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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) Bassetlaw District Council



Dated 14<sup>th</sup> January 2020

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

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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) 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 Bassetlaw District Council (BDC), 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 BDC. There are no outstanding areas of disagreement but recommendations have been made by Bassetlaw District Council for EDF Energy to investigate/consult further.
- 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.
- 1.7 It is agreed that the ES forms the full and complete Environmental Impact Assessment (EIA) for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, as amended ('the 2009 EIA Regulations').

### The Site

- 1.8 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.

- 1.9 The Site covers an area of approximately 32.8 hectares (ha) and falls within the administrative area of BDC, close to the border of West Lindsey District Council (WLDC).
- 1.10 It is agreed that Chapter 3: Description of the Site and its Surroundings of the ES Volume I (**Application Document Ref. 5.2**) provides a comprehensive description of the Site and its surroundings.

#### The Proposed Development

- 1.11 The Proposed Development comprises the construction, operation (including maintenance) and decommissioning of a new gas fired generating station with a gross electrical output of up to 299MW and associated buildings, structures and plant. It is agreed that Chapter 4: The Proposed Development of the ES Volume I (**Application Document Ref. 5.2**) provides sufficient details of the Proposed Development.

## 2.0 CONSULTATION WITH BASSETLAW DISTRICT COUNCIL

2.1 The consultation that has taken place with BDC prior to submission of the Application is presented in **Table 2.1**. The Applicant engaged with BDC 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 BDC

Date	Details
February 2017	A meeting on 21 February 2017 to discuss the Proposed Development and the approach to the EIA.
March 2017	The Applicant issued an initial draft of the Statement of Community Consultation (SoCC) to BDC on 10 March 2017 and reached agreement on approach to winter photography.
April 2017	BDC provided feedback on the draft SoCC on 5 April 2017.
June 2017	The Applicant issued a draft of the SoCC to BDC on 7 June 2017 and requested feedback by 6 July 2017. BDC did not provide a response.
May – June 2017	The Applicant contacted BDC to extend an offer of a site visit (coinciding with the consultation by the Planning Inspectorate with BDC in response to the request by the Applicant for an EIA Scoping Opinion). The Applicant also confirmed the proposals for baseline noise surveys. BDC confirmed on 7 June 2017 that the Applicant's proposed noise monitoring locations were appropriate and that they were not aware of any other location that would need to have a noise assessment undertaken. BDC did not provide a written response to the consultation by the Planning Inspectorate on the Scoping Report provided by the Applicant.
July 2017	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. BDC did not provide a written response.
September – October 2017	BDC was consulted as part of the statutory consultation process. BDC did not respond to the statutory consultation stage.
September – November 2017	The draft Application documents were provided to BDC on 22 September 2017, with comments requested by 17 November 2017. BDC did not provide a written response.



Date	Details
	A meeting was held on 15 November 2017 to present the proposals and understand any concerns that BDC may have had.
December 2017	The Applicant's appointed noise consultant contacted BDC to discuss the approach to interpreting the baseline and background sound information obtained during the July 2017 noise survey and method for assessment of noise emissions from the Proposed Development. A call was held and proposals were presented to BDC in writing for comment by Environmental Health. BDC did not provide a written response.
March 2019	The project was temporarily put on hold in 2018 and then remobilised in January 2019. The Applicant subsequently wrote to BDC 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.
April 2019	<p>A meeting was held on 18 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 advising Historic Environment Officer confirmed that the Outline Written Scheme of Investigation (OWSI) in <b>Application Document Ref. 7.9</b> is acceptable.</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 BDC.</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 BDC

Topic	Matters Agreed
<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>It is agreed that the policy context, legislation, guidance and standards referenced and considered in the above documents are appropriate and relevant to the Proposed Development.</p> <p>It is agreed that the local development plan documents are supportive of the principle of new energy generating infrastructure at the Site.</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 Section 2 of this SoCG.</p> <p>It is agreed that the consultation summary is correct insofar as it provides an accurate record of consultation with BDC 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>Need for the Proposed Development</b>	<p>It is agreed that the Overarching National Policy Statement for Energy (EN-1) confirms the need that exists for all types of nationally significant energy infrastructure, including new fossil fuel generating stations, and sets out that the Secretary of State should assess such applications on the basis that this need has been proven. It is therefore agreed that the need for the Proposed Development is as set out in the NPS for energy infrastructure, in particular, EN-1. It is also agreed that the need case set out in Section 6 of the Planning Statement (<b>Application Document Ref. 7.1</b>) is accurate.</p>
<b>Alternatives</b>	<p>It is agreed that throughout the ongoing design process, appropriate and proportionate consideration has been given by the Applicant to a range of design options and that</p>



