
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) Trent Valley Internal Drainage Board



Dated 19 November 2019



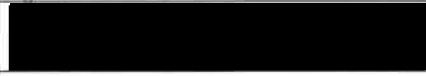
Signed	
Name	Carly Vince
Position	Chief Planning Officer
For	EDF Energy (Thermal Generation) Limited
Date	19 th November 2019
Signed	
Name	
Position	ENGINEER
For	Trent Valley Internal Drainage Board
Date	19 / 11 / 19

Table of Contents

1.0	Introduction	1
2.0	Consultation with Trent Valley Internal Drainage Board.....	3
3.0	Matters Agreed between the Parties	4
4.0	Matters to be agreed	9

Tables

Table 2.1: Consultation with Trent Valley Internal Drainage Board

Table 3.1: Matters Agreed between the Applicant and Trent Valley Internal Drainage Board

Appendices

Appendix 2.1: Trent Valley Internal Drainage Board Formal Consultation Response

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) of electrical generation capacity (the Proposed Development) 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 Trent Valley Internal Drainage Board, jointly referred to as 'the Parties'. It has been informed by a series of 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 the Environment Agency. 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.

Parties to the SoCG

- 1.6 Trent Valley Internal Drainage Board is a public body which manages water levels and helps to reduce flood risk within their district, as well as seeking to maintain and enhance biodiversity. The Board forms part of the Water Management Consortium.
- 1.7 Trent Valley Internal Drainage Board's role in the DCO process derives from Section 42(1)(a) of the Planning Act 2008 as a prescribed body.

The Application

- 1.8 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**) and associated reports (Section 4), additional information (Section 6) and other documents (Section 7) which are referenced within the ES.

The Site

- 1.9 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.

- 1.10 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

- 1.11 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 TRENT VALLEY INTERNAL DRAINAGE BOARD

2.1 The consultation that has taken place with Trent Valley Internal Drainage Board prior to submission of the Application is presented in **Table 2.1**. The Applicant engaged with the Board 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 Trent Valley Internal Drainage Board

Date	Details
May 2017	Trent Valley Internal Drainage Board provided a response on 15 May 2017 to the consultation by the Secretary of State in relation to the proposed scope and approach to the EIA for the Proposed Development.
September – October 2017	Trent Valley Internal Drainage Board was consulted as part of the statutory consultation process and they responded to the statutory consultation, providing comments on the Preliminary Environmental Information (PEI) Report. A copy of the Board's response is provided in Appendix 2.1 .
April 2019	<p>The project was temporarily put on hold in 2018 and then remobilised in January 2019. The Applicant subsequently wrote to Trent Valley Internal Drainage Board Agency on 25 April 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.</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 Trent Valley Internal Drainage Board.</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 Trent Valley Internal Drainage Board

Topic	Matters Agreed
Consultation	<p>A summary of pre-application consultation is contained in the Consultation Report (Application Document Ref. 4.1), the technical chapters (Chapters 5-16) 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 Trent Valley Internal Drainage Board on matters to date.</p>
General	<p>It is agreed that the EIA appropriately consider impacts of the Proposed Development on the waterbodies under the jurisdiction of Trent Valley Internal Drainage Board that are hydrologically connected with the Site. These waterbodies are described in Chapter 12: Flood Risk, Hydrology and Water Resources in Volume I of the Environmental Statement (Application Document Ref. 5.2) and specifically include Wheatley Beck, Catchwater Drain, Railway Dyke Drain and other un-named drains shown on Figure 3 within the Framework Construction Environmental Management Plan (CEMP) (Application Document Ref 7.3).</p>
Ecology, Biodiversity and Habitats	<p>Chapter 9 of the ES Volume I (Application Document Ref. 5.2) includes an assessment on the potential effects of the Proposed Development on ecology and is supported by technical Appendices 9A to 9I of the ES Volume II and accompanying Figure 9.1 (Application Document Ref. 5.2).</p> <p>It is agreed between the Parties that the relevant ecological aspects of the Proposed Development have been adequately addressed and that no direct effects are likely on the habitats or species present within any of the watercourses under the Trent Valley Internal Drainage Board's jurisdiction.</p>
Flood risk, hydrology and water resources	<p>A Flood Risk Assessment (FRA) is contained in Appendix 12A of the ES Volume II (Application Document Ref. 5.2). It confirms that the majority of the</p>

