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# 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) West Lindsey District Council



Dated 28 October 2019

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

Signed	
Name	Carly Vince
Position	Chief Planning Officer
For	EDF Energy (Thermal Generation) Limited
Date	28 <sup>th</sup> October 2019
Signed	
Name	Ian Elliott
Position	Senior Development Management Officer
For	West Lindsey District Council
Date	28 <sup>th</sup> October 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 development consent (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) of electrical generation capacity (the Proposed Development) at the existing West Burton Power Station site in Nottinghamshire.

### Purpose of this SoCG

- 1.3 This SoCG has been prepared jointly by the Applicant and West Lindsey District Council (WLDC), 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 WLDC. 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 30<sup>th</sup> April 2019 and accepted for examination on 23<sup>rd</sup> 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 in Nottinghamshire. The Site is near Gainsborough. 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 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, together with associated development.

## 2.0 CONSULTATION WITH WEST LINDSEY DISTRICT COUNCIL

2.1 The consultation that has taken place with WLDC prior to submission of the Application is presented in **Table 2.1**. The Applicant engaged with WLDC 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 West Lindsey District Council**

<b>Date</b>	<b>Details</b>
May - June 2017	<p>WLDC provided a written response to the consultation by the Planning Inspectorate on the Scoping Report provided by the Applicant.</p> <p>The Applicant confirmed the proposals for baseline noise surveys. WLDC confirmed on 7 June 2017 that the Applicant's proposed noise monitoring locations were appropriate and requested a further location at the southern edge of Gainsborough which was incorporated by the Applicant.</p> <p>The Applicant issued a draft of the Statement of Community Consultation (SoCC) to WLDC on 7 June 2017 and requested feedback by 6 July 2017. WLDC did not provide a written response to the consultation.</p>
July 2017	<p>The Applicant's appointed landscape consultant sought agreement on selection of representative viewpoints to be used within the Landscape and Visual Impact Assessment (LVIA) chapter on 6 July 2017. WLDC provided a written response on 20 July 2017, confirming that they were content with the viewpoints proposed and requesting that viewpoints representative of visual receptors at Gate Burton/Marton and uphill Gainsborough be included. Viewpoints representative of visual receptors at Gate Burton/Marton and uphill Gainsborough have been included at this assessment whilst the viewpoint from Whitton's Mill apartments was deemed representative of Gainsborough Riverside Walk and was included in the assessment presented in Chapter 10: Landscape and Visual Amenity (Section 10.6).</p>
September – October 2017	<p>WLDC was consulted as part of the statutory consultation process. WLDC responded to the statutory consultation period, providing comments on the Preliminary Environmental Information (PEI)</p>

Date	Details
	Report. A copy of the WLDC's response is provided in <b>Appendix 2.1</b> .
September – November 2017	<p>The draft application documents were provided to WLDC on 22 September 2017, with comments requested by 17 November 2017.</p> <p>No meeting was held, but minor comments on the drafting of the DCO were received.</p>
March 2019	<p>The project was temporarily put on hold in 2018 and then remobilised in January 2019. The Applicant subsequently wrote to WLDC on 13 March 2019 to notify of the Applicant's intention to submit the Application and requested engagement. Copies of the draft DCO and Application documents were provided for comment.</p>
April 2019	<p>A meeting (telecon) was held on 29 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 (<b>Application Document Ref. 4.1</b>), which explained how the Applicant sought to address previous comments from WLDC.</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 WLDC**

