

Thurrock Council

Local Impact Report Addendum for
Proposed Material Amendments to the Application

May 2021

Thurrock Power Ltd - Proposed Flexible Electricity Generation Plant

Planning Inspectorate Reference: EN010092

1.0 INTRODUCTION AND DESCRIPTION OF MATERIAL AMENDMENT

- 1.1 This Local Impact Report Addendum (LIRA) should be read in conjunction with the Local Impact Report (LIR) submitted to the Planning Inspectorate at Deadline 2 of the process to this DCO application.
- 1.2 The proposed amendments are to allow the applicant to provide an alternative access route for the abnormal indivisible loads (AIL), which would comprise up to 60 AIL vehicles that would deliver heavy items including gas engine blocks and various plant and machinery to the site. The proposed amendments would allow the Port of Tilbury to be used for delivery of heavy items via the River Thames to then be transported to the application site via AIL vehicles. The route would involve leaving the port and travelling along Fort Road and then into the site via the proposed amendments as explained below.
- 1.3 The proposed amendments to Schedule 1 (Authorised Development) of the Order are as follows:
- 1.4 Additional work to Works 12, which would comprise of engineering works and the construction of a new section of road (140m long) close to the south western corner of the Tilbury Substation, all within the site. These works would also involve alterations to ditches and electrical service boxes within the site.
- 1.5 Works 15 is new and would comprise of an access road and junction from Fort Road to Work no. 12 comprising engineering works and construction of a new road (250m long) with gates, fencing, and would include alterations to drainage, new landscape planting and alteration to utility services. This private road would be immediately to the east of Fort Road. This would replace land upon which the Port of Tilbury carried out landscaping works in accordance with the landscape and ecological management plan under the Tilbury 2 DCO. These works would therefore dis-apply those works from the Tilbury 2 DCO. The proposed amendment works would also be built on Common Land which the applicant proposes would be replaced by Exchange Common Land between Fort Road and Parsonage Common.
- 1.6 The application plans split the Order Limits into different Zones A to J and the proposed material amendments to scheduled 'Works 12' and 'Works 15' both fall in Zone H.
- 1.7 Zone H comprises an existing private road through the former Tilbury B Power Station site and a re-aligned private road, as consented for the Tilbury 2 development, which is proposed to provide the primary access route for construction traffic from the new section of A1089 public highway constructed as part of the Tilbury 2 DCO.
- 1.8 The application currently includes a proposed causeway which is to remain in the application in case the proposed amendments to the application through the alternative access via the Port of Tilbury is not used for AIL vehicles and delivery.

2.0 RELEVANT PLANNING POLICY TO THE AMENDMENT

National Policy

National Policy Statement for Energy ‘EN1’

2.1 The National Policy Statement for Energy, ‘EN1’. ‘Generic Impacts’ (part 5) section lists a number of considerations that are relevant and these are:

- Air quality and emissions
- Biodiversity and geological conservation
- Dust, odour, artificial light, smoke, steam and insect infestation
- Flood risk
- Historic environment
- Landscape and visual
- Land use including open space, green infrastructure and Green Belt
- Noise and vibration
- Socio-economic
- Traffic and transport
- Water quality and resources

National Policy Statement for Energy, ‘EN2’

2.2 The National Policy Statement for Energy, ‘EN2’, provides guidance for ‘Fossil Fuel Electricity Generating Infrastructure’ and as the proposal is reliant on gas for electricity production EN2 is relevant. The relevant policies and paragraphs from EN2 are set out in ‘Part 2’ and this identifies that the impacts of fossil fuel generating stations shall need to consider:

- Air quality and emissions
- Landscape and visual
- Noise and vibration
- Release of dust
- Water quality and resources

National Planning Policy

National Planning Policy Framework (NPPF)

2.3 The revised NPPF was published on 19 February 2019 and sets out the Government’s planning policies. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 9. Promoting sustainable transport

- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

Planning Policy Guidance (PPG)