Topic	Matters Agreed
	<p>these decisions have, where relevant and possible, been informed by environmental appraisal and assessment work and by consultation with stakeholders, including BDC. 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>
<p><b>Combined Heat and Power</b></p>	<p>It is agreed that the Applicant has appropriately assessed the feasibility of combined heat and power (CHP) and reported the findings within the Combined Heat and Power Assessment (<b>Application Document Ref. 7.2</b>). It is agreed that at this current time there is no justification for or need to undertake further investigation of CHP for the Proposed Development.</p>
<p><b>Design and Flexibility</b></p>	<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. BDC agrees that the flexibility sought to be retained by the Application is reasonable in relation to:</p> <ul style="list-style-type: none"> <li>• the number of turbines to be installed and their final sizing and positioning;</li> <li>• the final stack heights;</li> <li>• the need or otherwise for certain buildings and/or enclosures; and</li> <li>• the alternative surface water drainage connection point.</li> </ul> <p>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 of the <b>Application Document Ref. 3.2: Works Plans</b> and <b>Application Document Ref. 2.1: Draft DCO (Requirement 5)</b> provides sufficient control to BDC and certainty over the final design of the Proposed Development.</p>
<p><b>Air Quality</b></p>	<p>It is agreed that the approach taken by the Applicant to assess the air quality effects for the Proposed Development set out in Chapter 6: Air Quality, Appendix 6A: Air Quality and Figures 6.1 – 6.5 of ES Volumes I-III (<b>Application</b></p>

Topic	Matters Agreed
	<p><b>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 gas turbine technology options under assessment. 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 undertake a BAT assessment for the selected generation technology which must demonstrate that the Proposed Power Plant would not exceed air quality strategy objectives.</p>
<b>Traffic and Transport</b>	<p>Responsibility is conferred to the County Highways Authority to agree 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>Responsibility is conferred to the County Highways Authority to agree 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 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 (<b>Application Document Ref. 7.6 and 7.7</b> respectively) which the appointed contractor would be required to take</p>

Topic	Matters Agreed
	<p>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</b>: Draft DCO (Requirements 17 and 18) 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 assessment</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 mitigation 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>
<p><b>Ecology</b></p>	<p>Responsibility is conferred to the Nottinghamshire Wildlife Trust and Natural England to agree that the approach taken by the Applicant to assess the effects of the Proposed Development on ecology set out in Chapter 9: Ecology, Appendix 9A-9I and Figure 9.1 of ES Volumes I-III (<b>Application Document Ref. 5.2</b>) is appropriate (including methodology, data collection methods, baseline data, approach to assessment and presentation of results).</p>



Topic	Matters Agreed
	<p>It is also agreed that, in line with the conclusions of the ES presented in Chapter 17: Summary of Significant Effects (<b>Application Document Ref 5.2</b>) the Proposed Development would not result in significant residual effects upon statutory and non-statutory sites, habitats or protected species.</p>
<p><b>Landscape and Visual impact assessment</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 which sets out the approach used accords with best practice for the assessment of landscape and visual amenity effects.</p> <p>The Parties agree that the Proposed Development accords with Bassetlaw policy relating to landscape character and that the Applicant has taken account of the landscape character of area and the effects upon features important to local character.</p> <p>It is therefore agreed that the landscape and visual effects associated with the Proposed Development are acceptable.</p>
<p><b>Archaeology</b></p>	<p>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) (<b>Application Document Ref 5.2</b>).</p> <p>The Applicant’s proposals for a programme of archaeological monitoring and environmental sampling as part of future pre-construction site investigation works are set out within the Outline Written Scheme of Investigation (OWSI) (<b>Application Document Ref. 7.9</b>). This is proposed to be secured by a Requirement of the draft DCO (<b>Application Document Ref. 2.1</b>) 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</p>

Topic	Matters Agreed
	mitigation is acceptable and that appropriate controls are in place to secure mitigation.
<b>Built Heritage</b>	<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) (<b>Application Document Ref. 5.2</b>). The Parties agree that the approach taken by the Applicant to assess the effects of the Proposed Development on built heritage (including designated and non-designated assets within Bassetlaw) is appropriate (including methodology, data collection methods, baseline data, approach to assessment and analysis).</p> <p>The Parties agree 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 is required.</p>
<b>Cumulative Effects</b>	<p>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.</p>
<b>Framework Construction Environmental Management Plan</b>	<p>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</b> (Requirement 15) provides an adequate means of controlling the environmental construction effects predicted in the ES by requiring a detailed CEMP to be submitted to BDC for approval prior to the commencement of the Proposed Development.</p> <p>If piling is required, this will be subject to a piling and penetrative foundation design method statement, informed</p>



Topic	Matters Agreed
	by a risk assessment. This will be subject to consultation with the Environment Agency, and would then be submitted for approval by BDC. It is agreed that <b>Application Document Ref. 2.1</b> : Draft DCO (Requirement 22) provides an adequate means of controlling the environmental effects of any piling required during the construction phase of the Proposed Development.
<b>Draft DCO</b>	The Parties are agreed on the wording of the requirements contained in Schedule 2 of the draft DCO ( <b>Application Document Ref. 2.1</b> ) and the procedure for the discharge of requirements contained in Schedule 3.
<b>Community Matters</b>	It is agreed that the Applicant will work directly and proactively with the local community to try and address the concerns raised in relation to this scheme. Attention is drawn by Bassetlaw District Council to the third party representations from the community which highlight matters of traffic management, visual, light, noise and environmental impacts as well as community engagement.

#### 4.0 OTHER MATTERS

- 4.1 The Parties confirm that there are no areas outstanding and all matters are agreed.

