

Date: 11 April 2018
Ref: EN010097

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Dear Ms Williams,

VPI IMMINGHAM OCGT PROJECT – APPLICATION FOR A NEW GAS-FIRED POWER STATION AND ASSOCIATED DEVELOPMENT – LAND TO THE WEST OF ROSPER ROAD, SOUTH KILLINGHOLME, LINCOLNSHIRE, DN40 3DZ

THE PLANNING ACT 2008 - SECTION 37 ‘APPLICATIONS FOR ORDERS GRANTING DEVELOPMENT CONSENT’

We enclose an application (the ‘Application’) submitted on behalf of VPI Immingham B Limited (‘VPIB’ or the ‘Applicant’) for a Development Consent Order (a ‘DCO’) under section 37 of the Planning Act 2008 (the ‘PA 2008’) in respect VPI Immingham OCGT Project.

VPIB is seeking a DCO for the construction, operation and maintenance of a new gas-fired electricity generating station, comprising an ‘open cycle gas turbine’ (‘OCGT’), with a gross output capacity of up to 299 megawatts (‘MW’), including electrical and gas supply connections, and other associated development (the ‘Proposed Development’). The Proposed Development is located primarily on land (the ‘Site’) to the north of the existing VPI Immingham Power Station, Rosper Road, South Killingholme, North Lincolnshire, DN40 3DZ.

The Proposed Development would make a significant contribution to the future security of UK electricity supplies in accordance with the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2).

A DCO is required for the Proposed Development as it falls within the definition and thresholds for a ‘Nationally Significant Infrastructure Project’ (a ‘NSIP’) under section 14(1)(a) and sections 15(1) and 15(2) of the PA 2008. The DCO, if made by the Secretary of State (‘SoS’) for Business, Energy and Industrial Strategy, would be known as ‘The Immingham Open Cycle Gas Turbine Order’ (the ‘Order’).

VPI Immingham LLP and VPIB

VPI Immingham LLP (‘VPI LLP’) owns and operates the existing VPI Immingham Power Station, one of the largest combined heat and power (‘CHP’) plants in Europe, capable of generating 1,240 MW (about 2.5% of UK peak electricity demand) and up to 930 tonnes of steam per hour (hereafter referred to as the ‘Existing VPI CHP Plant’). The steam is used by nearby oil refineries

to turn crude oil into products, such as gasoline. The land comprising the Existing VPI CHP Plant is hereafter referred to as the 'Existing VPI CHP Plant Site'.

VPI LLP is a wholly owned subsidiary of the Vitol Group ('Vitol'), founded in 1966 in Rotterdam, the Netherlands. Since then Vitol has grown significantly to become a major participant in world commodity markets and is now the world's largest independent energy trader. Its trading portfolio includes crude oil, oil products, liquid petroleum gas, liquid natural gas, natural gas, coal, electricity, agricultural products, metals and carbon emissions. Vitol trades with all the major national oil companies, the integrated oil majors and independent refiners and traders. For further information on VPI LLP and Vitol please visit:

<https://www.vpi-i.com/>

VPIB has been formed as a separate entity for the purposes of developing and operating the Proposed Development.

The Site

The Site is primarily located on land immediately to the north of the Existing VPI CHP Plant Site, as previously stated.

Immingham Dock is located approximately 1.5 kilometres ('km') to the south east of the Site at its closest point. The Humber ports facility is located approximately 500 metres ('m') north and the Humber Refinery is located approximately 500m to the south.

The villages of South Killingholme and North Killingholme are located approximately 1.4 km and 1.6 km to the west of the Site respectively, and the town of Immingham is located approximately 1.8 km to the south east. The nearest residential property comprises a single house off Marsh Lane, located approximately 325 m to the east of the Site.

The Site comprises the following main parts:

- OCGT Power Station Site;
- Access Site;
- Temporary Construction and Laydown Site;
- Gas Connection Site;
- Electrical Connection Site; and
- Utilities and Services Connections Site.

The Site (the 'Order limits') is located entirely within the administrative area of North Lincolnshire Council ('NLC'), a unitary authority. The main parts of the Site are shown on the Works Plans (Application Document Ref: 4.3).