<b>Topic</b>	<b>Matters Agreed</b>
<b>Legislation, Policy Context, Guidance and Standards</b>	<p>The relevant policy context, legislation, guidance and standards are noted in Chapter 5 of ES Volume I (<b>Application Document Ref. 5.2</b>) and the Planning Statement (<b>Application Document Ref. 7.1</b>).</p> <p>The policy context (Policy LP25 and LP26 of Central Lincolnshire Local Plan) that has informed WLDC's assessment is appropriate.</p>
<b>Consultation</b>	<p>A summary of pre-application consultation is contained in the Consultation Report (<b>Application Document Ref 4.1</b>), ES Volume I (<b>Application Document Ref 5.2</b>) and in Chapter 2 of this SoCG. It is agreed that the consultation summary provides an accurate record of consultation with WLDC on matters to date.</p>
<b>General</b>	<p>The Parties are agreed that the ES Volumes I and II (<b>Application Document Ref. 5.2</b>) provide a satisfactory assessment of the Proposed Development effects.</p>
<b>Alternatives</b>	<p>It is agreed that appropriate and proportionate consideration has been given by the Applicant to a range of design options and that these decisions have, where relevant and possible, been informed by environmental appraisal and assessment work and by consultation with stakeholders, including WLDC where appropriate. It is agreed that the design has evolved and been refined through a continuous process of environmental assessment, consultation and development to the point of submission of the Application.</p>
<b>Design and Flexibility</b>	<p>It is understood by both Parties that a degree of flexibility needs to be retained within the Application due to the evolving commercial drivers for peaking plant to meet the needs of the UK electricity supply market. In relation to this flexibility, it is agreed that the EIA has presented a robust assessment of potential environmental effects of the Proposed Development by applying focussed use of the Rochdale Envelope principles to the design parameters set out in Chapter 4: The Proposed Development of ES Volume I (<b>Application Document Ref. 5.2</b>). It is agreed that the use</p>



Topic	Matters Agreed
	<p>of the <b>Application Document Ref. 3.2</b>: Works Plans and <b>Application Document Ref. 2.1</b>: Draft DCO (Requirement 5 - detailed design) provides sufficient control and certainty over the final design of the Proposed Development.</p>
<b>Air Quality</b>	<p>It is agreed that the approach taken by the Applicant to assess the air quality effects for the Proposed Development set out in Section 6: Air Quality, Appendix 6A: Air Quality and Figures 6.1 – 6.5 of ES Volumes I-III (<b>Application Document Ref. 5.2</b>) is appropriate (including methodology, baseline data assumptions, approach to modelling and sensitivity analysis).</p> <p>Additionally, assuming that the emission limit values (ELV) will be met for the operational plant as required under the Industrial Emissions Directive (IED) and in accordance with use of Best Available Techniques (BAT) under the environmental permitting regime, it is agreed that the effects from operation of the Proposed Development would not be significant, taking into account the assessed stack heights for the two gas turbine technology options under consideration. On this basis, it is agreed that no additional mitigation is necessary for the operational phase of the Proposed Development.</p> <p>It is agreed that operational emissions from the Proposed Power Plant would be controlled through the Environmental Permitting regime that is administered by the Environment Agency. This requires the Applicant to demonstrate that the Proposed Power Plant would not exceed air quality strategy objectives.</p>
<b>Traffic and Transport</b>	<p>It is agreed that the approach taken by the Applicant to assess the effects relating to traffic and transport for the Proposed Development set out in Section 7: Traffic and Transport and Appendix 7A: Transport Assessment of ES Volumes I-II (<b>Application Document Ref. 5.2</b>) is appropriate (including methodology, baseline data assumptions, approach to junction modelling and data analysis).</p> <p>It is agreed that the residual effects of construction traffic related to the Proposed Development on all road sections and junctions are anticipated to be negligible and thus not significant. Notwithstanding this, the Applicant proposes to</p>

