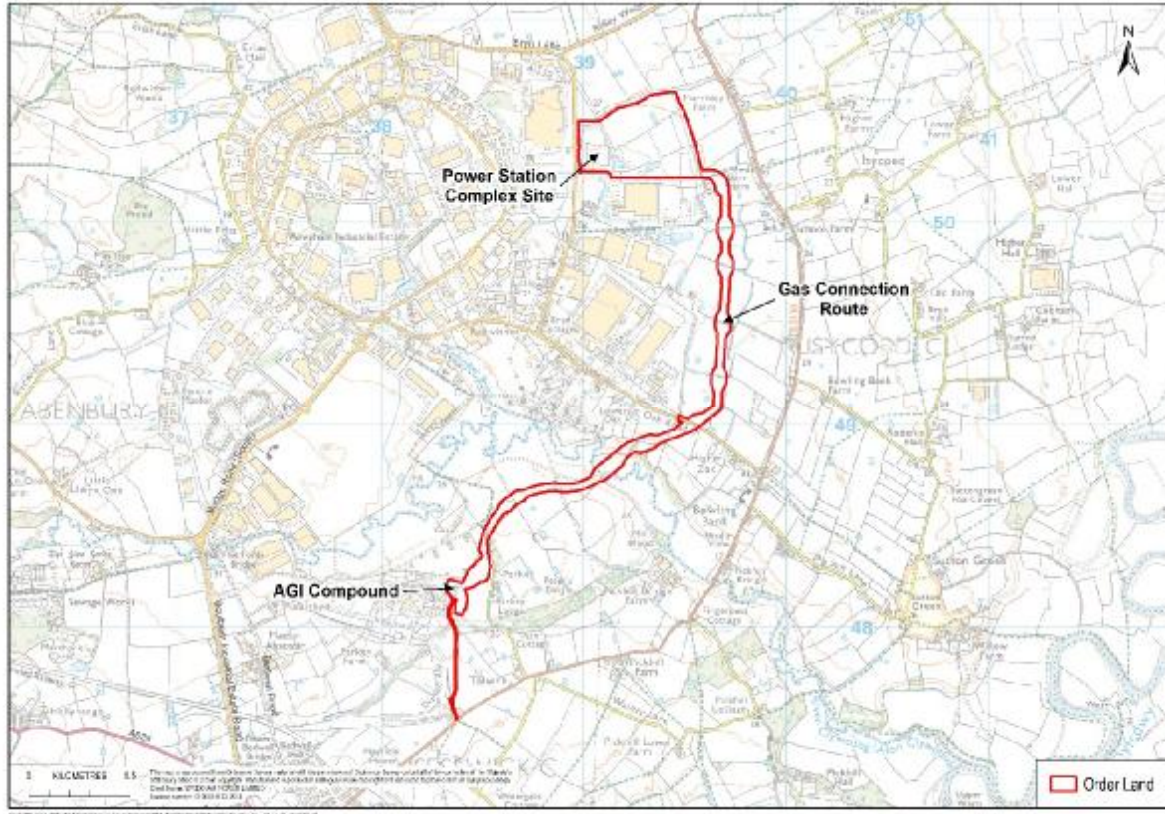
- 1.1 The Power Station Complex Site constitutes a Nationally Significant Infrastructure Project (NSIP) by virtue of section 14 and section 15 of the Planning Act (PA) 2008 which includes within the definition of an NSIP any onshore generating station in England or Wales of more than 50MWe capacity. Under section 31 PA 2008 a Development Consent Order (DCO) is required to develop an NSIP. Under section 37 PA 2008 this can only be granted if an application is made for it to the relevant Secretary of State (SoS).
- 1.2 This Statement is part of a suite of documents which accompany the DCO application (Application) and should be read in conjunction with the other documents to gain a full understanding of the Scheme. These include the Environmental Statement (ES, document reference 6.2), the draft Construction Environmental Management Plan (CEMP, Appendix 19.1 to the ES), Construction Traffic Management Plan (CTMP, Appendix 7.5 of the ES) and other documents, including the site waste management plan (SWMP, Appendix 15.2 of the ES) submitted as part of the Application.