2.4 In addition to the NPPF the PPG provides suite of further supporting information and guidance to a range of subject areas and of particular relevant to this application are:

- Air quality
- Climate change
- Conserving and enhancing the historic environment
- Effective Use of Land
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Historic environment
- Land affected by contamination
- Natural Environment
- Noise
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking

Local Planning Policy

The Development Plan

2.5 The statutory development plan for Thurrock is the Core Strategy and Policies for the Management of Development (referred to herein as the 'Core Strategy'),

2.6 The following policies apply to the proposals:

THEMATIC POLICIES

- CSTP14 (Transport in the Thurrock Urban Area)
- CSTP15 (Transport in Greater Thurrock)
- CSTP16 (National and Regional Transport Networks)
- CSTP17 (Strategic Freight Movement and Access to Ports)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP21 (Productive Land)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP28 (River Thames)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD4 (Historic Environment)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD15 (Flood Risk Assessment)
- PMD16 (Developer Contributions)

3.0 CONSIDERATION OF LOCAL IMPACTS

3.1 The amendments have been submitted through a number of revised documents and this includes an ES Addendum pursuant to the Environmental Impact Assessment (EIA) to accompany the already submitted ES documents to the application.

3.2 The following section sets out the Council's view of the local impacts of the proposed material amendments to the development in regard to the following material considerations:

- I. Principle of the Amendment;
- II. Traffic and Transport Impact;
- III. Ecology and Nature Conservation;
- IV. Landscape and Visual Impact;
- V. Heritage Assets;
- VI. Flood Risk and Hydrology;
- VII. Geology, Hydrogeology and Ground Conditions;
- VIII. Air Quality;
- IX. Noise and Vibration;
- X. Land Use and Agriculture, and Socio-Economics;
- XI. Human Health;
- XII. Climate Change; and
- XIII. Conclusion

3.3 Consideration of mitigation measures which could address the negative impacts identified in the relevant sections are also addressed.

I. Principle of the Amendment

- 3.4 The principle of the proposed amendment which would allow for AIL vehicles to use the existing Port of Tilbury would be preferable to the installation of a causeway being constructed on the seaward side of the sea wall in regard to not having ecological implications in that sensitive environment. The causeway route does have the benefit of removing the need for the AIL vehicles to use the public highway but the number of AIL vehicles is not significant and would only involve a small section of public highway (Fort Road) over a short period of time in the construction process. It is understood that the causeway remains part of the proposal along with this amendment to allow the applicant to have a choice of routes.
- 3.5 It is considered that the proposed amendments raise no objection in principle.
- 3.6 In March 2021 the Government announced the future Thames Freeport which would include the Port of Tilbury and potentially land close to this site. Policy CSTP28 (River Thames) seeks to promote the economic and commercial function of the river including safeguarding of land for riverside development and port related uses. However, there are no detailed plans at this stage to understand the full implications of the future Freeport, this includes the extent of Freeport land and proposed development associated with the Freeport. Therefore, at this current time, it is not known how the proposed development subject of this DCO would impact upon the future Freeport so it's premature to reach any conclusions that the proposed development would affect the future Freeport or that the future Freeport would be affected by this proposed development.

II. Traffic and Transport Impact

- 3.7 National Policy Statements for Energy EN1, EN2 and EN4 recognises that traffic and transport can have a variety of impacts on surrounding transport infrastructure and connecting transport networks, such as increasing congestion. Additional traffic and transport can lead to environment impacts in terms of noise, disturbance and emissions. Paragraph 108 of the NPPF requires development proposals to explore opportunities to promote sustainable transport, safe and suitable access, and any significant impacts from the development on the transport network to be mitigated. The PPG advise on the requirement for transport evidence to be considered in decision making and advises on travel plans and transport assessments.
- 3.8 Policy CSTP15 (Transport in Greater Thurrock) is relevant to the amendment as the site falls outside of the urban area of Tilbury. Policy PMD9 (Road Network Hierarchy) is relevant to new or increased use of existing accesses and a hierarchical approach to road types in the Borough. Policy CSTP17 (Strategic Freight Movement and Access to Ports) supports the logistics and port sectors and the positive impacts of freight activity in Thurrock.

