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Stephanie Boswell
Statera Energy Limited

Your Ref:

By email only

Our Ref: EN010092

Date: 24 June 2020

Dear Stephanie

Planning Act 2008 (as amended) – Section 51

Application by Thurrock Power Ltd for an Order Granting Development Consent for the Thurrock Flexible Generation Plant

Advice following issue of decision to accept the application for examination

On Wednesday 24 June 2020 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's Acceptance Checklist and the Applicant's Application documents have been published and made available on the project page of our website. See link below;

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/thurrock-flexible-generation-plant/?ipcsection=overview>

In undertaking checks at the acceptance stage, the Inspectorate did make some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of those initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response. It should be read in conjunction with the Thurrock FPG Acceptance of Application checklist (the Checklist) issued alongside it.

Consultees identified on a precautionary basis

As detailed in the Checklist there are several potentially relevant bodies which, on the basis of the information provided by the Applicant do not appear to have been consulted at the pre-application stage. These are:

- Eclipse Power Network
- Harlaxton Gas Networks Limited

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the bodies listed above amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

Book of Reference

The Inspectorate has noted that there is a discrepancy between persons identified in the Book of Reference (Doc A4.1) and those listed as s44 parties and consulted under s42(1)(d), listed in Appendix 4.3 of the Consultation Report (Doc A5.1.4) where those persons appear to be listed in the wrong category of the Book of Reference. No explanation for this discrepancy appears to have been provided within the Consultation Report. The Applicant is advised to carry out a review of the Book of Reference to ensure that all persons/bodies with an interest are included within it and if necessary, submit an updated version to the Planning Inspectorate.

Works Plans

The Inspectorate has noted that in the Works Plans (Doc A2.3) there are 5 sheets to this document including the Index/Key plan, however labelling suggests there should be 6 sheets in total.

Access Rights of Way and Traffic Regulation Plans

The Inspectorate has noted that in the Access Rights of Way and Traffic Regulation Plans (Doc A2.4) there are a number of discrepancies between the ProW Plans and the Draft DCO. Please can the Applicant provide clarity on the comments below:

- There appears to be an inconsistency between the description on the plan and legend (sheet 3 of 5 of Doc A2.4) and Schedule 3 of the draft DCO. The plan refers to a temporary suspension of the weight restriction on Station Road (Love Lane to Princess Margaret Road). The draft DCO goes on to state in the column on "extent of suspension" that it will be 'suspended in its entirety'. It should be made clear in this column that the change relates only to the length between Love Lane and Princess Margaret Road.
- Schedule 4 of the draft DCO refers to solid dark green colouring on sheet 3 of Doc A2.4 to show the temporary suspension of the weight restriction on Station Road (Love Lane to Princess Margaret Road). However, on the plan dark green hatching is used.

Submission of updated documents

With regard to the items listed above it would be helpful, and assist the examination process, if the any updated application documents were submitted to the Inspectorate no later than 10 working days before the Preliminary Meeting (PM), to enable them to be published on the project page of our website before the PM. Please pay close attention to the advice set out in this letter and act on it accordingly. This will

contribute towards a more efficient examination and give any future ExA comfort that the documentation is complete and accurate.

I trust that this advice is useful to you and that it will aid your preparation for the examination of the scheme. If you have any questions about the content of this letter, please do not hesitate to contact me.

Yours sincerely

TA Williams

Tracey Williams
Case Manager

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