SCHEME OUTLINE

- 1.3 Wrexham Power Limited (WPL) is proposing to construct, maintain and operate a gas-fired power station on land at Wrexham Industrial Estate (WIE), to the east of Wrexham.
- 1.4 The Scheme includes a Combined Cycle Gas Turbine (CCGT) Power Station. To operate, it will require a connection to the gas transmission network for importing the natural gas fuel, and a connection to the electricity network to export the power generated.
- 1.5 The Power Station Complex Site and the Gas Connection (together they are referred to as the Wrexham Energy Centre ('WEC') or the 'Scheme') have separate consenting requirements. However, the Environmental Statement (ES) assesses both elements in order to identify, insofar as possible, the likely significant environmental effects of the Scheme as a whole. As such, this CTMP also considers the Scheme as a whole.
- 1.6 A description of the Scheme is provided in chapter 4 of the ES. The Power Station Complex would be fuelled by natural gas and would have an electrical generation capacity of up to 299 megawatts (MW_e). The electricity generated would be exported to the local 132kV electrical distribution network currently operated by Scottish Power Energy Networks (SPEN).

- 1.7 The location of the Scheme, which includes the Power Station Complex and Gas Connection (approximately 3.5 km in length) is shown in Figure 2 1 below. The proposed Power Station Complex Site is situated to the immediate north-east of Wrexham Industrial Estate in an area dominated by industrial complexes, to the west and south, and by agricultural land, to the north and east. The Gas Connection Route runs through agricultural land to the south and east of Wrexham Industrial Estate to the Above Ground Installation (AGI) adjacent to the Maelor Gas Works approximately 2.5 km to the south-west.
- 1.8 Figure 1.1 shows the key features and environmental designations in the locale of the Scheme.
- 1.9 The Scheme comprises:
- a combined cycle gas turbine (CCGT) power station (the "Power Station Complex") (work numbered 1 in Schedule 1 to the Order) which would be fuelled by natural gas and would have an electrical generation capacity of up to 299 megawatts (MWe);
 - the temporary and permanent Laydown Areas (works numbered 2A and 2B respectively in Schedule 1 to the Order);
 - surface water drainage works (work numbered 3 in Schedule 1 to the Order);
 - the landscaping and ecological mitigation works (work numbered 4 in Schedule 1 to the Order);
 - the alteration and use of the Kingmoor Park Access Road (work numbered 5 in Schedule 1 to the Order) (together the "Power Station Complex Site");
 - the gas connection and an Above Ground Installation (AGI) (the "Gas Connection").
- 1.10 A description of the Scheme is provided in chapters 1 and 4 of the Environmental Statement (ES) (document reference 6.2). The Power Station Complex would be fuelled by natural gas and would have an electrical generation capacity of up to 299 megawatts (MWe).

Figure 0-1: WEC Site Setting and Key Features



Chapter 2 ◆ Definition of Statutory Nuisance

INTRODUCTION

- 2.1 Regulation 5(2)(f) of the APFP Regulations requires that any DCO application must be accompanied by a statement indicating whether a proposed project engages one or more of the statutory nuisances set out in Section 79 of the EPA 1990 and, if so, what measures are proposed to mitigate or limit them.
- 2.2 Section 79(1) of the EPA 1990 identifies the following as constituting statutory nuisance in England and Wales:
- a) any premises in such a state as to be prejudicial to health or a nuisance;
 - b) smoke emitted from premises so as to be prejudicial to health or a nuisance;
 - c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;
 - d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;
 - e) any accumulation or deposit which is prejudicial to health or a nuisance;
 - f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;
 - fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;
 - fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;
 - g) noise emitted from premises so as to be prejudicial to health or a nuisance;
 - ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street [F6or in Scotland, road;
 - h) any other matter declared by any enactment to be a statutory nuisance.
- 2.3 For the purposes of Section 79(1), 'noise' includes vibration.