Topic	Matters Agreed
	<p>incorporate a range of good practice mitigation measures during the construction phase to minimise traffic impacts upon local highways. This includes the provision of a Framework Construction Traffic Management Plan and Framework Construction Workers' Travel Plan with the DCO application (<b>Application Document Ref. 7.6</b> and <b>7.7</b> respectively) which the appointed contractor would be required to take account of in preparing a Construction Traffic and Routing Management Plan and Travel Plan for construction staff. It is agreed that these measures are appropriately secured by <b>Application Document Ref. 2.1: Draft DCO (Requirements 17 and 18)</b> to ensure that the Proposed Development would not result in unacceptable impacts in traffic and transportation terms, including upon the local highway network.</p>
<p><b>Noise and Vibration</b></p>	<p>It is agreed that the approach taken by the Applicant to assess the noise and vibration effects for the Proposed Development set out in Section 8: Noise and Vibration and Figures 8.1 of ES Volumes I and III (<b>Application Document Ref. 5.2</b>) is appropriate (including methodology, data collection methods, baseline data, approach to assessment and data analysis).</p> <p>The Parties are agreed that the baseline monitoring locations which have been used as noise sensitive receptors (NSR) in the assessment of noise and vibration effects contained in Chapter 8 and accompanying figure of ES Volumes I and III (<b>Application Document Ref. 5.2</b>) are suitable and representative for assessment purposes.</p> <p>The Parties agree that as the Proposed Development design progresses to the detailed design stage, the existing noise model will be refined and additional acoustic assessment will be undertaken to determine the most appropriate noise control options in accordance with BAT. This re-assessment is appropriately secured through Requirement 21 of the draft DCO (<b>Application Document Ref. 2.1</b>).</p> <p>It is agreed that operational noise emissions from the Proposed Power Plant would be controlled through the Environmental Permit.</p>

Topic	Matters Agreed
<p><b>Landscape and Visual Amenity</b></p>	<p>The assessment of the effects of the Proposed Development in relation to landscape and visual amenity is set out in ES Volume I Chapter 10 (<b>Application Document Ref. 5.2</b>).</p> <p>The Parties are agreed that the viewpoints used within the LVIA, contained in Chapter 10: Landscape and Visual Amenity, accompanying Figures 10.6–10.20 and the photomontages presented as Figures 10.21–10.40 of ES Volume III (<b>Application Document Ref. 5.2</b>) are suitable and appropriate and that Appendix 10A: LVIA Methodology suitably follows guidelines contained in the Landscape and Visual Impact Assessment Third Edition (GLVIA3). It is agreed that Chapter 10: Landscape and Visual Amenity provides a suitable assessment of impacts on landscape character, taking into account the West Lindsey Landscape Character Assessment (1999).</p> <p>The Parties agree that the viewpoints are representative and appropriate. The Parties also agree that the 5km radius study area is acceptable for the LVIA.</p> <p>The Parties agree that the Proposed Development will be seen in the context with its setting adjacent to the existing West Burton Power Station and that the landscape and visual effects associated with the Proposed Development are acceptable.</p>
<p><b>Cultural Heritage</b></p>	<p>The assessment of the effects of the Proposed Development in relation to cultural heritage is set out in ES Volume I Chapter 14 (<b>Application Document Ref. 5.2</b>).</p> <p>The Parties agree that the nearby heritage assets are suitably represented in the viewpoints and photomontages contained in Chapter 10: Landscape and Visual Amenity, and that a suitable and proportionate study area was used, taking into account the findings of the Zone of Theoretical Visibility (ZTV) in Figure 10.4 of ES Volume III (<b>Application Document Ref. 5.2</b>). It is agreed that the Proposed Development will not result in significant effects on built heritage assets and that no further specific mitigation beyond the design and impact avoidance measures set out in Chapter 14: Cultural Heritage is required.</p>

