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30th January 2020

Dear Mr Jones,

Planning Act 2008 (as amended)

Application by EDF Energy (Thermal Generation) Limited for an Order Granting Development Consent for the West Burton C power station – Examination – Applicant’s Response to Deadline 4

On behalf of EDF Energy (Thermal Generation) Limited, please find enclosed the Applicant’s responses and information pursuant to Deadline 4, in accordance with the Rule 8 Letter, dated 6th November 2019.

Deadline 4 submissions

The documents submitted in support of the Applicant’s submission to Deadline 4 are as follows:

1. the Applicant’s Covering Letter (i.e. this document) (**Document 11.1**);
2. an updated Navigation Document including all documentation submitted since the Application was submitted (**Document 1.3D**);
3. Summary of oral responses at the West Burton C Open Hearing and Issue Specific Hearing (**Document 11.2**);
4. The Formal Response of Bole Villagers for Deadline 2, together with the Applicant’s Response for Deadline 4 (**Document 11.3**);
5. Memo – Biodiversity Loss and Gain Calculations: Summary of Revisions Since issue of the First Draft of the Landscaping and Biodiversity Management and Enhancement Plan (**Document 11.4**);

6. the agreed Statement of Common Ground with Nottinghamshire Wildlife Trust (**Document 11.5**);
7. Memo – West Burton C: The Applicant’s response to Issue Specific Hearing Question regarding Soil Management (**Document 11.6**);
8. Memo – Updates to the Framework Construction Traffic Management Plan (CTMP) (**Document 11.7**);
9. DCO Examples in relation to the approval of Environmental Permits (**Document 11.8**);
10. updated draft Development Consent Order (Version 3) – Tracked (**Document 2.1E**) and Clean (**Document 2.1F**), including pdf and word versions;
11. Table of Amendments to the draft Development Consent Order (**Document 11.9**);
12. Landscaping and Biodiversity Management and Enhancement Plan (Version 2) – Tracked (**Document 7.5C**) and Clean (**Document 7.5D**); and,
13. Framework Construction Transport Management Plan (Version 2) – Tracked (**Document 7.6C**) and Clean (**Document 7.6D**).

Comments on any information submitted for Deadline 3

The Applicant has considered the submissions to Deadline 3 from Natural England (**REP3-009**) and Councillor James Naish on behalf of Sturton Ward (**REP3-010**).

Natural England confirmed it is content with the enhancement mitigation as set out in the Landscaping and Biodiversity Management and Enhancement Plan, which is noted by the Applicant.

The Applicant has continued to liaise with the local community, through Councillor James Naish, in respect of their Relevant Representations (**RR-017**) and more recent Deadline 3 submission (**REP3-010**). Such discussions relate to the existing power stations and voluntary payments from the Applicant in the act of being a good neighbour and are not material to the Examination. However, given previous submissions to the Examining Authority and the discussions at the Open Floor Hearing (21st January 2020), the Applicant has provided its response to Deadline 4 (**Document 11.3**). The content of the Applicant’s response has been discussed with Councillor Naish prior to submission and the content is agreed between the parties as the final position on each matter contained. The Applicant is currently liaising with Councillor Naish to agree the process by which the voluntary agreement will be secured.

ISH Hearing (22nd January 2020) – Action List

The Applicant has collated a list of actions arising from the Issue Specific Hearing that took place on 22nd January 2020. This is provided in Table 1 below, along with the Applicant’s response / update against each action.

Table 1: ISH Action List

Topic	Action	Applicant's Response / Update
Environmental Matters		
1. Biodiversity Mitigation	Applicant to provide Biodiversity Metric 2.0 data tables (REP3-005) in a format that is easily readable.	Please refer to Memo entitled 'Biodiversity Loss and Gain Calculations: Summary of Revisions Since Issue of the First Draft of the Landscaping and Biodiversity Management and Enhancement Plan (LBMEP)' at Document 11.4 .
	Applicant to update the LBMEP and any relevant Environmental Statement chapters (if required) to reflect the Biodiversity Metric 2.0 data.	The LBMEP has been updated to reflect the Biodiversity Metric 2.0 data and Version 2 is contained at Document 7.5C (Tracked) and Document 7.5D (Clean). Chapter 9: Ecology of the Environmental Statement (APP-038) has also been reviewed. It is however not necessary to update this chapter as the assessment is unchanged.
2. Statements of Common Ground / Ongoing Discussions	Applicant to provide an update on discussions with Nottinghamshire County Council.	The Applicant has provided further information to NCC on the proposed approach for the LBMEP and Biodiversity Net Gain metric calculations and dialogue is ongoing between the parties to obtain written agreement that NCC has no concerns about the approach taken.
	Applicant to provide an update on the Statement of Common Ground and related discussions with Nottinghamshire Wildlife Trust.	The Statement of Common Ground has been agreed between Nottinghamshire Wildlife Trust and the Applicant. This is contained in Document 11.5 .
3. Soil Management	Applicant to clarify the proposed approach to soil management with the site and in relation to Requirement 5 of the draft DCO.	Please refer to the Memo entitled 'West Burton C: The Applicant's response to Issue Specific Hearing Question regarding Soil Management' at Document 11.6 .
4. Framework Construction Traffic Management Plan (CTMP)	Applicant to provide further details with the CTMP on how construction traffic would be routed and managed.	The Framework CTMP has been updated and is contained at Document 7.6C (Tracked) and Document 7.6D (Clean). An explanation and summary of changes is contained in the Memo