Statutory Nuisances Scoped Out

2.4 The following statutory nuisances of those listed above have been scoped out of consideration in this Statement, as being not relevant to the Scheme:

- a) any premises in such a state as to be prejudicial to health or a nuisance;
- e) any accumulation or deposit which is prejudicial to health or a nuisance;
- f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;
- fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;
- h) any other matter declared by any enactment to be a statutory nuisance.

Statutory Nuisances to Consider

2.5 The following types of statutory nuisance have the potential to be caused by the Scheme:

- b) smoke emitted from premises so as to be prejudicial to health or a nuisance;
- c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;
- d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;
- fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;
- g) noise emitted from premises so as to be prejudicial to health or a nuisance;
- ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street [F6or in Scotland, road];

2.6 This Statement describes the mitigation measures to be implemented in the construction, operational and maintenance phases of the Scheme, such that the likelihood of statutory nuisance is minimised. These mitigation measures are also described in the ES, as well as other documents, including the draft CEMP.

Chapter 3 ◆ Prevention of Statutory Nuisance

INTRODUCTION

- 3.1 This section of the Statement summarises the mitigation for the construction and operation of the Scheme described in the ES, together with the draft CEMP which will minimise the potential for the construction of the Scheme to cause a statutory nuisance.
- 3.2 The Scheme will be registered under the Considerate Constructor Scheme (CCS), and will be managed according to the CCS requirements. In conjunction with the monitoring, inspections and verifications and the internal and external communications plans outlined in the draft CEMP, the specific mitigation measures described below will effectively manage and minimise statutory nuisance effects being experienced by the local community during the construction phase.
- 3.3 The Scheme will be subject to controls in an Environmental Permit (EP), regulated by NRW under the Environmental Permitting (England and Wales) Regulations 2010. This, in conjunction with the specific mitigation measures proposed in the ES, will effectively minimise statutory nuisance effects being experienced by the local community in the operational phase.

SMOKE – 79(1)(B)

Overview

- 3.4 The potential for construction phase smoke emissions would arise only from the lighting of fires and the burning of waste. These will not be allowed on the Site. There is also potential for smoke emissions from any combustion process in the operational phase.

Construction Phase Mitigation

- 3.5 Fires will not be permitted in the construction (or operational) phase. Smoke emissions will therefore not occur.

Operational Phase Mitigation

- 3.6 Smoke emissions will be prevented by the use of natural gas as the primary fuel for the Scheme. Distillate oil may be used to drive emergency equipment and for generation of emergency electrical power for safe run-down of the main Power Station Complex when electricity may not be available from the external grid.

Conclusions

- 3.7 The prohibition of lighting fires and burning of waste during the construction and operational phases of the Scheme, and the use of natural gas as the primary fuel means that the potential for smoke nuisance is negligible.

FUMES OR GASES – 79(1)(C)

Overview

- 3.8 The potential for generation of fumes and gases is covered in the Air Quality chapter (Chapter 8) of the ES. During the construction phase of the Scheme, potential emissions will arise from the use of vehicles and equipment associated with construction. There is also potential for emissions of fumes of gases from any combustion process in the operational phase of the Scheme

