

PLANNING ACT 2008
INFRASTRUCTURE PLANNING
(APPLICATIONS: PRESCRIBED FORMS AND PROCEDURE) REGULATIONS 2009
REGULATION 5 (2) (q)

PROPOSED PORT TERMINAL AT FORMER TILBURY POWER STATION

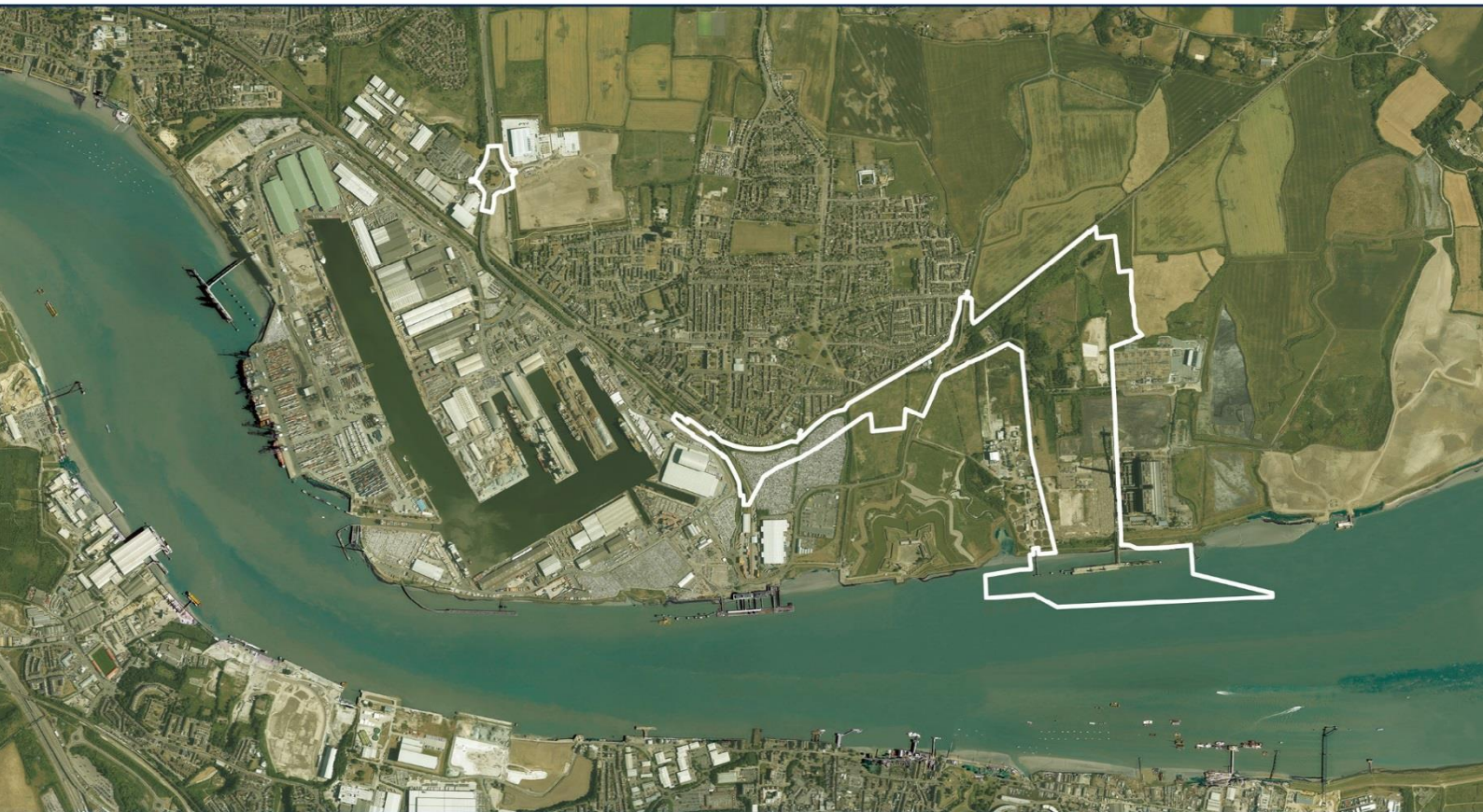
TILBURY2

TR030003

VOLUME 1

COVER LETTER

DOCUMENT REF: 1.1





PORT OF
TILBURY
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PORT OF TILBURY LONDON LTD

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Robert Ranger
Case Manager
The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

31 October 2017

Your ref : TR030003

Dear Sir

**Planning Act 2008
Proposed Port of Tilbury (Expansion) Order "Tilbury2"**

On behalf of Port of Tilbury London Limited ("PoTLL"), I am pleased to enclose an application to the Secretary of State made under section 37 of the Planning Act 2008 (PA 2008) for an order granting development consent for new harbour facilities on land at the former Tilbury Power Station, Fort Road, Tilbury, known as "Tilbury2".

Further to correspondence with Robert Ranger, Case Manager, I enclose two paper copies of the full application submission along with six electronic copies.

A completed Schedule of Compliance with section 55 of the PA 2008 has been included as part of the application (Document Reference 1.3), showing how the application meets the Planning Inspectorate's tests for acceptance.

The application also includes a Guide to the Application (Document Reference 1.4) which describes the application documentation and the document referencing system that has been used.

Further to the comments that the Planning Inspectorate gave to PoTLL in respect of our draft application documents, I wanted to specifically highlight to you which aspects of our application documentation describe the scope of the development to which this application relates, and those aspects which highlight the parameters of the 'Rochdale Envelope' for the Tilbury2 proposals, as this was a particular issue highlighted by the Planning Inspectorate:



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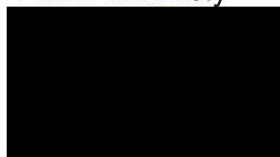
- Chapter 5 of the Environmental Statement (supported by its appended Masterplanning Statement) describes the development that has been assessed, and which is detailed in Schedule 1 to the draft DCO.
- Each topic chapter of the Environmental Statement explains the reasonably likely worst case scenario that it has assessed; i.e. the 'parameters' for the Tilbury2 proposals.
- Chapter 5 of the Environmental Statement goes on to explain that, as this DCO seeks to approve an operational port, its operations will evolve over time and will thus seek to 'flex' within the parameters explained above. As such, no form of parameter plan is included within the application documentation.
- The limits of deviation set out in article 7 of the DCO and Requirement 3 within Schedule 2 to the DCO, informed by the Environmental Statement, then set out the relevant controls to ensure that any use of that flexibility would be within those established parameters.
- In addition, the general provision at the end of Schedule 1, and the ongoing operation and maintenance power in article 41, are restricted to those works and operations that are not likely to give rise to any significant adverse effect that has not been assessed in the Environmental Statement.

I would also note that Figure 10.3 of the Environmental Statement sets out the location of identified badger setts. We would request that this figure be considered as sensitive information and thus not uploaded to the project website.

I note that the Secretary of State is required under section 55 of the PA 2008 to decide whether to accept this application within 28 days, beginning on the day immediately after the day on which this application is received. I look forward to hearing from you by the end of that period.

All correspondence should be directed to our legal advisers Pinsent Masons, at matthew.fox@pinsentmasons.com; or robbie.owen@pinsentmasons.com. If you have queries in the intervening period please do not hesitate to contact them.

Yours sincerely



PETER WARD
COMMERCIAL DIRECTOR
PORT OF TILBURY LONDON LIMITED