



**APPLICATION FOR A DEVELOPMENT
CONSENT ORDER
TEES CCPP PROJECT
LOCAL IMPACT REPORT**

REDCAR AND CLEVELAND BOROUGH COUNCIL

LPA Ref: R/2017/0119/DCO

PINS Ref: EN010082

1. Executive Summary

- 1.1. An application has been made to the Planning Inspectorate for the development of a new gas-fired electricity generating station with a nominal net electrical output capacity of up to 1,700 megawatts ('MW') at ISO conditions, on the site of the former Teesside Power Station, which forms part of the Wilton International Site, Teesside. The Council is a statutory consultee on this Nationally Significant Infrastructure Project and this report constitutes the Council's response to the Planning Inspectorate.

2. Application Type

- 2.1. Application for Development Consent- Nationally Significant Infrastructure Project

3. Description of Development

- 3.1. The proposed works as identified in Schedule 1 of the draft DCO are set out below and are what the Local Authority have based this report on:

A nationally significant infrastructure project as defined in sections 14 and 15 of the 2008 Act, comprising—

WORK NO. 1 – a natural gas fired electricity generating station located on land within the Wilton International site, Teesside, which includes the site of a former CCGT power station, with a nominal net electrical output capacity of up to 1,700 MWe at ISO Conditions, comprising—

(1) WORK NO. 1A – up to two separate generating units, with each generating unit including—

- (a) gas turbine, steam turbine and electricity generator within a turbine building;
- (b) heat recovery steam generator ("hrsg") in building;
- (c) hrsg feed water system including deaerator, boiler water feed pumps and associated piping;
- (d) condenser;
- (e) main stack;
- (f) transformers;
- (g) auxiliary boiler and vent;
- (h) condensate polisher;
- (i) boiler feed pumps;
- (j) auxiliary electrical modules;
- (k) emission and ambient monitoring system;
- (l) blow down tank;
- (m) fuel gas coalescing filter;
- (n) gas turbine air inlet house;
- (o) fuel gas drains tank;
- (p) fuel gas flow measurement system;
- (q) fuel gas performance heater;
- (r) hydrogen module;
- (s) condensate storage tank and make-up pump;
- (t) CO2 module;
- (u) battery room module; and
- (v) fire suppressant module.

(2) In addition to the generating units, Work No. 1 may comprise any of the following further elements of cooling infrastructure which together comprise WORK NO. 1B —

- (a) up to two banks of hybrid cooling towers;

- (b) cooling water pumps;
- (c) chemical sampling and dosing plant with electrical modules; and
- (d) cooling water treatment.

(3) In connection with and in addition to Works 1A and 1B Work No. 1 may include:

- (a) an above ground installation ("AGI");
- (b) gas receiving station/pig trap system;
- (c) grid and gas connection works;
- (d) general and unit services main control centre container;
- (e) fire-fighting and raw storage water tank and fire water retention basin;
- (f) de-mineralised water storage tank;
- (g) surface and foul drainage including trade effluent and foul water discharge points, oil water separator and septic tanks;
- (h) connections to drainage system;
- (i) connections to utility points;
- (j) control building including workshop and stores;
- (k) administration building;
- (l) unit transformer and electricity substation connection;
- (m) distribution systems, pipework and pipe runs;
- (n) AGI utility rooms;
- (o) telecommunications network;
- (p) western boundary acoustic wall;
- (q) southern boundary acoustic wall;
- (r) hardstanding and hard and soft landscaping;
- (s) site access; and
- (t) security gatehouse, fencing and CCTV.

WORK NO. 2 – associated development within the meaning of section 115(2) of the 2008 Act in connection with the nationally significant infrastructure project referred to in WORK NO. 1 which may comprise any of the following further elements —

(3) WORK NO. 2A comprising —

- (a) permanent laydown area;
- (b) vehicle parking;
- (c) internal roadways and footpaths;
- (d) lighting columns and lighting; and
- (e) signage.

(4) Area reserved for carbon capture, compression and storage, such area to be laid out as vehicle parking and used for the open and covered storage of construction materials and equipment during construction of any part of the authorised development, which may comprise of any of the following further elements which together comprise WORK NO. 2B —

- (a) laydown area including contractor compounds and cabins and wheel washing facilities;
- (b) vehicle parking spaces;
- (c) internal roadways and footpaths;
- (d) lighting columns and lighting;
- (e) hardstanding;
- (f) surface and foul drainage; and
- (g) signage.