Construction Phase Mitigation

- 3.9 Mobile plant will be operated and permitted in accordance with the most recent version of DEFRA's Process Guidance Note 3/16 for Mobile Crushing and Screening. It will be regulated under the Environmental Permitting (England and Wales) Regulations 2010 via an environmental permit issued by Wrexham County Borough Council (WCBC).
- 3.10 With regard to the control of emissions from vehicle/machinery and employees vehicles, the following measures will be implemented, via the CTMP:
- The use of an on-site batching plant may be considered to reduce the number of HGV vehicles requiring access to the WEC Site during construction of the foundations for the Power Station Complex;
 - Measures to ensure that arrivals and departures of HGV traffic is spread evenly over the course of the working day
 - Ensuring all vehicles switch off engines when stationary - no idling vehicles;
 - Avoiding the use of diesel or petrol powered generators where mains electricity or battery powered equipment is practicable;
 - Efficient loading of vehicles travelling to and from the Site in order to minimise vehicle numbers(and hence emission levels); and
 - Encourage vehicle sharing, use of public transport and walking/cycling, as set out in the construction travel plan.

- 3.11 A specific individual will be nominated to be accountable for nuisance issues, including air quality and dust. All complaints or incidents will be recorded, identifying cause(s), and taking appropriate measures to reduce emissions in a timely manner, and recording the measures taken. This complaints / incidents log will be made available for inspection as required.

Operational Phase Mitigation

- 3.12 No further measures are proposed in addition to those incorporated in the Scheme design. CCGT technology is inherently clean and the use of natural gas as a fuel ensures the stringent emission limits for NO_x and CO, as set in the IED, will be met.
- 3.13 The number of vehicle movements during the operational phase of the Scheme is negligible hence further mitigation beyond those measures at the national level to control vehicle emissions are not required

Conclusions

- 3.14 The control of vehicle and equipment during the construction phase, and the stringent regulation of the Scheme in the operational phase through the EP, with the Stack height being sufficiently high to protect human receptors, means that the potential for fume and gas nuisance is low to negligible.

DUST, STEAM, SMELL OR OTHER EFFLUVIA – 79(1)(D)

Overview

- 3.15 The potential for generation of dust is assessed in the Air Quality chapter of the ES. The potential for construction phase dust emissions will arise from construction activities, including demolition of existing foundations, site preparation, excavation, filling, vehicle and equipment use.
- 3.16 There is potential for emissions of effluent to surface water in the construction and operational phases of the Scheme from discharge of surface water and foul effluent. This is assessed in the Water chapter of the ES. There is also potential for the emission of steam in the operational phase of the Scheme from pressure release.
- 3.17 There is not deemed to be potential for odour nuisance, nor any other likely effluvia.

Mitigation (Across All Phases)

Dust

- 3.18 As a general principle, Best Practicable Means (BPM) will be employed to minimise risk of nuisance from dust emissions. The key construction dust risks relate to enabling works and particularly the removal of existing foundations/hard standing.
- 3.19 Regular site inspections will be undertaken, as part of the monitoring discussed in the Inspections and Verifications section above, to monitor compliance with the nuisance management measures described above. Inspection results will be recorded and made available to WCBC and/or NRW on demand. Inspection frequency will increase when activities with a high potential to produce dust are being carried out, and during prolonged dry or windy conditions.
- 3.20 If on-site concrete batching is employed, such operations will be undertaken using enclosed plant and in accordance with DEFRA's Process Guidance note 3/1 and permitted under the Environmental Permitting (England and Wales) Regulations 2010.

Steam

- 3.21 The EP will control emissions of steam in the context of emergency venting that will be required for process safety reasons.

Effluvia

- 3.22 Good practice will be employed to prevent contamination of surface water runoff from the WEC Site during construction, in compliance with the regulations and EA standards listed below:
- The Control of Pollution (Oil Storage) Regulations;
 - Environment Agency Groundwater Protection: Principles and Practice; and
 - All applicable Environment Agency Pollution Prevention Guidance.
- 3.23 In addition, the following specific mitigation measures will be implemented during construction and demolition of the Scheme:
- Bunding of potential contaminant sources such as tanks and excavated soils;
 - Use of spill kits;

