
West Burton C (Gas Fired Generating Station)

The West Burton C (Generating Station) Order

Land to the north of the West Burton B Power Station
Nottinghamshire

Statement of Common Ground

Between

- (1) EDF Energy (Thermal Generation) Limited
- (2) Historic England



Dated 04 October 2019

West Burton C (Gas Fired Generating Station)
Statement of Common Ground between EDF Energy (Thermal Generation) Limited and Historic England
PINS Ref: EN010088



Signed	
Name	Carly Vince
Position	Chief Planning Officer
For	EDF Energy (Thermal Generation) Limited
Date	4 th October 2019
Signed	
Name	Tim Allen
Position	Development Advice Team Leader (North)
For	Historic England
Date	24 th September 2019

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1.0 INTRODUCTION

Overview

- 1.1 This Statement of Common Ground (SoCG) has been prepared in relation to an application for a Development Consent Order (DCO) (the Application) submitted by EDF Energy (Thermal Generation) Limited (the Applicant) to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) under Section 37 of the Planning Act 2008 (2008 Act).
- 1.2 The Application seeks consent to construct, operate (including maintenance) and decommission a gas fired generating station of up to 299 megawatts (MW) (the Proposed Development) of electrical generation capacity at the existing West Burton Power Station site near Gainsborough, Nottinghamshire.

Purpose of this SoCG

- 1.3 This SoCG has been prepared jointly by the Applicant and Historic England, jointly referred to as 'the Parties'. It has been informed by a series of meetings and discussions between the Parties.
- 1.4 This SoCG sets out agreed factual information about the Application and matters on which the Parties are agreed, to reflect the statutory duty and other topics of interest to Historic England. There are no outstanding areas of disagreement.
- 1.5 This SoCG is intended to provide a clear position on the extent of agreement between the Parties to facilitate an efficient examination process.

The Application

- 1.6 The Application was submitted on 30th April 2019 and accepted for examination on 23rd May 2019. The Application was accompanied by an Environmental Statement (ES) (**Application Document Ref. 5.1 and 5.2**) associated reports (**Section 4**), additional information (**Section 6**) and other documents (**Section 7**) which are referenced within the ES.

The Site

- 1.7 The Proposed Development site (the Site) is located within the boundary of the existing West Burton Power Station site, near Gainsborough, Nottinghamshire. The existing Power Station site encompasses two power stations, West Burton A (WBA) and West Burton B (WBB), owned and operated by the Applicant. The Proposed Development would be located north of the existing WBB Power Station.
- 1.8 The Site covers an area of approximately 32.8 hectares (ha) and falls within the administrative area of Bassetlaw District Council (BDC), close to the border of West Lindsey District Council (WLDC).

The Proposed Development

- 1.9 The Proposed Development comprises the construction, operation (including maintenance) and decommissioning of a gas fired generating station with a gross electrical output of up to 299MW and associated buildings, structures and plant.

2.0 CONSULTATION WITH HISTORIC ENGLAND

2.1 The consultation that has taken place with Historic England prior to submission of the Application is presented in **Table 2.1**. The Applicant engaged with Historic England on the development proposals during the pre-application process, both through non-statutory engagement and statutory consultation carried out pursuant to Section 42 of the 2008 Act.

Table 2.1: Consultation with the Historic England

Date	Details
May 2017	A meeting took place on 5 May 2017 to discuss the Proposed Development and the approach to the EIA. Historic England provided a written response to the consultation by the Planning Inspectorate on the Scoping Report provided by the Applicant.
September – October 2017	Historic England was consulted as part of the statutory consultation process. Historic England responded to the statutory consultation period, providing comments on the Preliminary Environmental Information (PEI) Report. A copy of Historic England’s response is provided in Appendix 2.1 .
September – November 2017	The draft application documents were provided to Historic England on 22 September 2017, with comments requested by 17 November 2017.
November 2017	A meeting was held on 6 November 2017 where the draft DCO was discussed, as well as any other points that Historic England wished to raise. The archaeological potential of prehistoric remains and strategy and timing of further archaeological evaluation provided in the Outline Written Scheme of Investigation (OWSI) in Document Ref. 7.9 were discussed. A copy of Historic England’s comments on the draft DCO can be found at Appendix 2.2 .
March 2019	The project was temporarily put on hold in 2018 and then remobilised in January 2019. The Applicant subsequently wrote to Historic England on 13 March 2019 to notify of the Applicant’s intention to submit the Application and requested engagement. Copies of the draft DCO and relevant Application documents were provided for comment.