The Site has been selected by the Applicant for the Proposed Development, as opposed to other potentially available sites, for the following reasons:

- It comprises primarily of previously developed or disturbed land, including land within the operational envelope of the Existing VPI CHP Plant Site;
- It is situated in an industrial setting with few immediate receptors and is not particularly sensitive from an environmental perspective;
- It is primarily located adjacent to the Existing VPI CHP Plant, which provides visual screening and synergies in terms of the existing workforce and services;
- It benefits from excellent grid connections (gas and electricity) on the Existing VPI CHP Plant Site; and
- It benefits from existing highway accesses onto Rosper Road, with the latter providing a direct connection (via a short section of Humber Road) to the Strategic Highway Network (A160) a short distance to the south of the Site.

A more detailed description of the Site is provided in Environmental Statement ('ES') Volume I Chapter 3 'Site Description' (Application Document Ref: 6.2.3).

The Existing Gas Pipeline

In addition to the Site, the Application includes provision for the use of an existing gas pipeline (the 'Existing Gas Pipeline') to provide fuel (natural gas) to the Proposed Development. The Existing Gas Pipeline was originally constructed in 2003 to provide fuel to the Existing VPI CHP Plant. The route of the pipeline runs from a connection point at an above ground installation (the 'Existing AGI Site') within the Existing VPI CHP Plant Site to a tie in point at the existing National Grid ('NG') Feeder No.9 pipeline located to the west of South Killingholme.

A small part of the Existing Gas Pipeline Site lies within the administrative area of North East Lincolnshire Council ('NELC'), the neighbouring local authority and which is also a unitary authority.

The Applicant is not seeking consent to carry out any works to the Existing Gas Pipeline and, as a result, it does not form part of the Site or Proposed Development. It is included in the Application as the Applicant is seeking rights to use and maintain the pipeline and it is therefore included within the DCO 'Order land' (the area over which powers of compulsory acquisition or temporary possession are sought). The area of land covered by the Existing Gas Pipeline, including a 13 m stand-off either side of it to provide for access and any future maintenance requirements, is hereafter referred to as the 'Existing Gas Pipeline Site'.

The Site and the Existing Gas Pipeline Site are collectively referred to as the 'Project Land'. The area covered by the Project Land is shown on the Location Plan (Application Document Ref: 4.1).

The Existing Gas Pipeline has not been assessed as part of the Environmental Impact Assessment ('EIA') carried out in respect of the Application. This is on the basis that it is a pre-existing pipeline and the Applicant is not seeking consent to carry out any works to it. Further explanation in respect of this matter is provided in ES Volume 1, Chapter 1 'Introduction' and Chapter 3 'Description of the Site' (Application Document Ref: 6.2.3).

The Proposed Development

The main components of the Proposed Development are summarised below, as set out in the draft DCO (Application Document Ref: 2.1):

- Work No. 1 – an OCGT power station (the ‘OCGT Power Station’) with a gross capacity of up to 299 MW;
- Work No. 2 – access works (the ‘Access’), comprising access to the OCGT Power Station Site and access to Work Nos. 3, 4, 5 and 6;
- Work No. 3 – temporary construction and laydown area (‘Temporary Construction and Laydown’) comprising hard standing, laydown and open storage areas, contractor compounds and staff welfare facilities, vehicle parking, roadways and haul routes, security fencing and gates, gatehouses, external lighting and lighting columns;
- Work No. 4 – gas supply connection works (the ‘Gas Connection’) comprising an underground and/or overground gas pipeline of up to 600 millimetres (nominal internal diameter) and approximately 800 m in length for the transport of natural gas from the Existing Gas Pipeline to Work No. 1;
- Work No. 5 – an electrical connection (the ‘Electrical Connection’) of up to 400 kilovolts and associated controls systems; and
- Work No 6 – utilities and services connections (the ‘Utilities and Services Connections’).

It is anticipated that subject to the DCO having been made by the SoS and a final investment decision by VPIB, construction work on the Proposed Development would commence in early 2021. The overall construction programme is expected to last approximately 21 months and is anticipated to be completed in late 2022, with the Proposed Development entering commercial operation later that year or early in 2023.

