

Application by Thurrock Power for an Order Granting Development Consent for the Proposed Flexible Generation Plant at Fort Road Tilbury ('TFGP') Ref: EN010092

The Examining Authority's Written Questions and Requests for Information (ExQ1) Issued on 16 February 2021

Thurrock Council (TC) response for Deadline 2

Responses to ExQ1:

EXQ	Respondent	Question	Thurrock Council Response
3	Compulsory Acquisition		
1.3.3	Thurrock Council	Please provide copies of the common land register map for the Register Units CL411 and CL228 together with relevant extracts of the land and rights sections.	Please see the enclosed documents. It is understood the applicant will also be provided information on this in the form of the West Tilbury Commons Conservators.
4	Cultural Heritage		
1.4.1	Thurrock Council/Historic England	The ExA notes Thurrock Council's comments (RR [RR-007]) that the ES fails to assess the effects on the Grade I listed Church of St Katherine and the Grade II listed Old Rectory. The Applicant explains (Historic Environment Settings Analysis [PDC-013]) that these heritage assets were scoped out of the assessment as the development site does not form part of their settings. Please comment on the approach taken by the Applicant to these assets (providing reasons where appropriate).	It is understood from the applicant that further information will be submitted at Deadline 2 to explain this. TC welcomes the opportunity to review this information and provide comments accordingly.
5	Cumulative Impacts		
1.5.2	Applicant/Thurrock Council	Please explain the current status of the Tilbury Link Road project referred to by PoTLL in their RR [RR-023] including details of how advanced the scheme is and its relationship to the Proposed Development.	Tilbury Link Road project is a council investigation into providing a link between the proposed LTC route and A1089 St Andrews Road. This carries no weight in relation to the LTC proposals, which was discounted at an early stage soon after the

			<p>ES Scoping stage and was removed from the LTC scope. This has been continuously disputed by Thurrock Council. However, the project is included within Highways England's RIS2, but likely for delivery in the RIS3 period. The council is working with DfT and stakeholders to bring the scheme forward at the earliest opportunity.</p> <p>LTC team have identified that provision could be included in the LTC DCO to ensure that this link could be developed in the future by ensuring "passive provision". This terminology means that the indicative location of the junction would have no major services, earthworks and/or structures/features that potentially would be located in that broad area and which could prevent the junction from being installed in the future.</p>
7	Draft Development Consent Order		
1.7.20	Thurrock Council	Schedule 2 - Please comment on the requirements set out in Schedule 2 and highlight any proposed changes suggested by the local planning authority.	Section 8 of Thurrock Council's Local Impact Report provides TC's comments on the 'requirements' as set out in the draft DCO.
1.7.22	Applicant/Thurrock Council	Schedule 2, P1, R11 – should the Host Authority have a role in approving the Flood Evacuation Plan?	Yes, this is something Thurrock Council's wish to include on planning permissions and is considered necessary given the site's location in a high risk flood zone. Section 8 of Thurrock Council's Local

			Impact Report provide further comment to this.
1.7.26	Applicant/Thurrock Council	Schedule 2, P1, R15 - Please provide a justification for the inclusion of this requirement in the dDCO.	This 'requirement' is necessary to ensure this part of the site is restored to a more natural appearance for visual amenity and ecology reasons
9	Green Belt and Local Planning Policy		
1.9.1	Thurrock Council & Gravesham Borough Council	Please comment on the Applicant's case for very special circumstances set out in the statement of case and green belt statement [APP-135 to APP-139]. You may instead prefer to include this information in any Written Statement.	From the Thurrock Council's Local Impact Report Assessment section 7 please see the 'Principle of the Development and Impact upon the Green Belt' section and in particular paragraphs 7.88 to 7.92, and paragraphs 7.264 to 7.266
1.9.3	Thurrock Council	Does the Host Authority agree with the Applicant's statement at paragraph 3.56 of [APP-135] that, based on the SGBA carried out by the Council, "in order to avoid 'fundamentally' important green belt land, any new development has to be placed in a parcel that is still of 'major' importance".	Yes, and it is recognised that the proposal is shown sited as close to the existing electricity infrastructure and non Green Belt land.
1.9.4	Thurrock Council	Does the Host Authority agree with the Applicant's statement in paragraph 3.56 of Appendix 1 to the Applicant's Statement of Case (Green Belt Statement) [APP-135] that as the locations of the above ground elements of the project within parcels 30 and 34 are of no importance to the first two purposes of the green belt and of 'major'	Yes.

		importance with regard to the third purpose, they can be deemed as relatively low importance in comparison to other land parcels?	
1.9.6	Applicant/ Thurrock Council	Section 3 of Appendix 1 to the Applicant's Statement of Case (Green Belt Statement) [APP-135] refers to Thurrock Council's Strategic Green Belt Assessment (SGBA). Please provide a copy of this document together with any plans referred to or signpost where they can be found in the application documents.	Please see enclosed Thurrock Council's Strategic Green Belt Assessment (SGBA).
1.9.7	Thurrock Council	What is the view of the Host Authority regarding the use of Green Belt land for the Proposed Development? Does the Council consider the very special circumstances necessary to outweigh the harm to the green belt, and any other harm, are present?	The Host Authority consider that the factors put forward as very special circumstances outweigh the harm to the green belt. Please see the 'Principle of the Development and Impact upon the Green Belt' section and in particular paragraphs 7.88 to 7.92, and paragraphs 7.264 to 7.266
1.9.8	Thurrock Council	Are there any proposals to change the boundaries of the Green Belt in the vicinity of the Proposed Development? If so, please specify and include details of whether the application site is affected.	There are currently no proposals to change the boundaries of the Green Belt in the vicinity of the proposed development.
1.9.9	Thurrock Council	Does the Council consider the Proposed Development would be in conflict with any proposals or policies in any development	Paragraph 7.262 of the LIR provides a summary and this identifies the positive and negatives impacts of the development of

