

Your ref: EN010092

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Date: 22 May 2020

National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
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Planning Act 2008
Thurrock Power Ltd
Application for Development Consent for Nationally Significant Infrastructure Project

We act for Thurrock Power Ltd (the Applicant) and on behalf of the Applicant hereby submit an application for an Order granting development consent (the Application) pursuant to Section 37 of the Planning Act 2008 (the 2008 Act).

Subject of the Application

1. The enclosed Application is for the development consent to construct and operate a flexible generating plant which includes:
 - reciprocating gas engines with electrical output totalling 600 MW;
 - batteries with electrical output of 150 MW and storage capacity of up to 600 MWh;
 - gas and electricity connections;
 - creation of temporary and permanent private access routes for construction haul and access in operation, including a causeway for barge deliveries; and
 - creation of exchange Common Land and habitat creation or enhancement for protected species translocation and biodiversity gain.
2. Pursuant to sections 14(1)(a) and 15 of the 2008 Act, a non-offshore generating station with a capacity in excess of 50 MWe is a Nationally Significant Infrastructure Project (NSIP). As the proposed development is a non-offshore generating station with a capacity of over 50 MWe it is an NSIP under the 2008 Act and it is for this reason that the Applicant makes this Application.

Documents Enclosed and Application Fee

3. I hereby submit by electronic file transfer the documents listed in the enclosed schedule (the Electronic Application Index produced in the prescribed form of the Planning Inspectorate) and enclose the completed and signed application form (application document A1.4)
4. A fee of £7,227 was paid on 22 May 2020 by BACS transfer to the account of the Planning Inspectorate.

Application Documents

5. The project is EIA development and an Environmental Statement is submitted, which is application document A6. The Applicant considers that the Conservation of Habitats and Species Regulations 2017 (as amended) are engaged and information to inform an 'appropriate assessment' is submitted in application document A5.2.

6. The Planning Inspectorate requests that a glossary of terms be included as part of the application. This is to be found at Document A6.0.2.
7. In accordance with the Planning Inspectorate advice, a GIS shapefile of the land over which the consent order is sought was submitted to the Planning Inspectorate by email on 14 February 2020. This shapefile remains current.

Pre-Application Consultation

8. The Applicant has had careful regard to the pre-application consultation requirements of the 2008 Act and guidance as required by section 50 of the 2008 Act. Comments have been received from multiple parties and these have been taken into account in submitting the final draft of the Order contained in this Application.
9. As required by section 37(3)(c) of the 2008 Act the Application is accompanied by a Consultation Report and Appendices (Document 5.1) which provides details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the 2008 Act. The Applicant considers that the consultation that it has undertaken has been extensive in its extent and effect. The responses of the statutory and non-statutory consultees are listed and summarised in the Consultation Report and these have informed and influenced the evolution of the Application and project overall.

Other Matters

10. The draft Order includes (as Schedule 8) a Marine Licence which would be deemed to be granted for the construction and operation of a causeway in the River Thames. This is required to allow delivery of very heavy indivisible loads for construction of the project and to provide a facility for replacing very large components during operation where required. The Applicant has engaged with the Marine Management Organisation on its proposals.
11. The draft Order would disapply the requirement for the Applicant to obtain river works and dredging licences from the Port of London Authority for the construction of the causeway. A licence would be granted following construction controlling the causeway long term. This approach has been discussed with the PLA and the draft protective provisions in their favour have been included in the Order in Schedule 9.
12. The Order would grant development consent for the construction, operation and maintenance of the project, but a number of other consents will also be required from other bodies including the Environment Agency. The Other Consents and Licences Statement (application document A7.7) sets out the details of the various consents, not forming part of the draft Order currently submitted, which the Applicant will or may seek in relation to the proposed development, including environmental permits. Many of these applications will be progressed in parallel with the examination of the draft Order. The Applicant will update the Inspector periodically in relation to progress on such applications.
13. The Applicant is seeking an authority within the draft Order to acquire land and rights compulsorily as set out in the draft Order. The land over which compulsory powers are sought is set out in the Book of Reference (application document A4.3) and shown on the Land Plans and Special Category Land Plans (application document A2.2). The funding for payment of compensation is set out in the Funding Statement (application document A4.2).
14. The Applicant has considered the transboundary effects associated with the implementation of the generating station and concluded that no such transboundary effects arise.
15. At the time of completing most parts of the Environmental Statement, in February 2020, the Applicant was notified by Highways England of further consultation and publication of additional environmental information concerning the proposed Lower Thames Crossing NSIP. Consultation and publication of a Preliminary Environmental Information Report (PEIR) for the Lower Thames Crossing had previously occurred in 2018. Due to the timing of the publication of further information, it had not been possible for this to be considered in the assessment of cumulative effects in the Environmental Statement, which remains based on information in the Lower Thames Crossing PEIR with respect to cumulative effects that may arise. The Applicant proposes to review this further information and to provide, if appropriate, a Cumulative Effects Addendum prior to examination of the application, or to confirm that this has not been necessary.

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I look forward to hearing from you and to your formal acceptance of the Application. If you require any additional information or clarification of any matter referred to above, please do not hesitate to contact me.

Yours sincerely,
for RPS



Tom Dearing