(5) Further associated development within the meaning of section 115(2) of the 2008 Act in connection with the nationally significant infrastructure project including such other ancillary buildings, structures, enclosures, plant, works or operations as are integral to and part of the construction, operation and maintenance of the works in this

Schedule 1 but only within the Order limits and insofar as they are unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

4. Applicant

4.1. Sembcorp Utilities (UK) Limited

5. Environmental Impact Assessment

5.1. A full Environmental Impact Assessment forms part of the application. The Council has been fully involved in preliminary discussions with the applicant with regard to the content and scope of the EIA.

6. Recommendation

6.1. The Council raises NO OBJECTION to the proposal. The full response to the consultation is set out below in Sections 8 to 10. The sections include the comments received from consultees within the Council and their context with regard to National and Local Planning Policy.

7. Key Planning Policies

7.1. National Planning Policy

National Planning Policy Framework

(NPPF) National Policy Statements:

EN1 - Overarching Energy NPPS

EN2 – Fossil Fuel Electricity Generating Infrastructure

EN4 – Gas Supply Infrastructure and Gas and Oil Pipelines

EN5- Electricity Networks Infrastructure

7.2. Local Planning Policy

The Development Plan comprises of the Redcar and Cleveland Local Development Framework 2007.

The relevant policies within the Redcar and Cleveland Local Development Framework are considered to be:

CS1 Securing a Better Quality of Life;

CS2 Locational Strategy;

CS4 Spatial Strategy for South Tees Employment Area;

CS10 Steel, Chemical and Port-related Industries;

CS20 Promoting Good Design;

CS24 Biodiversity and Geological Conservation;

CS25 Built and Historic Environment;

DP1 Development Limits;

DP2 Location of development;

- DP3 Sustainable Design;
- DP6 Pollution Control;
- DP7 Potentially Contaminated and Unstable Land
- DP9 Conservation Areas;
- DP10 Listed Buildings;
- DP11 Archaeological Sites and Monuments;

Other Local Development Framework Documents

Landscape Character SPD (March 2010)

7.3. The Council is also in the process of adopting a new Local Plan. On 19 April 2017, the Council formally submitted the Local Plan Publication Draft (together with the Council's proposed Main Modifications) to the Secretary of State for examination. The Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan was published on 23 March 2018 and finds that the Local Plan provides an appropriate basis for planning in the borough, provided the recommended main modifications are made. Para 216 of the National Planning Policy Framework states that from the day of publication, decision makers may give weight to relevant policies in emerging plans according to; the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies in the plan and the degree of consistency with the NPPF. Until the plan is adopted in spring 2018 decisions on applications will reflect this approach.

7.4. The relevant policies within the emerging Local Plan are considered to be:

- SD1 Sustainable Development
- SD2 Locational Policy
- SD3 Development Limits
- SD4 General Development Principles
- LS4 South Tees Spatial Strategy
- ED6 Protecting Employment Areas
- HE1 Conservation Areas
- HE2 Heritage Assets

8. Consultation Replies

- 8.1. The Council along with a wide range of other internal stakeholders have been involved over the past couple of years with discussions with Sembcorp. The pre-application discussions have included; level of detail and scope of the Community Involvement, the scope of the Environmental Impact Assessment and comments on the draft DCO and therefore the draft Requirements.
- 8.2. The Council as a main stakeholder in the process has worked closely with Sembcorp and it is considered that the final submission, pursuant of the granting of the Development Consent Order is consistent with the discussions that have taken place.

8.3. Summary of consultation responses received

Redcar and Cleveland Borough Council Development Engineer

No concerns regarding the development

Redcar and Cleveland Borough Council Conservation Officer

The submitted report on Archaeology and Cultural Heritage (Vo1 – Chapter 12) is comprehensive but ultimately reaches a straightforward conclusion: that the surrounding landscape adjacent to the proposal site is characterised by industrial buildings and plant and that building a replacement power station on the site will not have a significant impact upon the nearest, but still relatively remote, heritage assets. I would agree with that conclusion.