- Preparation of an Environmental Incident Control Plan (EICP);
 - Obtaining and complying with appropriate environmental permits for discharge to surface water;
 - Capture of site runoff and attenuation of contaminants using sedimentation tanks prior to discharge to surface water;
 - Use of appropriate care to avoid disturbance or rupture of underground services such as sewers, waste water pipes or fuel lines; and
 - Production of a piling strategy prior to any piling works commencing on the WEC Site.
- 3.24 Regular monitoring of surface water will be undertaken as part of the monitoring discussed above (Inspections and Verifications), to ensure that pollution is not occurring. The inspection log will be made available to WCBC and/or NRW on demand.
- 3.25 The EP will control emissions to surface water and the foul water sewerage system during operation. In addition, the Foul and Surface Water Drainage Strategy (FSWDS) (see appendix 14.4 of the ES) will be implemented during construction, demolition and decommissioning of the Scheme, including the following specific mitigation measures:
- Drainage modelling to include a 1 in 100-year +20% rainfall event;
 - Implement the FSWDS to limit discharge to the watercourse along the northern boundary to greenfield run off rates (calculated to be 12.2 l/s at the Site);
 - Provide a 2,085 m³ surface water retention pond;
 - Foul water flows will comprise 1 l/s from the auxiliary buildings and 6 l/s of trade effluent from the power plant process; this will discharge into the Welsh Water combined sewer manhole located adjacent to the amenity tip approximately 130m south of the Power Station Complex Site.

Conclusions

- 3.26 Best practice will be employed throughout the construction and decommissioning phases of the Scheme.
- 3.27 The CEMP will include nuisance management, including measures to avoid or minimise the impacts of the construction works (covering dust, lighting, noise and vibration) during the construction of the Scheme. The prevention of inappropriate discharge of effluent and the stringent regulation of the Scheme in the operational phase through the EP, means that the potential for nuisance is low for dust and low to negligible for steam and effluvia.

ARTIFICIAL LIGHT – 79(1)(FB)

Overview

- 3.28 The potential for artificial light to cause nuisance exists in the construction phase of the Scheme. Light in the operational phase will be maintained for access and security purposes only.

Construction Phase Mitigation

- 3.29 Twelve hour working days will necessitate construction and security lighting during the darker months of the year. This will be appropriately specified, sited and angled to minimise light spill to the surrounding areas.

Operational Phase Mitigation

- 3.30 All external lighting would be of a flat-glass full horizontal cut-off specification in order to reduce light pollution.

Conclusions

- 3.31 Appropriate use of construction lighting and design of operational lighting will mean that effects are negligible.

NOISE – 79(1)(G) AND (GA)

Overview

- 3.32 The potential for generation of noise is assessed in Chapter 9 of the ES. The potential for noise from the Scheme to cause nuisance exists in the construction, operation and decommissioning phases of the Scheme. Noise during the construction and decommissioning phases is likely to arise from the use of plant and equipment (e.g. piling during construction and slab removal during demolition) and noise in the street during construction and decommissioning phases from any queuing of associated construction and demolition vehicular traffic.
- 3.33 Noise during the operational phase of the Scheme is likely to arise from fixed items of plant and equipment within the Power Station Complex.

Construction Phase Mitigation

3.34 As a general principle, BPM will be employed to minimise risk of nuisance from noise and vibration emissions. As a minimum, these will include the following measures during construction:

- Restricted working hours during construction between 07:00 and 19:00 Monday to Friday and between 07:00 and 13:00 on Saturdays and Public Holidays (as specified by a Requirement in the Order);
- Selection and design of quieter plant and methods;
- Switching off plant when not in use
- Regular plant maintenance;
- Use of silencers where practicable;
- Use of standard acoustic enclosure, walls or building elements as noise screens where practicable.

3.35 In addition, mitigation measures will be implemented to minimise the risk of nuisance from noise in the street caused by construction traffic:

- An HGV booking/management system for vehicles 10 tonnes and larger which will allow drivers to book pre-determined time slots for deliveries to reduce the possibility of multiple HGVs causing congestion by smoothing out peaks in traffic. It will ensure that arrivals and departures are spread as evenly as possible over the course of the working day;
- All construction plant and vehicles will be parked on-site and not on the public highway;
- A system will be implemented for pre-notification of deliveries involving abnormal loads to the local highways authorities and the local community, and provide vehicle escorts where required.