Assessment of the Potential Impacts

- 3.9 The applicant's ES Addendum identifies that the low number of vehicles movements (60) would be de minimis with regard to traffic and would not result in any significant effects on transport. The Construction Traffic Management Plan and mitigation documents have been updated to reflect the proposed amendment. Following consultation with the Council's Highway Officer no objections are raised to the proposed amendments in regard to the policies stated above.

III. Ecology and Nature Conservation

- 3.10 Similar to the NPPF/PPG section 5.3 of the NPS EN1 sets out the national planning policy for biodiversity. Policy CSTP19 (Biodiversity) will encourage measures to contribute positively to the overall biodiversity in the Borough considering safeguarding and enhancing existing ecological designations. In terms of development management, policy PMD7 (Biodiversity, Geological Conservation and Development) requires development proposal to demonstrate that any significant biodiversity habitat or geological interest of recognised local value is retained and enhanced on-site through mitigation.

Assessment of the Potential Impacts

- 3.11 For onshore ecology, the applicant's ES identifies that the proposed amendment would result in the permanent loss of habitat covering an area of 0.12 ha within the Tilbury Marshes Local Wildlife Site in the western area (Fort Road access). This is predicted to be a 'minor adverse effect', which is 'not significant' in EIA terms. To mitigate this the applicant is proposed replacement habitat planting is proposed and this would mean the residual impact would be 'negligible'.
- 3.12 The applicant's ES also identified the permanent loss of a small area of habitat that has the potential to support reptiles. This is predicted to be a 'minor adverse effect', which is 'not significant' in EIA terms. To mitigate this the applicant has stated that the main site area includes an ecological mitigation strategy to create additional areas of grassland and scrub suitable for reptiles, which would result in an overall net gain in habitat. The impact would be 'minor beneficial'.
- 3.13 The applicant's ES identifies the permanent loss of breeding bird habitat. This is predicted to be a 'minor adverse effect', which is 'not significant' in EIA terms. To mitigate this the applicant would clear habitat outside of the bird breeding season and the vegetation where nesting may occur would be checked before any clearance works. Following mitigation the predicted impact would not result in any change to the significance of effect in EIA terms.
- 3.14 For the eastern area (within the site), the applicant's ES identifies a permanent loss of 140m worth of ditches. This is predicted to be a 'minor adverse effect', which is 'not significant' in EIA terms. To mitigate this the applicant is proposing 976m of new ditches, which would result in a net increase of 390m of ditches and this is predicated to be a 'minor beneficial' effect, which is 'not significant' in EIA terms.

- 3.15 The Council's Landscape and Ecology Advisor has reviewed the assessment and agrees that, with mitigation, there would be no significant adverse effects arising from the proposed amendments. If the causeway were not required, it would have benefits in reducing the impacts within the estuary. It is noted however that the changes could have some effects on biodiversity net gain calculation, as there will be a reduction in the amount of new ditch being created.
- 3.16 Having reviewed the applicant's submitted information in consultation with the Council's Landscape and Ecology Advisor there no objections raised to the proposed amendments having regard the relevant policies stated above.

IV. Landscape and Visual Impact

- 3.17 NPS EN1 recognises that the landscape and visual effects of energy project will vary on a case by case basis according to the type of development, location and landscape setting. Policy CSTP22 (Thurrock Design) is a design policy but requires development proposals to understand respond positively to their local context, whether urban or rural. Policy PMD2 (Design and Layout) is another design policy requiring development proposal to consider criteria and relevant to this application are *i) Character* and *viii) Landscape*.

Assessment of the Potential Impacts

- 3.18 The applicant's ES advises that there would be negligible change in landscape character and visual impact.
- 3.19 Having reviewed the applicant's submitted information in consultation with the Council's Landscape and Ecology Advisor there no objections raised to the proposed amendments having regard the relevant policies stated above.