Date	Details
April 2019	<p>A meeting (telecon) was held on 4 April 2019 to discuss the Proposed Development, any queries arising following review of the draft DCO and Application documents, the examination process and the preparation of a SoCG.</p> <p>The Application was submitted in April 2019 and accompanied by the Consultation Report (Application Document Ref 4.1), which explained how the Applicant sought to address previous comments from Historic England.</p>

3.0 MATTERS AGREED BETWEEN THE PARTIES

3.1 The Parties are agreed on all matters and in particular, are agreed on the points set out in **Table 3.1**.

Table 3.1: Matters Agreed between the Applicant and the Historic England

Topic	Matters Agreed
Consultation	<p>A summary of pre-application consultation is contained in the Consultation Report (Application Document Ref. 4.1), Chapter 14: Cultural Heritage of ES Volume I (Application Document Ref. 5.2) and in Section 2 of this SoCG.</p> <p>It is agreed that the consultation summary provides an accurate record of consultation with the Historic England on matters to date.</p>
Archaeology	<p>The Cultural Heritage Desk Based Assessment (Appendix 14A (ES Volume II)) presents the findings of the archaeological appraisal of the Site. The assessment of the effects of the Proposed Development in relation to archaeology is set out in Chapter 14: Cultural Heritage (ES Volume I) (Application Document Ref 5.2).</p> <p>It is agreed that appropriate assessment of heritage and archaeological effects has been undertaken to inform the DCO application and that no further works are required at this stage.</p> <p>It is agreed that a programme of archaeological monitoring and environmental sampling be undertaken prior to construction of the Proposed Development. The Applicant's proposed approach to these works is set out within the OWSI (Application Document Ref. 7.9). This is proposed to be secured by a Requirement of the draft DCO (Application Document Ref. 2.1) and both Parties agree with this approach and the wording of the OWSI.</p> <p>It is therefore agreed by both Parties that the approach to be taken with regard to archaeological investigation and mitigation is acceptable and that appropriate controls are in place to secure mitigation.</p>
Built Heritage	<p>The assessment of the effects of the Proposed Development in relation to built heritage assets is set out in Chapter 14: Cultural Heritage, Appendix 14A: Desk Based Assessment and Figures 14.1 - 14.2 (ES Volumes I-III) (Application Document Ref. 5.2). The Parties agree that the approach taken by the Applicant to assess the effects of the Proposed</p>

Topic	Matters Agreed
	<p>Development on built heritage (including designated and non-designated assets) is appropriate (including methodology, data collection methods, baseline data, approach to assessment and analysis).</p> <p>The Parties agree that appropriate consideration has been given to all designated assets within the Study Area, including the categorisations (i.e. medium significance – heritage value) of the grade II listed buildings (Bole Manor House and the Church of St Martin) in Bole in Chapter 14: Cultural Heritage (Application Document Ref. 5.2). It is agreed that the mitigation of landscape effects which seeks to substantially retain existing well-established vegetation within the Site is appropriate and that no further specific mitigation beyond the design and impact avoidance measures set out in Chapter 14: Cultural Heritage is required.</p> <p>The Parties agree that significant residual effects on the grade II listed buildings in Bole and other built heritage assets within the study area are not likely, that the approach to be taken to built heritage is acceptable and that appropriate controls are in place to secure mitigation.</p> <p>It is noted that Historic England would like the Applicant to seek opportunities whereby they can financially support the local community in the physical conservation of heritage assets and the reinforcement of historic landscape character in the immediate area. While this sits outside the DCO process, the Applicant remains committed to fostering and maintaining a close working relationship with the local community and will consider opportunities to widen the current community engagement programme to include heritage aspects.</p>
Draft DCO	<p>The Parties are agreed on the wording of the following requirement contained in Schedule 2 of the draft DCO (Application Document Ref. 2.1) and the procedure for the discharge of requirements contained in Schedule 3:</p> <p>13. Archaeology</p> <p>— (1) <i>No stage of the authorised development must commence until a written scheme of investigation for that stage has been submitted to and, after consultation with Historic England and Nottinghamshire County Council in its capacity as the relevant archaeological body, approved by the relevant planning authority.</i></p>