The most long distance views from the site are from Eston Nab, home to the scheduled ancient monument of Eston Hill Fort, with other heritage assets generally consisting of listed buildings situated in the landscape below. From that view point the extent of industry is clear, not just relating to Wilton but to the wider Teesside area including in Middlesbrough itself and views north beyond the river Tees. It could be argued that the dichotomy should increase the significance of such assets by the obvious contrast between the origins of the area and its more recent, but ever more historic, industrial character. Overall therefore the re-development of this brownfield site is not considered to harm the setting of heritage assets and thus complies with Policy DP9 of the LDF and Policy HE2 of the draft Local Plan.

Redcar and Cleveland Borough Council Environmental Protection (Nuisance)

The final report states that an acoustic feature correction has not been applied in the BS:4142 assessment because it is most likely that the need for a correction can be avoided during the detailed design and commissioning phases of the project development.

I would request consideration is given at the detailed design/commissioning stage of the project that any plant and equipment acquired does not create any tonal elements, and in the event should any audible tonal noise be observed during testing and/or commissioning it will be analysed to identify the cause and corrective measures be applied.

The report assumes attenuation of the 6m high acoustic existing wall as a highly absorptive barrier (ie with reflection loss > 11dB, and absorption coefficient $\alpha > 0.91$). the report states that prior to the commencement of construction the contractor will verify the efficacy of the wall to ensure it meets or exceeds this assumption.

The installation of an additional 6m acoustic wall along the western boundary although not stated in the report, should be of a similar acoustic efficacy as the existing wall .

I would request that the acoustic efficacy of both walls be verified to ensure they meet or exceed the acoustic barrier assumption.

I would also request that verification of the acoustic model is carried out (to include

noise measurements of operation at noise sensitive receptors), to ensure that the actual noise impact at sensitive receptors is in accordance with modelled results.

Redcar and Cleveland Borough Council Environmental Protection (Contamination)

I would request that during construction in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development

The Planning Inspectorate are the agency responsible for assessing Nationally Significant Infrastructure Projects (NSIPs). NSIPs are large scale developments as defined under Section 14 of the Planning Act 2008. The projects can relate to energy, transport, water, power generating stations (including wind farms) and electricity lines. Such developments require a consent known as a Development Consent as provided by the Planning Act 2008. Due to the proposal exceeding 50 megawatts of generating capacity the development is classified as an NSIP and requires a Development Consent Order to allow it to be constructed.

This report has been prepared in accordance with the advice and requirements set out in the Planning Act 2008 and the Advice Note 1: Local Impact Reports. The report represents Redcar and Cleveland Council's Local Impact Report on the proposal. An LIR as defined under Section 60(3) of the 2008 Act is a *report in writing giving details of the likely impact of the proposed development in the authority's area*. The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The report should cover any topics that the council considers are relevant to the impacts of the proposed development.

The Local Authority is not required to carry out its own consultation with the community when preparing the LIR. The report should set out the positive, neutral and negative impacts from the development but is not required to balance these as this is a matter for the Examining Authority.

A statement of Common Ground is being prepared in conjunction with the applicant which sets out the issues that the Council and Forewind are in agreement about. A number of issues and topics covered in the LIR also appear within the Statement of Common Ground.

9. Key Issues

9.1. The key issues in relation to the onshore elements of the project are:

- Policy context
- Sustainability
- Landscape and visual impact
- Biodiversity and ecology
- Highway issues
- Residential Amenity
- Environmental Protection
- Drainage and flood risk
- Socio-economic issues
- Conditions

Policy Context

9.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and confirms that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan is the Redcar and Cleveland Local Development Framework 2007.

9.3. Redcar and Cleveland Borough Council is in the process of preparing a Local Plan. On 19 April 2017, the Council formally submitted the Local Plan Publication Draft (together with the Council's proposed Main Modifications) to the Secretary of State for examination. The Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan was published on 23 March 2018 and finds that the Local Plan provides an appropriate basis for planning in the borough, provided the recommended main modifications are made. Para 216 of the National Planning Policy Framework states that from the day of publication, decision makers may give weight to relevant policies in emerging plans according to; the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies in the plan and the degree of consistency with the NPPF. Until the plan is adopted in spring 2018 decisions on applications will reflect this approach.