V. Heritage Assets

- 3.20 NPS EN1 recognises that energy infrastructure has the potential to result in adverse impacts on the historic environment. Guidance in the NPPF and PPG would apply. Policy CSTP24 (Heritage Assets and the Historic Environment) states that the Council will preserve or enhance the historic environment through a number of considerations, and for proposed development application will be required to consider and appraise development options in terms of what is most appropriate for the heritage asset and its setting. PMD4 (Historic Environment) ensures that the fabric and setting of heritage assets are appropriately protected and enhanced in accordance with their significance. This policy is therefore relevant to the assessment of impact upon the historic environment.

Assessment of the Potential Impacts

- 3.21 The applicant's ES identifies that the proposed amendment would not change the assessment of effect on the historic environment. There would be some effects upon the setting of Tilbury Fort Scheduled Monument from noise and vehicle movements but these would be temporary and reversible. There isn't expected to be any impact upon archaeological deposits.
- 3.22 Having reviewed the applicant's submitted information in consultation with the Council's Heritage Advisors there no objections raised to the proposed amendments having regard the relevant policies stated above.

VI. Flood Risk and Hydrology

- 3.23 NPS EN1 sets out that all sources of flooding are taken into account to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. This approach follows the NPPF as set out in paragraphs 155 to 165, and the guidance contained in the 'Flood Risk and Coastal Change' PPG. Policy CSTP27 requires flood risk management to be implemented and supported through effective land use planning. Policy PMD15 requires applications to be subject to Sequential Test and be accompany by a site specific Flood Risk Assessment, as also required through the NPPF/PPG, to demonstrate that the development would be 'safe' and that surface water run off would not pose a risk to flooding.

Assessment of the Potential Impacts

- 3.24 For the western area (Fort Road access), the applicant's ES identifies the need for potential modification to the existing drainage culvert under Fort Road and to the Tilbury balancing pond to affect drainage function and capacity. The function of the drainage systems would be maintained and the applicant's ES therefore concludes that there would be no impact or effect on flood risk or hydrology. Mitigation for the Construction Phase through the measures identified in the Requirements would be implemented and as such no significant effects are predicted. During the Operation Phase the effects are considered to be unlikely as the highway surface drainage system would be in place.
- 3.25 For the eastern area (within the site), a drainage channel would be crossed by the access road but this would not lead to any adverse effects on hydrology or flood risk.
- 3.26 The applicant's ES identifies that the construction activities would be subject to the mitigation and control measures already required to be implemented for the project's construction works including accesses, as set out in the existing register of mitigation commitments and through the details within the Outline Code of Construction Practice. As such the applicant's ES considers that no significant effects are predicted
- 3.27 Having reviewed the applicant's submitted information in consultation with the Council's Flood Risk Manager there no objections raised to the proposed amendments having regard the relevant policies stated above.

VII. Geology, Hydrogeology and Ground Conditions

- 3.28 The NPS EN1 refers to geological conservation importance, ground conditions and hydrogeology requiring applicants to assess the risk to the environment from a development. The NPPF refers to ground conditions and pollution in paragraph 178 requiring decision makers to take account of *'ground conditions and any risks arising from land instability and contamination'*. Policy PMD1 (Minimising Pollution and Impacts on Amenity) considers the impact upon amenity in the terms of the location, health of others, occupiers and the natural environment from contaminated land/soil, water pollution and ground instability.

Assessment of the Potential Impacts

- 3.29 The applicant's ES explains the potential impacts are similar to those for the main development. The potential impacts during construction may include mobilising unexpected contamination or the creation of pathways to ground waters. In addition there may be impacts upon underlying aquifers and watercourses. The predicted effects are 'not significant' in EA terms given the mitigation and control measures required to be implemented prior to the Construction and Operational Phase. Measures are stated in the Outline Code of Construction Practice, subject to a Requirement, and through the register of mitigation commitments.
- 3.30 Having reviewed the applicant's submitted information with the Council's Environmental Health Officer there no objections raised to the proposed amendments having regard the relevant policies stated above.