Topic	Matters Agreed
	<p><i>(2) The scheme submitted and approved must be in accordance with the outline written scheme of investigation.</i></p> <p><i>(3) The scheme must identify any areas where further archaeological investigations and/or design mitigation are required and the nature and extent of the investigation required in order to preserve by knowledge or in-situ any archaeological features that are identified.</i></p> <p><i>(4) Pre-construction archaeological investigations and pre-commencement activities which include intensive ground works may take place only in accordance with a specific written scheme of investigations which has been submitted to and approved by the relevant planning authority.</i></p> <p><i>(5) Any archaeological investigations implemented must be carried out—</i></p> <p><i>(a) in accordance with the approved scheme; and</i></p> <p><i>(b) by a suitably qualified person or organisation approved by the relevant planning authority unless otherwise agreed with the relevant planning authority.</i></p> <p>No changes are sought in relation to the draft DCO; and the Council is satisfied with the wording of the draft requirements, including those in which it is a named consulted.</p>

4.0 MATTERS TO BE AGREED

4.1 The Parties confirm that there are no outstanding matters to be agreed.

Appendix 2.1: Historic England Formal Consultation Response



Historic England

EAST MIDLANDS OFFICE

Ms Carly Vince
EDF Energy (West Burton Power) Limited
40 Grosvenor Place
Victoria
London
SW1X 7EN

Direct Dial: 01604 735460

Our ref: PA00575807

13 October 2017

Dear Ms Vince

Pre-application Advice

WEST BURTON C POWER STATION, WEST BURTON, BASSETLAW, NOTTINGHAMSHIRE

Thank you for your letter of 6th September 2017 and the Preliminary Environmental Information Report, these are our comments in response to this formal pre-application consultation stage.

Advice

The proposed development has the potential to impact upon the historic environment both directly (on buried archaeological and palaeo-environmental remains) and as a setting impact upon heritage assets as set out in our EIA scoping response (tabulated in your PEI vol1 pages 9-10 of Chapter 14). We note your responses to the issues we set out in EIA scoping, between the text in chapter 14 of the PEI and the photo montages in volume III you appear to engage constructively with the points we raised.

With regard to the methodology set out the PEI volume chapter 14 we would question whether all grade II listed buildings can readily fall into the medium category of significance without some nuancing both of their individual importance and perhaps more crucially their individual significance and its relationship to setting. In this specific case the overall scale and landscape presence of West Burton A and B is already very strong in relation to Bole so the main issue in terms of visual impact is the additional width of horizon that will be occupied by power station structures as indicated in view 4. This is the area where there may be potential to try and find some mitigation opportunities in respect of the church, manor house and associated undesignated assets as a group, it may be unhelpful to atomise the significance of the place in the conventional EIA manner.

With regard to the potential impacts on archaeological remains on-site we note the



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EAST MIDLANDS OFFICE

depth of pulverised fuel ash and the challenges that this presents, in that context we would not dispute the approach proposed although we would suggest that the archaeological potential for prehistoric remains would be better characterised as moderate rather than low. This is high potential environment but one which has suffered significant on-site intervention at least in terms of the addition of material. On that basis and the limited present knowledge moderate potential for all periods seems more appropriate, we concur that the value of potential deposits remains unknown.

