



<b>Overview - Transboundary screening undertaken by the Secretary of State</b>	
<b>Project name:</b>	Tilbury2
<b>Address/Location:</b>	Site of the former Tilbury A Power Station, approximately 1km east of the existing Port of Tilbury, Thurrock, Essex
<b>Planning Inspectorate Ref:</b>	TR030003
<b>Date(s) screening undertaken:</b>	First screening – 8 June 2017, following the Applicant’s request for a scoping opinion Second screening – 2 February 2018, following submission of the application documents
<b>European Economic Area (EEA) States identified for notification:</b>	First screening: None identified Second screening: None identified

<b>FIRST TRANSBOUNDARY SCREENING UNDERTAKEN BY THE SECRETARY OF STATE</b>	
<b>Document(s) used for transboundary screening:</b>	Proposed Port Terminal at Former Tilbury Power Station, Tilbury2 Regulation 8(1) Scoping Report, dated March 2017 ('the Scoping Report')
<b>Date</b>	8 June 2017
<b>Screening Criteria:</b>	<b>Secretary of State Comments:</b>
<b>Characteristics of the Development</b>	<p>The Proposed Development comprises a port terminal and associated infrastructure, including rail and road facilities and revisions to the existing marine infrastructure. It would be located to the east of the existing Tilbury Port.</p> <p>The main uses would be a Roll-on/Roll-off ('Ro-Ro') terminal and a Construction Materials and Aggregates Terminal ('CMAT') for stockpiling of construction materials and some processing of materials for the production of asphalt and concrete products.</p> <p>The Proposed Development would likely include (but is not limited to) the following works:</p> <ul style="list-style-type: none"> <li>• creation of hard surfaced pavements;</li> <li>• removal of the existing Anglian Water jetty;</li> <li>• improvement of and extensions to the existing jetty including Ro-Ro and aggregate berths;</li> <li>• dredging of berth pockets around the proposed and extended jetty and their approaches;</li> </ul>

	<ul style="list-style-type: none"> <li>• new and improved conveyors;</li> <li>• erection of welfare buildings;</li> <li>• erection of a single 10,000m<sup>2</sup> warehouse;</li> <li>• a number of storage and production structures associated with the CMAT;</li> <li>• the construction of a new link road from Ferry Road to Fort Road;</li> <li>• formation of a rail spur and sidings;</li> <li>• highway improvements at the roundabout to the north of the Port (the 'Asda roundabout'); and</li> <li>• temporary and permanent diversion of public footpaths.</li> </ul> <p>The Ro-Ro terminal would operate 363 days per year, 24 hours a day and would accommodate two vessel movements per day. The maximum capacity of the terminal is considered to be 500,000 units (trailers or containers) per annum, although the likely throughput is 360,000 units per annum.</p> <p>The CMAT would operate 312 days per year, 7am - 7pm Monday to Friday and 7am - 12pm on Saturdays. The proposed capacity of the CMAT is 1,600,000 tonnes per annum, which would be transported from the site by rail, road and barge.</p>
<p><b>Geographical area</b></p>	<p>The application site is located on the northern side of the River Thames, entirely within the borough of Thurrock, Essex, England.</p> <p>No impacts are identified in the Scoping Report on any areas under the jurisdiction of another EEA State.</p>
<p><b>Location of Development (including existing use)</b></p>	<p>In describing the application site, the Scoping Report has made the distinction between the 'Tilbury2 site' and 'the access corridor':</p> <ul style="list-style-type: none"> <li>• The Tilbury2 site is approximately 61 hectares and is located immediately to the north of the River Thames. It includes an area of inter-tidal habitat, a deep water jetty and is protected by Environment Agency flood defences. The remainder of the Tilbury2 site is mostly brownfield land, having previously been occupied by Tilbury A Power Station, utilised for coal storage, ancillary buildings and the Tilbury Energy and Environment Centre. The Scoping Report explains that structures related to Tilbury A Power Station are being cleared by the previous owners, RWE. The northern part of the Tilbury2 site is currently utilised for the open storage of new motor vehicles.</li> <li>• The access corridor is a narrow length of land immediately adjoining the existing railway corridor, extending broadly to the west of the Tilbury2 site. The access corridor encompasses part of the A1089/Ferry Road (which provides access to the Riverside Rail Terminal and the London Cruise Terminal), part of Fort</li> </ul>