VIII. Air Quality

- 3.31 NPS EN1 recognises that infrastructure development can have adverse effects on air quality through the construction, operational and decommissioning phases that can affect health, protected species and habitats, and/or the wider countryside. Paragraph 181 of the NPPF recognises that opportunities to mitigate impacts should be identified, such as traffic and travel management. Policy PMD1 (Minimising Pollution and Impacts on Amenity) considers the impact upon amenity in the terms of the location, health of others, occupiers and the natural environment from air pollution.

Assessment of the Potential Impacts

- 3.32 The applicant's ES determines that the proposed changes are de minimis with respect to air quality given the nature and extent of access the access changes the quantum and frequency of AIL movements. The construction works would be subject to the same good-practice dust management measures detailed in the existing ES for other construction works on the project including access roads.

- 3.33 Having reviewed the applicant's submitted information with the Council's Environmental Health Officer there no objections raised to the proposed amendments having regard the relevant policies stated above.

IX. Noise and Vibration

- 3.34 NPS EN1 recognises that excessive noise can have wide ranging impacts on the quality of human life, health and enjoyment of areas as well as adverse impacts upon wildlife and biodiversity. Paragraph 180 of the NPPF requires the consideration of the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, and in particular the need to mitigate and reduce noise from development and to protect tranquil areas. The PPG provides general guidance on noise policy and assessment methods following the Noise Policy Statement for England and British Standards. The World Health Organisation (WHO) guidance is also necessary for consideration. Policy PMD1 (Minimising Pollution and Impacts on Amenity) considers the impact upon amenity in the terms of the location, health of others, occupiers and the natural environment from noise pollution.

Assessment of the Potential Impacts

- 3.35 The applicant's ES recognises for the Operational Phase there would be no operational noise associated with the proposed amendments to the road access.
- 3.36 For the Construction Phase piling may be required due to the underlying geology so the footings of the new access onto Fort Road can accommodate the weight associated with the AIL vehicles. Piling would create construction noise with the highest noise levels of 55dB predicted to occur at Walnut Tree Farm and residential properties in Sandhurst Road but the ES states the noise level would result in a 'negligible' or 'minor adverse' effects.
- 3.37 The predicted 60 AIL vehicle movements are consider by the ES to be a low number of vehicle movements and these vehicles would not contribute to construction noise levels.
- 3.38 Having reviewed the applicant's submitted information with the Council's Environmental Health Officer there no objections raised to the proposed amendments having regard the relevant policies stated above.

X. Land Use, Agriculture, and Socio-Economics

- 3.39 NPS EN1 through section 5.10 recognises that energy infrastructure projects can have direct effects on existing land uses, and for this location the predominant land use is agricultural land use and an area of common land. The PPG includes guidance on the need to protect and enhance valued soils and to take into account the economic and other benefits of the best and most versatile agricultural land. Policy CSTP20 (Open Space) identifies that the Council will seek to ensure a diverse range

of accessible public open spaces is provided, and policy PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities) requires new development to provide open spaces, which would relate to the provision of Common Land through the application. Policy CSTP21 (Productive Land) recognises the importance of food security and will ensure the protection, conservation and enhancement of agriculture, productive land and soil in the Borough, which is relevant to this application.

Assessment of the Potential Impacts

- 3.40 In terms of land use the applicant's ES identifies the additional areas of Common Land affected by the proposed alternative access for AIL's would be approximately 0.05ha, making the total area of common to be de-registered as part of the project to be 10.15ha. The area of replacement land, which would be within the the agricultural field to the north of the railway line would be 11.6ha and would therefore be in excess of the Common Land lost. Overall the proposal would result in a net gain in Common Land. The proposed alternative access would therefore not change the assessment of effects on agricultural land classification, farm holdings or Common Land set out in Chapter 8 of the ES.
- 3.41 There would be no additional effects on public rights of way, cycle routes, visitor attractions or socio-economic receptors.
- 3.42 Having reviewed the applicant's submitted information in consultation with consultees there no objections raised to the proposed amendments having regard the relevant policies stated above.