Topic	Matters Agreed
<b>Cumulative Effects</b>	The Parties are agreed that Chapter 16: Cumulative and Combined Effects and accompanying Figures 16.1 – 16.2 of ES Volume I and III ( <b>Application Document Ref. 5.2</b> ) provides an appropriate assessment of the cumulative effects of the Proposed Development with other developments located in proximity to the Proposed Development. It is further agreed that the short list of committed developments for cumulative effects assessment was appropriate at the time of the Application.
<b>Framework Construction Environmental Management Plan</b>	It is agreed between the Parties that the ES provides a satisfactory assessment of the potential environmental effects during construction of the Proposed Development and that the impact avoidance and control measures outlined within the Framework Construction Environmental Management Plan (CEMP) provided at <b>Application Document Ref. 7.3</b> are appropriate. It is acknowledged that <b>Application Document Ref. 2.1: Draft DCO (Requirement 15)</b> provides an adequate means of controlling the environmental construction effects predicted in the ES by requiring a detailed CEMP to be submitted for approval prior to the commencement of the Proposed Development.
<b>Draft DCO</b>	<p>The Parties are agreed on the wording of the following requirements contained in Schedule 2 of the draft DCO and the procedure for the discharge of requirements contained in Schedule 3:</p> <p>3. Notice of commencement and completion of commissioning;</p> <p><i>3—(1) Notice of the intended commissioning of the authorised development must be given to the relevant planning authority, Nottinghamshire County Council, Lincolnshire County Council and West Lindsey District Council prior to such commencement and in any event not less than 7 (seven) days from the date that commissioning is commenced.</i></p> <p><i>(2) Notice of the intended completion of commissioning of the authorised development must be given to the relevant planning authority where practicable prior to such completion and in any event within seven days from the date that commissioning is completed.</i></p>

Topic	Matters Agreed
	<p>6. Landscaping and biodiversity management and enhancement;</p> <p><i>6.—(1) In relation to Work No. 1, Work No. 2 and Work No. 4, no development must be commenced until a landscaping and biodiversity management and enhancement plan, where relevant for that Work, has been submitted to and, after consultation with the Environment Agency, Natural England, Lincolnshire County Council, Nottinghamshire County Council and West Lindsey District Council, approved by the relevant planning authority.</i></p> <p><i>(2) The plan submitted and approved must include details of—</i></p> <ul style="list-style-type: none"> <li><i>(a) measures to protect, manage and enhance existing shrub and tree planting that is to be retained;</i></li> <li><i>(b) biodiversity and habitat mitigation and impact avoidance;</i></li> <li><i>(c) an implementation timetable; and</i></li> <li><i>(d) maintenance and management, including a landscaping maintenance plan incorporating measures to protect, manage and enhance all shrub and tree planting.</i></li> </ul> <p><i>(3) The plan submitted and approved must be in accordance with the landscaping and biodiversity management and enhancement plan unless otherwise agreed with the relevant planning authority.</i></p> <p><i>(4) The plan must be implemented prior to commissioning and maintained as approved unless otherwise agreed with the relevant planning authority.</i></p> <p><i>(5) Any shrub or tree planted as part of the approved plan that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless otherwise agreed with the relevant planning authority.</i></p> <p>17. Construction traffic and routing management plan; and</p> <p><i>17.—(1) No stage of the authorised development must commence until a written construction traffic and routing management plan has been submitted to and, after consultation with Highways England, the highway authority, Lincolnshire County Council and West Lindsey District Council and approved by the relevant planning authority.</i></p>

Topic	Matters Agreed
	<p><i>(2) The plan submitted and approved must be in accordance with the principles set out in the framework construction transport management plan.</i></p> <p><i>(3) The plan submitted and approved must include—</i></p> <ul style="list-style-type: none"> <li><i>(a) details of the routes to be used for the delivery of construction materials and any temporary signage to identify routes and promote their safe use, including details of the access points to the construction site to be used by light goods vehicles and heavy goods vehicles;</i></li> <li><i>(b) details of the routing strategy and procedures for the notification and conveyance of abnormal indivisible loads, including agreed routes, the numbers of abnormal loads to be delivered by road and measures to mitigate traffic impact;</i></li> <li><i>(c) the construction programme; and</i></li> <li><i>(d) any necessary measures for the temporary protection of carriageway surfaces, the protection of statutory undertakers' plant and equipment and any temporary removal of street furniture.</i></li> </ul> <p><i>(4) Notices must be erected and maintained throughout the period of construction at every entrance to and exit from the construction site, indicating to drivers the approved routes for traffic entering and leaving the construction site.</i></p> <p><i>(5) The plan must be implemented as approved unless otherwise agreed with the relevant planning authority in consultation with Highways England and the highway authority.</i></p> <p>24. Local liaison committee.</p> <p><b>24.—(1)</b> <i>The authorised development must not commence until the undertaker has established a committee to liaise with local residents and local organisations about matters relating to the authorised development (a 'local liaison committee').</i></p> <p><i>(2) The local liaison committee must include representatives of the undertaker.</i></p> <p><i>(3) The undertaker must invite the relevant planning authority, Lincolnshire County Council, Nottinghamshire County Council, West Lindsey District Council, and other relevant interest groups as agreed with the relevant planning authority, to nominate representatives to join the local liaison committee.</i></p>