A more detailed description of the Proposed Development is provided at Schedule 1 ‘Authorised Development’ of the draft DCO (Application Document Ref: 2.1) and ES Volume I, Chapter 4 ‘The Proposed Development’ (Application Document Ref: 6.2.4).

The areas within which each of the main components of the Proposed Development are to be built are shown by the coloured and hatched areas on the Works Plans (Application Document Ref: 4.3).

Environmental Impact Assessment

The Proposed Development represents an Environmental Impact Assessment (‘EIA’) development and the Application therefore includes an ES that reports the findings of the EIA.

The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017’ (the ‘2017 EIA Regulations’) came into force on 16 May 2017, replacing the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the ‘2009 EIA Regulations’). The 2017 EIA Regulations amend the Infrastructure Planning (Applications: Prescribed Forms and

Procedures) Regulations 2009 (the 'APFP Regulations') so that (pursuant to Regulation 5(2)(a)) an ES provided with a DCO application must comply with the 2017 EIA Regulations.

The ES has therefore been produced in accordance with the 2017 EIA Regulations.

The Application Submission

The Application Guide (Application Document Ref: 1.2) lists the documents that make up the Application (the 'Application Submission') and how these comply with relevant legislative and policy requirements. The Application Guide is a 'live' document that will be updated throughout the examination of the Application, as required.

Schedule 1 to the draft DCO (Application Document Ref: 2.1) provides the formal description of the Proposed Development and its components, and identifies the individual Work Numbers for those components. A detailed description of the Project is provided at Chapter 4 'The Proposed Development' of the ES Volume I (Application Document Ref. 6.2.4).

The Land Plans (Application Document Ref: 4.2) show the extent of the land (the 'Order land') over which powers of compulsory acquisition are required for the Proposed Development, while the Works Plans (Application Document Ref: 4.3) show the Order limits and identify the location of the main components of the Proposed Development within the Site by reference to the Works Numbers set out in Schedule 1 to the draft DCO.

The draft DCO seeks powers of compulsory acquisition to enable the Proposed Development to be constructed, operated and maintained. The provisions relating to compulsory acquisition are set out at Articles 18 to 31 of the draft DCO. These and other provisions of the draft DCO are explained in the Explanatory Memorandum (Application Document Ref. 2.2).

Information on the interests and rights that exist in relation to the Order land is provided by the Book of Reference (Application Document Ref: 3.1). The justification for the proposed compulsory acquisition of interests and rights in land is set out in the Statement of Reasons (Application Document Ref: 3.2), with VPIB's ability to fund this confirmed by the Funding Statement (Application Document Ref: 3.3).

The Applicant has engaged in the necessary consultation for the Proposed Development. Information regarding statutory consultation in accordance with sections 42, 47 and 48 of the PA 2008, including how responses received to that consultation have been taken into account, is documented within the Consultation Report (Application Document Ref: 5.1).

The compliance of the Proposed Development with the relevant National Policy Statements and other relevant planning policy is set out in the Planning Statement (Application Document Ref: 5.5).

Schedule 2 to the draft DCO contains a number of 'requirements' that would control the detailed design of the Proposed Development in addition to its construction and operation to ensure that it remains within the scope of the EIA carried out and does not result in unacceptable impacts. These would require the submission to and approval by the local planning authority of further details of the Proposed Development

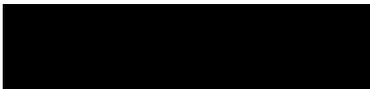
We enclose with this letter six USB drives containing the Application Documents.

The consultation responses received from the local community have been omitted from the Consultation Report (Application Document Ref: 5.1) on the basis that they include personal information. These responses can be provided if required.

A fee of £7,106.00 has already been paid to the Planning Inspectorate by BACS.

We look forward to receiving the Planning Inspectorate's formal acknowledgement of receipt of the Application. In the meantime, should you have any questions with regard to the Application, please do not hesitate to contact Jake Barnes-Gott on 0207 489 4890 or jake.barnes-gott@dwdllp.com.

Yours faithfully



DWD LLP on behalf of VPIB

Enc.

6x USB drive copies of the Application