9.4. The broad principle of the development of a new power station at Wilton International is considered to be acceptable in accordance with policies CS10 and DP1 of the Local Development Framework and policies SD3 and ED6 of the emerging Local Plan. Further consideration of the detailed elements is set out in the topics below.

Sustainability

9.5. The relevant policies within the LDF regarding sustainability are CS1 and DP3 with policy SD1 of the emerging Local Plan. The project exhibits sustainable credentials and the application, along with the economic advantages of the development, is consistent with wider planning policy objectives that promote

sustainable development.

Landscape and Visual Impact

- 9.6. Policy CS22 of the LDF seeks to protect and enhance the Borough's landscape. CS22 states that development will not be allowed if this would lead to the loss of features important to the character of the landscape unless the need for the development outweighs the landscape considerations. Where development is justified, proposals will include measures to enhance, restore or create the special features of the landscape. The application site is not characterised within the Landscape and Character SPD (March 2010) as being Restoration or Sensitive landscape.
- 9.7. A Landscape and Visual Impact Assessment has been submitted as part of the Environmental Statement. The assessment has been undertaken with reference to the GLVIA3, produced jointly by the Landscape Institute and IEMA. The assessment methodology is applicable to the construction, operation and decommissioning phases of the Project
- 9.8. A series of viewpoints have been analysed as part of the assessment with a number of these having been accompanied by photomontages and wirelines. The viewpoints were agreed in consultation with the applicant at the pre-application phase and are considered to give a true and representative illustration of the scheme.
- 9.9. Consideration has been given to the location of the power station and the associated structures that make up the development. While the power station and associated structures are proposed within a heavily industrialised landscape in Wilton International, there will be views of them from residential properties at the north/north-east edge of Lazenby village, from Lackenby and Teesville to the west and the edge of Dormanstown to the northeast. Given the setting of the site, it is considered that while there will be a change to the visual appearance of the area, the development will form part of the existing industrial landscape.

Biodiversity and Ecology

- 9.10. The application includes fully detailed information on ecology within the Environmental Statement including a Habitats Regulations Assessment. The assessment is considered to have been prepared in an appropriate manner in consultation with the relevant consultees.
- 9.11. The Local Authority do not employ an ecologist but it is acknowledged that Sembcorp have been liaising with stakeholders such as Natural England and Tees Valley Wildlife Trust to gain both a national and local context with regard to biodiversity and ecology issues.
- 9.12. The Local Authority consider that, subject to the acceptance of the scheme from the statutory consultees, the implementation of the mitigation proposed within the Environmental Statement and appropriate conditions as set out in the Draft DCO, no concerns are raised with regard to biodiversity and ecology matters.

Highways

- 9.13. The Highway Authority, Redcar and Cleveland Borough Council (RCBC) have considered the impact of the proposals on the local highway network and it is accepted that there are no concerns with the proposed development and its

impact upon the highway network.

- 9.14. The Highway Authority is satisfied with the submission. Construction and operational access designs for the development are agreed in principle with R&CBC and will form the basis of highway technical and construction details in the future.

Residential Amenity

- 9.15. Policy DP2 is relevant when considering the impact of proposals on surrounding areas, including residential amenity.
- 9.16. The number of residential properties affected by the construction activities is considered to have been minimised due to the proposed location of the development. The construction activities will be suitably controlled by conditions relating to construction hours and working practices.
- 9.17. Operational noise has also been considered from the power station. There are residential properties to the southeast and west of the proposed power station within the villages of Lazenby and Lackenby.
- 9.18. The issue of air quality also needs to be considered with regard to the generation of emissions. These are considered to be appropriately addressed through the relevant conditions and controls from the Environment Agency.
- 9.19. The Council's Environmental Protection Section have raised no objection to the proposal with regard to the impact on residential amenity subject to the implementation and compliance with the relevant controls and conditions set out within the Consent Order.