Next Steps

We will now review the draft Development Consent Order, Explanatory Memorandum and Works Plans received with your letter of 22 September 2017 and respond regarding a potential meeting to discuss comments.

Yours sincerely



Tim Allen
Inspector of Ancient Monuments
E-mail: tim.allen@HistoricEngland.org.uk

**WEST BURTON C POWER STATION, WEST BURTON, BASSETLAW,
NOTTINGHAMSHIRE
Pre-application Advice**

List of information on which the above advice is based

You provided the Preliminary Environmental Information Report, Non-Tech Summary, Statement of Community Consultation, Newsletter, Proof of Public Notice and a Covering Letter dated 6th Sept 2017



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Appendix 2.2: Historic England Comments on Draft DCO

From: Allen, Tim [<mailto:Tim.Allen@HistoricEngland.org.uk>]

Sent: 17 November 2017 16:55

To: Vince Carly <carly.vince@edf-energy.com>

Cc: Fawdon Hannah <hannah.fawdon@edf-energy.com>

Subject: RE: West Burton C Power Station Development- Informal Consultation on the Draft Development Consent Order - Meeting our ref PA00575807

Dear Carly

Historic England Comments

RE: West Burton C Power Station Development- Informal Consultation on the Draft

Development Consent Order - our ref PA00575807

Thank you for your letter of 22nd September 2017 and the 6th November meeting my edits/comments in red italics below into your email from earlier today,

- **Archaeology:** You stated that it would be preferable for EDFE to employ a geo-archaeologist to be part of the ground condition surveys to consider the findings from a historic environment perspective *the involvement of a specialist in the design and execution of sampling will provide much better data on archaeological significance than a solely engineer designed process with post-hoc archaeological review, the specialist can then take a view on what samples need to come off site for potential further assessment.* You suggested that reference to the survey and (if available) findings should be given in the assessment chapter and inform the mitigation scheme *(which might be likely to involve design detailing and/or additional sampling, analysis reporting).* You referred to the *Outline* Written Scheme of Investigation (WSI) for the Tritton Knoll project as being a good example to follow *in this instance; where as part of their submission the applicant set out and secured a robust approach to archaeological matters through an outline WSI or archaeological framework , such that post-consent there was a clear yard-stick against which WSI for mitigation stages could be submitted for approval by the Local Planning Authority.* It was also agreed that the appraisal is *necessary to* inform what mitigation should be applied, as appropriate, and not to inform the *absolute consent or refusal of the application in this instance.* Therefore, if appropriate the survey could be undertaken post-determination of the application, secured by a Requirement imposed on a Development Consent Order (DCO), *although as a general principle if assessment can be done pre-consent this is be preferable in allowing an earlier focus on mitigation.* We will, therefore, review our strategy for the ground investigation accordingly. It was agreed that trial trenching through several metres depth of PFA *was neither proportionate to the likely design impacts nor essential to the determination of application.*
- **Cultural Heritage:** You requested that greater consideration be given to the categorisations of the heritage assets in Bole in the Cultural Heritage chapter, with further *sophistication required in* the categorisation given, recognising that this is unlikely to change the conclusions of the assessment *in the context of the scale of West Burton A & B.* This was on the basis that the whole of those three key assets in Bole may be greater than the sum of their parts *and that the banding of individual assets on the basis of designation can be somewhat crude. The Ewan Christian restoration of the Parish Church would put it very much at the top end of Grade II listing and in combination with the Grade II manor house and undesignated earthworks north-west of the church the group should be in the higher category of importance. Whilst this is unlikely to alter the overall planning outcome it does underscore the importance of Bole and the merits of mitigating impacts upon the village through reinforcing its historic significance. As discussed there is no realistic option to conceal C station (less still A and B) but their cumulative impact upon Bole could be to a degree offset through the reinforcement of historic field boundaries or other community heritage support such that the build and landscape heritage of the village was rendered more robust.*
- *See list description for the Church of St Martin, Bole*
<https://historicengland.org.uk/listing/the-list/list-entry/1045690> *and associated correspondence relating to the 1866 restoration*
<http://discovery.nationalarchives.gov.uk/details/r/a5fe0db4-99ad-4d54-badc-b926e5130000>

- **Draft Development Consent Order:** You are happy with the draft Order, including Requirement 24, with the exception of a suggested amendment to Requirement 15 as follows:

“(1) No stage of the authorised development must commence until a Written Scheme of Investigation (WSI) for that stage has been submitted to and, after consultation with Historic England and Nottinghamshire County Council in its capacity as the relevant archaeological body, approved by the relevant planning authority.

