



The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: RiversideEP@planninginspectorate.gov.uk

To Interested Parties

Your Ref:

Our Ref: EN010093

Date: 1 August 2019

Dear Sir/ Madam

The Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 17

Application by Cory Riverside Energy for an Order Granting Development Consent for the Riverside Energy Park

Changes to the Application

Background

On 20 May I received details of changes to the application for the Riverside Energy Park (REP). These were set out in two documents:

Environmental Statement Supplementary Report (REP2-044); and
Electrical Connection Progress Report (REP2-058)

The Environmental Statement Supplementary Report sets out two changes to the application:

a) The removal of plots 02/53 and 02/55 from the Main Temporary Possession Construction Compound and the use of plots 02/43, 02/44, 02/48 and 02/49, (the Data Centre site) as part of the Main Temporary Possession Construction Compound.

These would be used for Work No. 8 - Works to construct temporary construction compound including—hard standing; vehicle parking; accommodation block(s); new or alteration to accesses; and construction fabrication areas”.

The Data Centre site had already been included in the original application and assessed in the Environmental Statement for the purpose of Work No. 7 - Works to construct and install from Work No. 6 pipes and cables.

Revised Land and Works Plans were submitted showing these changes. (sheets 2 and 3 of REP2-003 and REP2-004).

b) The use of cable troughs to cross a watercourse at Norman Road and a strategic sewer at Joyce Green Lane. These changes did not require amendments to the Land and Works Plans.

The Electrical Connection Progress Report sets out changes to the route proposed for the electrical connection. These included the removal of alternative routes set out in the original application and the narrowing of the redline boundary for the works at certain points along the preferred route. The revised route is shown in sheets 1 – 16 of the Land and Works Plans. The Applicant concluded that refinements to the route had not altered any of the assessment findings reported in the ES and would bring potential benefits in respect of reduced interactions with different environmental aspects.

The applicant did not consider that any of the changes proposed gave rise to any new or different likely significant effects, new impact interactions or cumulative effects, when compared to those reported in the submitted Environmental Statement (ES, APP-040).

My letter of 1 July 2019 sought comments from Interested Parties (IPs) on these changes, in particular on whether they represented a material change to the application that was the subject of public consultation and the Environmental Impact Assessment.

Consideration and procedural decision

I did not receive any comments on the changes to the route for the electrical connection or the proposed use of cable troughs and I agree with the Applicant's assessment that they do not give rise to new or different likely significant effects compared to those considered in the ES. I am content to accept these changes into the examination as non-material.

I received objections from the Friends of Crossness Nature Reserve (REP4-034) and Thames Water Utilities Limited (TWUL, REP4-039) to the proposed changes in the use of the Data Centre site which argued that there would be prolonged disruption from work at this site over a 3 to 5 year period compared to the 3 years considered in the original application and ES. This would have an adverse effect on wildlife, deter visitors and affect their enjoyment of the Nature Reserve. TWUL was also concerned about the proposed shared access to the Data Centre site.

In my view the changes proposed for the use of the Data Centre site are not such that they result in a different project for which a new application would be required but, in the light of the objections submitted, it is my view that they constitute a material change. Nonetheless, I have decided to accept the application changes into the examination.

In order to assist me in examining these changes during the remaining period of the examination the Applicant is asked:

- 1) to respond to the concerns about the proposed use of the Data Centre site that have been raised by the Friends of Crossness Nature Reserve and by TWUL;
- 2) comment, in the light of the concerns raised by the Friends of Crossness Nature Reserve and TWUL, on whether the proposed use of the Data Centre site during the construction period and the delay in developing the Data Centre would result in direct or cumulative impacts that have not been assessed in the ES and the Environmental Statement Supplementary Report. And, if so, provide supplementary environmental information on these potential impacts;
- 3) set out how access to the Data Centre site would be provided if access is not agreed with TWUL and what implications this would have for the Proposed Development as set out in the Land and Works Plans (REP2-003 and REP2-004) and other related documents;
- 4) set out any further mitigation measures that it might wish to propose.

I would also welcome comments from Interested Parties.

Responses to this request should be submitted on or before 16 August 2019. If supplementary environmental information is provided which has not been the subject of publicity, I may ask the Applicant to publicise the environmental information and to carry out further non-statutory consultation as advised in Advice Note 16.¹

Please note that I have today also issued a separate set of written questions on other aspects of the application for response by the same deadline.

Yours faithfully

Jonathan Green

Jonathan Green
Examining Inspector

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Advice Note 16 paragraph (1) (figure 5) section 4