Environmental Protection

Nuisance

- 9.20. The relevant policy within the LDF is DP6 and policy SD4 of the emerging Local Plan.
- 9.21. The submitted report states that an acoustic feature correction has not been applied in the BS:4142 assessment because it is most likely that the need for a correction can be avoided during the detailed design and commissioning phases of the project development. As the final contractor has not been chosen this is considered to be a reasonable statement.
- 9.22. It is suggested that the design/commissioning stage of the project considers that any plant and equipment does not create any tonal elements, and in the event should any audible tonal noise be observed during testing and/or commissioning it should be analysed to identify the cause and corrective measures be applied.
- 9.23. The submitted report assumes attenuation of the 6m high acoustic existing wall as a highly absorptive barrier (ie with reflection loss > 11dB, and absorption coefficient $\alpha > 0.91$). The report states that prior to the commencement of construction the contractor will verify the efficacy of the wall to ensure it meets or exceeds this assumption.
- 9.24. The installation of an additional 6m acoustic wall along the western boundary although not stated in the report, should be of a similar acoustic efficacy as the existing wall. It is requested that the acoustic efficacy of both walls be verified to

ensure they meet or exceed the acoustic barrier assumption.

- 9.25. It is also requested that verification of the acoustic model is carried out (to include noise measurements of operation at noise sensitive receptors), to ensure that the actual noise impact at sensitive receptors is in accordance with modelled results.

Contamination

- 9.26. The relevant policy within the LDF is DP7 and policy SD4 of the emerging Local Plan. The information within the ES has been considered by the Council's environmental protection section who have advised that during construction in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development.

- 9.27. In light of the above it is considered subject to the relevant requirements in the draft DCO the development will not have an adverse impact with regard to contamination.

Drainage and Flood Risk

- 9.28. No objections have been raised by internal consultees to the proposal on the grounds of drainage and flooding.

Heritage

- 9.29. LDF policies that protect the historic environment include CS25, DP9, DP10 and DP11. The ES has considered the impact of the development on conservation areas, Listed Buildings and ancient monuments.

- 9.30. The submitted report is comprehensive and reaches a conclusion that the surrounding landscape adjacent to the proposal site is characterised by industrial buildings and plant and that building a replacement power station on the site will not have a significant impact upon the nearest, but still relatively remote, heritage assets. This conclusion is one that is shared by the Council's conservation officer.

- 9.31. The most long distance views from the site are from Eston Nab, home to the scheduled ancient monument of Eston Hill Fort, with other heritage assets generally consisting of listed buildings situated in the landscape below.

- 9.32. From that view point on Eston Nab, the extent of industry is clear, not just relating to Wilton but to the wider Teesside area including in Middlesbrough itself and views north beyond the river Tees.

- 9.33. Overall therefore the re-development of this brownfield site is not considered to harm the setting of heritage assets and thus complies with Policy DP9 of the LDF

and Policy HE2 of the draft Local Plan.

Social Economic Issues

9.34. We would welcome a partnership approach with the Council's Routes to Employment Team when looking to recruit staff for the varied phases via the promotion of job opportunities to our local residents.

9.35. The Council's Business Growth Team would proactively engage with local businesses to raise awareness of the opportunities in the sector with the aim to build up the existing local supply chain to service projects in UK.

10. Conditions

10.1. The Local Planning Authority recognise their responsibility for the discharge and enforcement of the provisions of the Consent Order.

10.2. The conditions that form part of the Consent Order have been considered as set out within Schedule 1 Part 2 of the Draft DCO. It is considered that the wording of the conditions is appropriate.

11. Conclusion

11.1. The proposed development is considered to make significant contribution to the provision of energy to serve local demands. The proposed power station and associated buildings are to be sited within an industrial landscape and therefore while they are sizeable, they are not considered to have an adverse impact on the existing landscape character/appearance.

11.2. Suitable controls are considered to be in place through the conditions attached to the Development Consent Order and these will ensure that any final details to be agreed are appropriate and delivered accordingly.

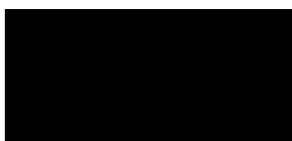
11.3. The Local Authority have worked closely with the applicant through the pre-application stage of the process and are satisfied that the advice and discussions that have taken place have been considered and delivered through the submitted Development Consent Order.

11.4. It is recommended that the Council does not object to the proposed development.

12. Recommendation

12.1. That the Council raises **NO OBJECTION** to the proposal subject to the requirements set out in the draft DCO.

Signed for and on behalf of RCBC:



**Adrian Miller BA(Hons) Dip TP MRTPI
(Head of Planning and Development)**