3.36 A specific individual, namely the Project Environmental Lead, as defined in the CEMP, will be nominated to be accountable for nuisance issues, including noise and vibration. All complaints or incidents will be recorded, identifying cause(s), and taking appropriate measures to reduce emissions in a timely manner, and recording the measures taken. This complaints / incidents log will be made available for inspection as required.

Operational Phase Mitigation

- 3.37 The emissions of noise that will occur during operation will be controlled by the EP, to be issued by NRW under the Environmental Permitting (England and Wales) Regulations 2010.
- 3.38 In addition, the following specific mitigation measures will be implemented as a minimum standard for the Scheme:
- Selection of plant and equipment through the procurement process to meet pre-defined noise emission levels.
 - Potentially noisy fixed items of process plant will be housed within buildings.
 - Plant and equipment will be fitted with silencing equipment (e.g. enclosures, baffles, attenuators) where required and if practicable.
 - Design of the process buildings within the Power Station Complex will utilise building materials to attain high standards of insulation and avoid gaps and weaknesses so as to provide an overall Rw (weighted sound reduction index for noise attenuation) of 43dB or greater.
 - Undertake preventative maintenance of plant or equipment whose deterioration may give rise to increases in noise, for example bearings or integrity of noise attenuation enclosures.
 - When not in use, any roller shutter doors will be kept closed.
 - Mechanical ventilation systems for supply or extraction of air to and from the process buildings within the Power Station Complex will be designed to minimise noise emissions.

Conclusions

- 3.39 No element of the Scheme will be commenced until the measures in the CEMP and the CTMP have been submitted to and approved by the relevant planning authority as secured by the Requirements in the Order. In addition, an EP for the Scheme is required from NRW before the Scheme can begin operation, meaning that the potential for nuisance from noise and vibration from the Scheme and from the street is low.

Chapter 4 ◆ Conclusions

- 4.1 This Statement of Statutory Nuisance has been prepared to fulfil regulation 5(2)(f) of the APFP Regulations, which requires that all DCO applications to be accompanied by a statement considering whether a proposed project would engage one or more of the statutory nuisances set out in Section 79(1) of the EPA 1990.
- 4.2 As part of the ES detailed assessments have been undertaken to assess: (i) the condition of the Site; (ii) air quality; (iii) noise levels; and (iv) artificial lighting generated by the Scheme during construction, operation and decommissioning of the Scheme.
- 4.3 In all cases, the mitigation measures as proposed in the draft CEMP, CTMP and SWMP and ultimately to be submitted to and approved by the relevant planning authority in conjunction with NRW (as applicable) will prevent impacts which are considered to have the potential to cause statutory nuisance.
- 4.4 This Statement screens out the types of statutory nuisance that are not applicable to the Scheme, and focuses on those where the potential for statutory nuisance exists.
- 4.5 Construction of the Scheme will be managed by the approved CEMP, CTMP and SWMP, as provided for in the Requirements in Schedule 2 to the Order and the operation of the Scheme will be managed by an EP and the SWMP.
- 4.6 This Statement concludes that the potential for the Scheme to cause statutory nuisance, with the mitigation measures in place, is negligible. If complaints are received during construction, the CEMP sets out the communications, complaint investigation and resolution measures to be put in place to ensure speedy and satisfactory resolution.
- 4.7 Whilst the conclusions of this Statement suggest that no statutory nuisance is likely to occur, WPL has included in the Order (document reference 3.1) a provision (taken from the standard model provisions for DCOs) which would provide a statutory defence against certain cases of nuisance, such that this could be relied upon where, for example, the nuisance cannot reasonably be avoided.