



Meeting note

File reference	EN010088
Status	Final
Author	Karl- Jonas Johansson
Date	2 February 2017
Meeting with	EDF Energy
Venue	Temple Quay House
Attendees	Planning Inspectorate Tom Carpen (Infrastructure Planning Lead) Chris White (Infrastructure Planning Lead) Kay Sully (Case Manager) Karl-Jonas Johansson (Case Officer) Richard Hunt (Senior EIA and Land Advisor) EDF Energy Carly Vince (Head of Strategic Planning) Peter Smith (Project Manager (sub-300MW project)) Ian Steddon (Production Chemist at West Burton B power station)
Meeting objectives	Inception meeting
Circulation	All attendees

Summary of key points discussed and advice given:

Introduction

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate continued by outlining its openness policy and ensured those present understood that any issues discussed and advice given would be recorded and placed on the Inspectorate's website under s51 of the Planning Act 2008 (PA 2008). Further to this, it was made clear that any advice given did not constitute legal advice upon which the Applicant (or others) can rely.

Context for the project

The Applicant explained that the timescales for the project was governed by the capacity market auction and therefore the timescales for the project are set to enable

the Applicant to bid for future capacity. It was clarified that if the Applicant's capacity bid failed, it could enter subsequent auctions.

The proposed new power station, West Burton C (WBC) would be located next to the existing West Burton B CCGT power station (WBB) and would utilise WBB gas and electricity connections. The proposed site was previously used as laydown area for WBB, but is currently unoccupied. The Applicant informed the Inspectorate that some of the wider site included provision for protected species. According to the Applicant's initial assessment, there are no internationally statutory nature conservation designations within 15km of the Site. There is a Site of Special Scientific Interest (SSSI) approximately 1km of the site, but there are no other national nature conservation designations within 5km of the Site. There are some local designations within 2km of the Site, with West Burton Power Station Local Wildlife Site located within part of the Site. The visual impact of WBC was discussed and it was explained that WBC would be located within the context of an industrial landscape with the back drop of the existing power station. The closest residential receptors are some distance from the site to the east and the nearest receptor would be users of the public footpath which runs along the River Trent, which runs to the east of the Site.

The Applicant intends to meet with Natural England (NE), the Environment Agency (EA) and the relevant local authorities to brief them about the upcoming project. They intend to work closely with the local stakeholder groups. The Applicant advised that it has established contacts with a number of stakeholders given its current operations at the West Burton power station site.

Within the wider West Burton power station site there is a battery storage facility which is planned to commence operations later in 2017 and West Burton A coal power station. The Applicant informed the Inspectorate that it is also considering the potential for other small-scale projects within the West Burton power station site.

The proposed development

The applicant explained that it is considering whether to apply for a Development Consent Order (DCO) which would allow flexibility between two different types of technology (i.e. an Open Cycle Gas Turbine (OCGT) and small gas engines). It was clarified that the small scale gas engines were highly efficient, and that multiple gas engines could provide similar output to an OCGT. The main implications for the assessment would be a potentially different number of stacks and a difference in overall emissions.

The Applicant set out its reasoning for wanting to have two different technology options in the DCO and clarified that this approach had precedent in a previous DCO application. The Inspectorate highlighted the risks that submitting an application with two different technologies in the DCO could have for the project. It was advised that if the Applicant were to explore opportunities for options then the different options should be clearly set out in the articles and requirements in the DCO and in the Environmental Statement (ES), as well as showing how the ES and DCO interlink. It was further advised that the ES needed to be clear how the different options had been assessed, including worst case scenarios for the two options. As the project has two options, the possibility of having a separate ES for each option was discussed.

The Applicant clarified that if the Environmental Impact Assessment identified that the impact of a particular option was too great then that option would not be taken

forward. The Applicant explained that depending on the chosen technology, the development would have the minimum of one stack, but could not at this time state the maximum amount of stacks.

The Applicant stated that it would apply a Rochdale envelope approach to allow the development the necessary design flexibility. The Inspectorate acknowledged this approach, highlighting that the Applicant should assess the worst case scenario(s). The Applicant confirmed that it would fully assess the impact of the two options chosen for the project. The Inspectorate informed the Applicant of the potential risk that the Examining Authority (ExA) might only recommend the Secretary of State (SoS) to grant consent to one of the two technology options. Likewise the SoS might only grant consent to one of the options if both are recommended to the SoS. The Applicant was advised to review the Hinkley Point C Connector project which had two options for the electricity connection in the DCO but only one route consented.

The extent of the proposed development site was presented, highlighting the overlap with existing infrastructure on site (i.e. the electrical grid and gas connections). The applicant advised that no works are anticipated to be required as part of the DCO. The Inspectorate highlighted that in order to avoid confusion over the powers to be granted by a DCO, the Applicant should ensure that only those areas of the site likely to be affected by the works should be included within the order limits. The Applicant indicated that the red line boundary is likely to shrink as the project evolves.

The Inspectorate advised that all consultation materials for the project needs to present a clear picture to stakeholders of what is proposed to be built. The Applicant was further advised to contemplate a design review for the project to ensure a good design outcome.

