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To the Applicant and Natural England

Your Ref:

Our Ref: EN010088

Date: 11 December 2019

Dear Sir / Madam

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

Application by EDF Energy (Thermal Generation) Limited for an Order Granting Development Consent for the West Burton C power station

Request for further information from the Applicant and Natural England

The Applicant

The Rule 8 letter dated 6 November 2019 set out the following Procedural Decision at Annex B, in respect of Statements of Common Ground (SoCG):

Where a particular SoCG cannot be agreed between the parties by Deadline 1, or in so far as any local authority position represents an officer level view only, draft versions of that SoCG are requested to be submitted by the Applicant to Deadline 1 (20 November 2019). The position of the relevant Interested Parties should then be confirmed in the course of the Examination. If any draft SoCG is not submitted by Deadline 1, the reasons for this should be justified and a detailed update provided, including an indication of which matters remain in dispute between the Applicant and the relevant party.

Draft SoCG have not been submitted in respect of Bassetlaw District Council and Nottinghamshire Wildlife Trust, either at Deadline 1 or at Deadline 2. Furthermore, no detailed information has been provided as to which matters remain in dispute between the Applicant and these parties as requested.

Please can the Applicant provide a detailed update specifying which particular matters remain in dispute between itself and the abovementioned parties.

With regard to Schedule 4 of the draft Development Consent Order (dDCO), the dDCO gives no powers of compulsory acquisition of land or interests in land or powers to remove apparatus of any undertakers or to extinguish their rights for apparatus.

Therefore, it seems that references in this Schedule to acquiring or purchasing land or interests in land or such removal of apparatus or extinguishment of rights under powers in the DCO are irrelevant and unnecessary.

Can the Applicant please provide its views on this matter and make any amendments to the dDCO as necessary.

Natural England

Question Q3.12 of my First Written Questions¹ was as follows:

Are Nottinghamshire County Council and Natural England content with the enhancement mitigation for Area 5 as set out in Paragraphs 5.2.20 to 5.2.25 of the LBMEP following the suggestion of additional land required by the Council [APP-139]?

However, in error, this question was not directed at Natural England in the adjacent column.

Please can Natural England provide a response to this question, as intended.

The deadline for submission of this information is **Deadline 3** (20 December 2019) in the Examination Timetable. However, an earlier submission of this information would be welcomed.

If you have any questions about the content of this letter, please contact the Case Team using the details in the above header.

Yours faithfully

Alex Hutson

Alex Hutson
Examining Authority

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010088/EN010088-000407-Examining%20Authority%20Written%20Questions.pdf>