		entitled 'Updates to the Framework Construction Traffic Management Plan' at Document 11.7 .
	Applicant to clarify use of water and rail borne transport for AILs and other movements.	Please refer to Document 11.7 which contains the necessary clarification.
	Applicant to address inconsistencies of references within the CTMP.	This has been addressed in the updated Framework CTMP contained at Document 7.6C (Tracked) and Document 7.6D (Clean).
5. Environmental Permit	Applicant to provide examples of DCOs made without an Environmental Permit in place.	Please refer to Document 11.8 which provides a number of examples of DCOs made prior to the approval of the associated Environmental Permit by the Environment Agency.
6. HRA No Significant Effects Report	Applicant to confirm the distance between the Site and the Humber Estuary SAC.	<p>Paragraph 2.3.5 of the Habitat Regulations Assessment No Significant Effects Report (APP-027) states the following: <i>'The Humber Estuary SAC, located approximately 30-40km north-east of the Site'</i>. To clarify, the closest distance between the Site and the Humber Estuary SAC is approximately 35km.</p> <p>Paragraph 2.4.1 of APP-027 states the following: <i>'The nearest part of the Humber Estuary SPA/SAC/Ramsar is approximately 25km downstream of the Site'</i>. To clarify, the Humber Estuary SPA and Ramsar are located 25km downstream of the Site at the nearest point; however, the Humber Estuary SAC (which overlaps in the designated area of the SPA and Ramsar) is located 35km from the Site at its closest point, as discussed in the paragraph above. As such, the distances states in Paragraph 2.4.1 are correct.</p>
Draft Development Consent Order		
7. Typos and Minor Matters	Applicant to address typos and minor miscellaneous matters raised by the ExA.	Please refer to the updated draft Development Consent Order contained at Document 2.1E (Tracked) and Document 2.1F (Clean), together
8. Land Plans and Order	Applicant to review the definition of	with the Table of the Amendments (Document

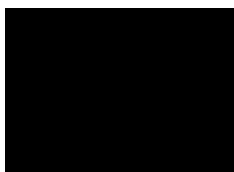
Limit Plans	the Order Limits Plan with reference to Works Plan.	11.9) which provides an explanation of the changes and examples of other DCO, where requested by the ExA.
9. Article 9: Streets and public rights of way	Applicant to review Article 9 in respect of powers to stop up streets and public rights of way (PROWs), and provide relevant DCO examples.	
	Applicant to identify likely roads or PROWs that may need temporary closure and consider if these can be specified in the draft DCO or the Framework CTMP.	
10. Article 15: Felling or lopping of trees	Applicant to consider if notice should be provided prior to felling or lopping of trees and provide relevant DCO examples.	
11. Requirement 25: Local Liaison Committee	Applicant to consider Requirement 25 to ensure fairness for all representatives on the Local Liaison Committee and also provide flexibility on frequency.	
12. Schedule 3: Procedure for discharge of requirements	Applicant to review wording of consultation process, including duration of consultation and period of notification for further information.	
13. Engagement with the Canal and River Trust	Applicant to continue to seek to engage with the Canal and River Trust and provide an update to Deadline 4.	The Applicant has contacted the Canal and River Trust in order to discuss further its representations and its request for protective provisions to be included within the DCO. The Applicant will keep the ExA informed of the progress of these discussions and respond to any further questions at subsequent examination deadlines.
14. Requirement 5: Detailed Design	Applicant to include West Lindsey District Council as a consultee to Requirement 5.	Please refer to the updated draft Development Consent Order contained at Document 2.1E (Tracked) and Document 2.1F (Clean), together with the Table of the Amendments (Document

		11.8) which provides an explanation of the changes and examples of other DCO, where requested by the ExA.
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Taking Matters Forward

I would be grateful if you would confirm receipt of the enclosed documentation and above information. Please do not hesitate to contact Emma Wreathall (emma.wreathall@quod.com) or Elizabeth Dunn (Elizabeth.Dunn@burgessalmon.com) should there be any queries.

Yours sincerely,



Jeremy Bush

Head of Business Development
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Encs. As above