(2) The scheme submitted and approved must be in accordance with the archaeological framework set out in [insert document reference].

(3) The scheme must identify any areas where further archaeological investigations and/or design mitigation are required and the nature and extent of the investigation required in order to preserve any knowledge or in-situ any archaeological features that are identified.

(4)....”

- **Statement of Common Ground (SoCG):** EDFE agreed to draft a SoCG based on the reflections from the meeting and issue it to HE for comment. EDFE advised that is not expecting it to be signed until HE has received the final assessment and draft Order once the application has been submitted in early 2018.

Yours sincerely

Tim (for HE)

Tim Allen
Inspector of Ancient Monuments



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From: Vince Carly [<mailto:carly.vince@edf-energy.com>]

Sent: 17 November 2017 10:01

To: Allen, Tim
Cc: Fawdon Hannah
Subject: RE: West Burton C Power Station Development- Informal Consultation on the Draft Development Consent Order - Meeting

Apologies Tim for the delay in sending through a note of our meeting.

Thank you for your time on Monday 6 November in respect of the West Burton C Project. Set out below is a summary of my understanding from our meeting, which I would be grateful if you could review and comment on:

- **Archaeology:** You stated that it would be preferable for EDFE to employ a geo-archaeologist to be part of the ground condition surveys to consider the findings from a historic environment perspective. You suggested that reference to the survey and (if available) findings should be given in the assessment chapter and inform the mitigation scheme. You referred to the Written Scheme of Investigation (WSI) for the Tritton Knoll project as being a good example to follow. It was also agreed that the appraisal will inform what mitigation could be applied, as appropriate, and not to inform the merits of the consent. Therefore, if appropriate the survey could be undertaken post-determination of the application, secured by a Requirement imposed on a Development Consent Order (DCO). We will, therefore, review our strategy for the ground investigation accordingly. It was agreed that trial trenching through several metres depth of PFA was not necessary.
- **Cultural Heritage:** You requested that greater consideration be given to the categorisations of the heritage assets in Bole in the Cultural Heritage chapter, with further justification for the categorisation given, recognising that this is unlikely to change the conclusions of the assessment. This was on the basis that the whole of those three key assets in Bole may be greater than the sum of their parts.
- **Draft Development Consent Order:** You are happy with the draft Order, including Requirement 24, with the exception of a suggested amendment to Requirement 15 as follows:

“(1) No stage of the authorised development must commence until a Written Scheme of Investigation (WSI) for that stage has been submitted to and, after consultation with Historic England and Nottinghamshire County Council in its capacity as the relevant archaeological body, approved by the relevant planning authority.

(2) The scheme submitted and approved must be in accordance with the archaeological framework set out in [insert document reference].

(3) The scheme must identify any areas where further archaeological investigations and/or design mitigation are required and the nature and extent of the investigation required in order to preserve any knowledge or in-situ any archaeological features that are identified.

(4)....”

- **Statement of Common Ground (SoCG):** EDFE agreed to draft a SoCG based on the reflections from the meeting and issue it to HE for comment. EDFE advised that is not expecting it to be signed until HE has received the final assessment and draft Order once the application has been submitted in early 2018.

I would like to thank you for your time. If you could come back to me with any comments I would be extremely grateful. As discussed, we are working towards submission of our application in

early 2018 and I will keep you updated of our progress. If you require anything in the meantime, please do not hesitate to contact me.

With Kind Regards, Carly

Carly Vince
Chief Planning Officer

SZC Project Development Directorate
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