		<p>plan documents (including emerging plans)? If so, please provide a summary and link to the relevant policy and/or proposals map.</p>	<p>each material planning consideration. The conclusion of the LIR considers all of the material planning considerations and overall, subject to mitigation, the Council does not object to the application.</p> <p>See link to the Host Authority's planning policies and proposals map: Thurrock Council Local Plan: Policies Map (planvu.co.uk)</p> <p>Key paragraphs from the LIR are included below where there is a policy conflict.</p> <p>In terms of landscape impact, the last sentence of paragraph 7.127 from LIR states the proposal would erode some of the rural landscape in this location and impact upon the Green Belt so would not protect or enhance in regard to policy CSTP23 (Thurrock Character and Distinctiveness).</p> <p>In terms of the impact upon agricultural land, the second sentence from paragraph 7.245 of the LIR states a negative impact would result from the permanent and temporary loss of agricultural land having regard to policy CSTP21 (Productive Land).</p> <p>In terms of climate change, paragraph 7.260 from LIR states the proposal is not</p>
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			renewable or low carbon technology and would introduce emissions so would be contrary to the requirements of policy CSTP25 but it is recognised that the proposal would provide an on demand type of facility for when electricity is needed so would not run 24 hours a day like a traditional power station.										
1.9.10	Thurrock Council	Please provide details of the current status of the emerging Thurrock Local Plan and the anticipated timescale for adoption.	<p>The table below provides details of the he proposed timescale for the adoption emerging Thurrock Local Plan and anticipated timescale for adoption.</p> <p>Table 1 – Thurrock Local Plan Preparation Timetable</p> <table border="1"> <thead> <tr> <th>Plan Preparation Stage</th> <th>LDS Target Date</th> </tr> </thead> <tbody> <tr> <td>Issues and Options Stage 1: Strategic Policies</td> <td>February/March 2016</td> </tr> <tr> <td>Issues and Options Stage 2: Spatial Options and Sites</td> <td>December 2018</td> </tr> <tr> <td>Draft Local Plan</td> <td>Q2 2022</td> </tr> <tr> <td>Publication Draft of the Local Plan</td> <td>Q4 2022</td> </tr> </tbody> </table>	Plan Preparation Stage	LDS Target Date	Issues and Options Stage 1: Strategic Policies	February/March 2016	Issues and Options Stage 2: Spatial Options and Sites	December 2018	Draft Local Plan	Q2 2022	Publication Draft of the Local Plan	Q4 2022
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			Submission of the Local Plan	Q2 2023
11	Habitats and Onshore Ecology			
1.11.2	Thurrock Council	Thurrock Council's RR [RR-007] indicates that Walton Common includes habitat of principle importance that was to be included in a Local Wildlife Site. Please provide further details including the extent of habitat affected, its size in relation to the remaining area to be designated, the stage of designation and the effect of the Proposed Development on any potential designation.	Thurrock Council's Landscape and Ecology Advisor comments as follows: A Local Wildlife Site Review was undertaken in 2016 but was not adopted by Thurrock Council. As part of that review, it amended the boundaries of two existing Local Wildlife Sites centred on the former Tilbury Power Station and the adjacent Goshems Farm. This included Walton Common for the first time within a Local Wildlife Site. The citation is attached.	
12	Landscape and Visual			
1.12.1	Applicant, Thurrock Council, Gravesham Borough Council, Essex County Council	Have the representative viewpoints identified in ES Chapter 6 (Landscape and Visual Resources) [APP-049 to APP-055] been agreed with the relevant local authorities?	Thurrock Council's Landscape and Ecology Advisor comments as follows: The viewpoints within Thurrock were agreed with Thurrock Council prior to the LVIA being undertaken.	
15	Noise and Vibration			
1.15.1	Thurrock Council	Please state whether the Host Authority agrees with the assessment methodology and conclusions set out in ES Chapter 11 (Noise and Vibration [APP-060]).	The Noise Assessment methodology and the conclusions in ES Chapter 11 Paragraph 5 are accepted by Thurrock Council	

1.15.4	Thurrock Council	Does the Host Authority agree that the locations set out in Tables 3.1 and 3.2 are representative of the nearest NSRs?	Thurrock Council agrees the NSRs set out in Tables 3.1 & 3.2 are considered representative of those nearest the development.
18	Waste and Minerals		
1.18.2	Thurrock Council	The ExA notes that operational waste is considered in ES Chapter 2, Para 2.11.4 and construction waste considered in ES Chapter 2, para 3.2.20-3.2.26. Please comment	<p>Thurrock Council have reviewed the information and raises no objections to the applicant's approach for operational waste and construction waste.</p> <p>MMO licensing for the dredging waste and EA permitting for any land waste disposal would be necessary.</p>