Environmental Impact Assessment (EIA) and Habitats Regulation Assessment (HRA)

The Applicant stated that it undertakes regular surveys in and arounds its existing sites, therefore it has survey data that can inform its baseline assessment, albeit some additional surveys are necessary (e.g. additional air quality and detailed ecological survey work and landscape assessments). The Applicant has appointed Aecom to undertake the EIA. The Applicant indicated that it was considering adopting the principles of the new EIA regulations, although these will not come into force until May 2017.

The Applicant is of the opinion that air quality would be a key consideration to address and that due to the limited number of receptors and backdrop of the existing power station the visual impact and historic environment effects could be less impacting. It was confirmed that there is land available for landscaping.

WWB has existing noise level restrictions, which will be considered as part of the impact assessment.

The Applicant suggested that from its understanding of the local context, transport will be a matter on which it will engage with stakeholders on.

The Applicant noted that it intends to liaise with the EA and NE over the need for a Habitats Regulation Assessment (HRA).

Environmental Permits

The Applicant is assessing two options for the environmental permit: (i) to vary the existing WBB permit and (ii) to apply for a new one for WBC. The Applicant was advised to start working on the permit with the EA as soon as possible and try to secure a Statement of Common Ground (SoCG) with the EA prior to the examination. It was clarified that the permit did not need to be in place for the Applicant to be able to bid for capacity.

Scoping

The Scoping report is likely to be submitted to the Inspectorate at the end of February/early March 2017. *Post Meeting note – Scoping Request received on 27 April 2017.* The Applicant intends to meet with key stakeholders before the scoping request is submitted. The structure for the ES will be explored in the scoping request. It was confirmed that the Applicant intends to appoint a legal team before scoping.

The Inspectorate requested that the Applicant submit its shapefile ten working days before submitting the scoping request together with any pre-existing local authority contact details.

Consultation

The Applicant intends to hold one non-statutory and one statutory round of consultation in 2017, with the aim of submitting the application Q1 2018. The key stakeholders have been identified for the project and a consultation plan has been drawn up for the project with the aid of the host authority. The plan will include newsletters and meeting with local community groups. The Applicant was advised to contact with the Office for Rail Regulation as there is a nearby railway line and to liaise with the MMO regarding the River Trent, which is tidal in this location. It was clarified that s48 consultation would be conducted during the statutory round of consultation. The Applicant was advised to explain clearly in its consultation material the two technology options to ensure that the consultees would understand what they were commenting upon.

Draft documents review

The Applicant was informed that the approach chosen for the project might lengthen the draft document review period and to take this into account when programming in draft document into its project plan. The Applicant informed the Inspectorate that it intends to consult on the draft application documents.

The Applicant's list of proposed application documents was discussed and the Construction Management Plan was identified as a freestanding document, given the likelihood that it would need to be updated during the examination process.

The Applicant was advised to review the relevant National Policy Statements regarding what needed to be included in the application regarding design.

The transport assessment is currently not planned to be a free standing document unless the volume of traffic justifies it.

It was clarified that the ExA would expect the application to contain an explanatory memorandum.

The issues of consistency between the various parts of the application were discussed as discrepancies between parts of the application could be an acceptance issue. The Applicant was encouraged to produce a guide to the application, as National Grid had done for the Richborough Connection Project, and to keep it up-to-date all the way through the examination.

The standard documents the Inspectorate can review are the DCO and Explanatory Memorandum, the Funding Statement, plans, the Consultation Report and its appendices, Statement of Reasons, ES introductory chapters and HRA. The Applicant was advised to include a complete set of consultation report appendices for review to minimise risks to acceptance. If possible, try to avoid duplicating information in the Consultation Report. It was further advised to be clear in the report what is statutory and non-statutory consultation when discussing how consultation has impacted on the project and to be clear who had been consulted at what stage. The Applicant was advised to review s51 advice given at acceptance to get an indication what could be potential risks at acceptance.

Compulsory Acquisition and s53 applications

The Applicant does not anticipate, at this stage, either compulsory acquisition or s53, but stated that it would give the Inspectorate prior notice if any s53 applications were needed.

The need for protective provisions was discussed and the Applicant was advised to take into account the impact wide reaching protective provisions could have on the existing power stations.

AOB

The host authorities' experience of the DCO process was discussed and the Applicant stated that neither Bassetlaw Council nor Nottinghamshire County Council have had experience of the process. The Applicant was advised to discuss with the host authorities how they intended to work together on the project.

The Applicant was recommended to seek SoCG with individual parties rather than based on themes, as thematic SoCG signed by multiple parties could be more complicated to sign-off, particularly during the tight timescales in the Examination stage.

The Inspectorate informed the Applicant that it would send a letter requesting the necessary information to set the project up on its computer system. In addition to this a project mail box would be set up to handle all correspondence relating to the project.

Post-meeting note: Request for initial project information has been sent to the applicant.

The Applicant was advised to assess the risk of the two option approach and the potential for this to trigger change request applications post consent.

Specific decisions / follow up required?

- The Applicant to send the Inspectorate its material relating to the battery storage facility [complete].
- The Applicant to send the Inspectorate the DEFRA guidance - *Completed*
- The Applicant to inform the Inspectorate which project had two different technology options in the DCO. *Post meeting note – North Killingholme Power Project and Eggborough CCGT.*
- The Inspectorate to update the Applicant on the status of best practice documents.
- Scoping site visit to be set up following submission of Scoping Report.
- The Applicant to confirm whether their legal team has access to the statutory instrument needed to draft the DCO [complete].
- Follow up meeting to be scheduled for April.