Topic	Matters Agreed
	<p><i>(4) The undertaker must provide a full secretariat service and supply an appropriate venue.</i></p> <p><i>(5) The local liaison committee must meet every quarter, starting in the month prior to commencement of the authorised development, until the completion of construction, testing and commissioning works unless otherwise agreed in writing by the majority of the members of the local liaison committee.</i></p> <p><i>(6) During the operation of the authorised development, the local liaison committee must meet once a year unless otherwise agreed in writing by the majority of the members of the local liaison committee.</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.



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## **Appendix 2.1: West Lindsey District Council Formal Consultation Response**

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**From:** Ian Elliott [mailto:ian.elliott@west-lindsey.gov.uk]  
**Sent:** 13 November 2017 10:03  
**To:** Vince Carly <carly.vince@edf-energy.com>  
**Subject:** NSIP Consultation and draft DCO for West Burton Power Station

Dear Carly

Thank for the opportunity to comment and the extension given to the consultation from 16<sup>th</sup> October to 17<sup>th</sup> November.

Draft DCO, Draft Explanatory Memorandum and Draft Works Plan

As the officer dealing with this National Strategic Infrastructure Projects (NSIP) I have read through the documents submitted. The documents appear comprehensive and West Lindsey has no comments to make or suggested amendments

Consultation

As the neighbouring Local Authority our main consideration is the visual impact of the development and the impact on the heritage assets along the Riverside at Gainsborough, Gate Burton and Knaith Hill. A number of viewpoints have been visited from around the area of Gainsborough including any public rights of way. The viewpoints within West Lindsey submitted as part of the public consultation process have additionally been viewed. The proposed peaking plant will be in clear site from parts of Gainsborough particularly from the Riverside Walk and areas of uphill Gainsborough. The cumulative impact of the overall site is also a consideration. However it is considered that overall the proposed peaking plant project will be seen in context with its setting adjacent the existing West Burton Power Station and is considered not to have a significantly more harmful visual impact than the current infrastructure at West Burton Power Station.

Discussions have taken place with the Authority's Conservation Officer in respect of the Gainsborough Conservation Area, Listed Buildings along the Riverside stretching from Gainsborough Bridge north towards the Town Centre (All Grade 2), Gate Burton Chateau (Grade 2 Star), Church of St Mary, Knaith (Grade 2 Star) and Knaith Hall (Grade 2) . It was considered that the position of the peaking plant would not have a harmful impact on the character and appearance of the Gainsborough Conservation Area and would at least preserve the setting of the Listed Buildings along the Gainsborough Riverside and the Gate Burton Chateau.

It is advised that although the proposed peaking plant is a clear distance from Knaith Hall and the Church of St Mary, Knaith it may have some impact on their setting and how they are experienced. Therefore the impact of the

development on these two Listed Buildings must be considered. Further details in relation to the consideration taken to these Listed Buildings would be greatly received.

Overall the Local Planning Authority has no major objections to the proposed peaking plant project at West Burton Power Station.

Kind Regards  
Ian Elliott  
Senior Development Management Officer  
01427 676638

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