Topic	Matters Agreed
	<p>Site lies within Flood Zone 1. Some areas within the northern and eastern sections of the Site are located within Flood Zones 2 and 3. It is agreed that a Standard Rules Permit will not be required for the temporary works during construction that may need to take place within Flood Zone 2 (the Construction Laydown Area), given the very small area affected (<1ha).</p> <p>Design and impact avoidance measures are set out in Chapter 12 of ES Volume I and in Appendix 12A of the ES Volume II (Application Document Ref. 5.2). Following the implementation of these measures, it is considered that there would be no on or off-site impacts as a result of the Proposed Development in relation to flood risk and consequently no effects on Trent Valley Internal Drainage Board's infrastructure or operations are likely.</p> <p>Potential outfalls to the River Trent were previously under consideration and presented in the PEI Report. Direct outfalls to the River Trent are no longer proposed or included within the Proposed Development and there are no contaminated wastewater streams requiring disposal or discharge from the Site.</p> <p>It is proposed that depending on the drainage option selected, uncontaminated surface water from any attenuation pond or stormwater storage tank would be discharged at greenfield run off rate via new drainage infrastructure into the WBA purge line and join stormwater directed from WBA into the River Trent. Surface water runoff would be restricted to the equivalent greenfield runoff rate of 5 litres per second. The Parties agree that the proposals for drainage presented in the Outline Drainage Strategy (Application Document Ref. 7.8) accompanying the Application are appropriate.</p> <p>The Parties agree that the FRA (Appendix 12A) and Chapter 12: Flood Risk, Hydrology and Water Resources of the ES (Application Document Ref 5.2) provides a satisfactory assessment of the potential flood risks and impacts on hydrology and water resources relating to Trent Valley Internal Drainage Board's maintained watercourses. It is further agreed that Application Document Ref. 2.1: Draft DCO</p>

Topic	Matters Agreed
	<p>(Requirements 9 and 10) provide an appropriate mechanism to secure the necessary mitigation measures in relation to surface water, foul drainage and flood risk mitigation.</p>
	<p><i>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:</i></p> <p>6. Landscaping and biodiversity management and enhancement;</p> <p><i>1.—(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"> <i>(a) measures to protect, manage and enhance existing shrub and tree planting that is to be retained;</i> <i>(b) biodiversity and habitat mitigation and impact avoidance;</i> <i>(c) an implementation timetable; and</i> <i>(d) maintenance and management, including a landscaping maintenance plan incorporating measures to protect, manage and enhance all shrub and tree planting.</i> <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</i></p>

Topic	Matters Agreed
	<p><i>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>9. Surface and foul water drainage;</p> <p>9.—(1) <i>In relation to Work No. 1, Work No. 2 and Work No. 4, no development must commence until, where relevant for that Work, details of temporary surface and foul water drainage systems, including means of pollution control, have been submitted to and, after consultation with the Environment Agency, Lead Local Flood Authority and relevant internal drainage board, approved in writing by the relevant planning authority.</i></p> <p><i>(2) Details of the permanent surface and foul water drainage systems, including a programme for their implementation, must be submitted to and, after consultation with the Lead Local Flood Authority in relation to the permanent surface water drainage system, Environment Agency and relevant internal drainage board, approved by the relevant planning authority prior to the start of construction of any part of those systems.</i></p> <p><i>(3) The details submitted and approved pursuant to paragraphs (1) and (2) Error! Reference source not found. of this requirement must be in accordance with the outline drainage strategy.</i></p> <p><i>(4) The schemes must be implemented as approved and maintained throughout the construction and operation of the authorised development unless otherwise agreed with the relevant planning authority.</i></p> <p>10. Flood risk mitigation;</p> <p>10.—(1) <i>No stage of the authorised development must commence until for that stage a scheme for mitigation of flood risk during construction has been submitted to, and after consultation with the Environment Agency and relevant internal drainage board, approved in writing by the relevant planning authority.</i></p> <p><i>(2) Details of the permanent flood risk mitigation works, including a programme for their implementation, must be submitted to, and after consultation with the Environment Agency and relevant internal drainage board, approved in writing by the relevant planning</i></p>