XI. Human Health

- 3.43 The NPS EN1 does not have a specific section on human health but it is covered in other sections in regard to pollution impact. The NPPF includes a chapter on promoting health and safe communities. Policy PMD1 (Minimising Pollution and Impacts on Amenity) considers the impact upon amenity in the terms of the location, health of others, occupiers and the natural environment from various forms of pollution including air, noise, contamination, odour, light, water, visual intrusion, loss of light and vibration.

Assessment of the Potential Impacts

- 3.44 The applicant's ES considers that the proposed amendments are de minimis with respect to human health given the nature and extent of the access changes and the quantum and frequency of AIL movements. Having reviewed the applicant's submitted information in consultation with consultees there no objections raised to the proposed amendments having regard the relevant policies stated above.

XII. Climate Change

3.45 The NPS EN1 requires applicants within their ES's to undertake assessments of carbon dioxide emissions and consider climate change adaption. Chapter 14 of the NPPF requires the planning system to meet the challenge of climate change through the transition a low carbon future. There is also a section on climate change in the PPG. Policy CSTP25 (Addressing Climate Change) requires climate change adaption measures and technology to be considered in any development proposal. These include the reduction of emissions, renewable and low carbon technologies.

Assessment of the Potential Impacts

3.46 For climate change, the applicant's ES considers that the proposed amendments are de minimis with respect to human health given the nature and extent of the access changes and the quantum and frequency of AIL movements. Having reviewed the applicant's submitted information in consultation with consultees there no objections raised to the proposed amendments having regard the relevant policies stated above.

XIII. Conclusions

3.47 The table below provides a conclusion as a summary of the local impacts based on the analysis of the material amendments to the application as follows:

Material Consideration	Local Impact	Summary of the Impact and any Mitigation
Principle of the Amendment	Positive	Positive as the proposal may not need the causeway installed which would prevent changes required to an environmentally and ecologically sensitive location.
Traffic and Transport Impact	Neutral	The material amendment would lead to some vehicle movements onto a small section of public highway during the Construction Phase.
Ecology and Nature Conservation;	Positive	Any loss of habitat from the material amendment can be mitigated through the net gain in habitats through the proposed development, in other locations within the site.
Landscape and Visual Impact;	Neutral	The material amendment would have a negligible change on landscape character and visual impact.
Heritage Assets;	Neutral	The proposed amendment would not change the assessment of effect on the historic environment
Flood Risk and Hydrology;	Neutral	Any impacts from the material amendment to drainage and flood risk can be mitigated through the application.

Geology, Hydrogeology and Ground Conditions;	Neutral	Any impacts from the material amendment to geology, watercourses and contaminated land can be mitigated through the application.
Air Quality;	Neutral	The proposed material amendments are de minimis with respect to air quality.
Noise and Vibration;	Neutral	The proposed material amendments would have minor impacts from a noise perspective.
Land Use and Agriculture, and Socio-Economics;	Positive	The proposed material amendment is minor and overall the proposal would lead to a net gain in Common Land.
Human Health;	Neutral	The proposed material amendments are de minimis with respect to human health.
Climate Change;	Neutral	The proposed material amendments are de minimis with respect to climate change.

3.48 Overall, the proposed material amendments are considered as a minor change to the application for a DCO. The additional access provides an opportunity for the Port of Tilbury to be used for the delivery AIL and would allow AIL vehicles to access the site from the west instead of using the proposed causeway option, although it is recognised that the causeway is still proposed with this application should the Port of Tilbury not be used for this purpose. It is recognised that any mitigation required can be secured for the change through updated mitigation documents in regard to the Requirements, Articles and Provisions as set out in the draft DCO. Therefore, for the reasons stated in this LIRA there are no objections raised to the proposed material amendments with regard to the local impacts; the economic, social and environmental impacts; and with regard to local and national planning and energy development policies.