Topic	Matters Agreed
	<p><i>authority prior to the start of construction of any part of those works.</i></p> <p><i>(3) The details submitted and approved pursuant to paragraphs (1) and (2) of this requirement must be in accordance with the principles set out in the flood risk assessment that forms part of the environmental statement.</i></p> <p><i>(4) The schemes must be implemented as approved and maintained throughout the construction and operation of the authorised development unless otherwise agreed with the relevant local planning authority.</i></p> <p>14. Protected species;</p> <p>14.—(1) <i>No stage of the authorised development must commence until further survey work for that stage has been carried out to establish whether any protected species is present on any of the land affected, or likely to be affected, by that part of the authorised development.</i></p> <p><i>(2) Where a protected species is shown to be present, no authorised development of that part must commence until, after consultation with Natural England and the Environment Agency, a scheme of protection and mitigation measures has been submitted to and approved in writing by the relevant planning authority.</i></p> <p><i>(1) The authorised development must be implemented in accordance with the approved scheme unless otherwise agreed with the relevant planning authority.</i></p>

4.0 MATTERS TO BE AGREED

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

Appendix 2.1: Trent Valley Internal Drainage Board Formal Consultation Response

Overview of Trent Valley Internal Drainage Board

Trent Valley Internal Drainage Board (TVIDB) covers an area of low lying land from the west of Gainsborough, straddling the River Trent and its tributaries, down to the south of Nottingham, a total of 44,093ha. The Board maintains 778km of watercourse and operates 18 pumping stations to ensure that people are safe and the risk of flooding is greatly reduced. Responsibility for maintaining all other watercourses generally falls upon the riparian owner(s) unless it is a main river, which is the responsibility of the Environment Agency.

TVIDB has permissive powers under the Land Drainage Act 1991 to exercise general supervision over all matters relating to the drainage of land within the Board's district. TVIDB also has other powers to perform such other duties as conferred or imposed on internal drainage boards by this act. The Board's Byelaws and the Land Drainage Act 1991 allow the Board to take action to ensure that the free flow of water is not restricted.

Board maintained watercourses are cleaned out annually and it is important that access is preserved for machinery to enable this work to be undertaken. The Board's Byelaws prevent the erection of any building, structure (whether temporary or permanent) or planting of trees/shrubs etc. within nine metres either side of a Board maintained watercourse.

Consent will be required from the Board to undertake works such as:

- Works in, over, under or within nine metres of a Board maintained watercourse.
- Installation of a culvert, weir or other like obstruction within any watercourse.
- Any works that increase the flow of surface water or treated foul effluent to any watercourse within the Board's district.

In many areas TVIDB's catchment extends beyond the district boundary, therefore future development outside of the Board's boundary may require the Board's consent prior to increasing the flow or volume of water into the Board's district.

At this location the Board maintained Railway Dyke is sited on the western boundary of the land and the Board maintained pumping station pumps into the Wheatley Beck a riparian watercourse which is in the ownership of the West Burton Power Station who are also responsible for maintenance of that watercourse. To the south of the site the Board maintained Catchwater Drain flows into the Board maintained Burton Round Pumping Station which then pumps into the Environment Agency main River Trent.

The design, operation and future maintenance of site drainage systems must be agreed with the Lead Local Flood Authority and Local Planning Authority.