	<p>Road, a bridge where Fort Road crosses the railway, a railway siding and an area of grazing land. The western part of the access corridor is utilised by Tilbury Port for external storage (presently for imported new cars).</p> <ul style="list-style-type: none"> <li>• The Asda roundabout, located along the A1089 to the north of the existing Tilbury Port, also forms part of the application site.</li> </ul> <p>Land uses in the surrounding area are mixed. To the north of the application site lies the residential area of Tilbury, which is separated from the site by the railway line. To the east, the site is bound by agricultural land, a substation and the remaining parts of the Tilbury A power station. The River Thames lies to the south of the site, with the town of Gravesend located on the southern side of the River Thames. A sewage treatment works is located to the west of the site, with Tilbury Fort (a scheduled monument) and the existing Tilbury Port beyond.</p> <p>The Scoping Report does not identify the EEA State in closest proximity to the application site. The River Thames, part of which is located within the site boundary, flows out into the North Sea.</p>
<b>Cumulative impacts</b>	<p>Paragraph 7.4 of the Scoping Report identifies six schemes in the vicinity of the Proposed Development, for which planning permission has been granted or an application has been submitted but not determined. It is noted that these schemes 'may potentially' be included in the cumulative assessment presented in the ES, although the final list of schemes has yet to be defined.</p> <p>It is noted that consultation on proposals for the Lower Thames Crossing (a Nationally Significant Infrastructure Project which would cross the River Thames) is currently being undertaken. The Scoping Report notes that there are plans for a theme park and entertainment resort to be located on the Swanscombe Peninsula, on the southern side of the River Thames.</p>
<b>Carrier</b>	<p><u>Air</u></p> <p>Emissions to air resulting from construction and operation of the Proposed Development would include dust, particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), oxides of nitrogen (NO<sub>2</sub> and NO), carbon monoxide and hydrocarbons. Sulphur dioxide (SO<sub>2</sub>) emissions would arise from the combustion of diesel oils in large ships or railway locomotives.</p> <p><u>Land</u></p> <p>Ground investigations have indicated that there is asbestos within soils at the site and hydrocarbon contamination within the soil, perched water and deeper groundwater at the site. This contamination is likely to be associated within the former land uses including the power station, gas works, railway sidings and an engine shed. There is a Principal Bedrock Aquifer underlying the site, which the Scoping Report explains is a highly sensitive receptor. There is a risk that piling or excavation during</p>

	<p>construction could create new pathways between the contaminated soils and the underlying groundwater.</p> <p><u>Water</u></p> <p>The application site is a low lying and flat area immediately adjacent to the River Thames. It is protected by flood defences but may be at risk from surface water and fluvial flooding, with the risk likely to be exacerbated by climate change. The application site is crossed by three Main Rivers - Tilbury East Dock Sewer, Chadwell Cross Sewer and Pincocks Trough, as well as a number of ordinary watercourses. The Proposed Development would include new gravity outfalls through the existing flood defences into the River Thames.</p> <p><u>Navigation</u></p> <p>New structures are proposed in the marine area (e.g. new pontoon and moorings) and the Scoping Report explains that potential impacts on navigation could occur during construction and operation of the Proposed Development. This could affect commercial vessels utilising this route.</p>
<p><b>Environmental Importance</b></p>	<p>Paragraph 7.67 of the Scoping Report identifies two European sites within 3km of the Proposed Development:</p> <ul style="list-style-type: none"> <li>• Thames Estuary and Marshes Ramsar site; and</li> <li>• Thames Estuary and Marshes Special Protection Area (SPA).</li> </ul> <p>The locations of these sites relative to the application site are illustrated on Figure 7.1 of the Scoping Report. The qualifying features of these sites are identified in Table 7.1 of the Scoping Report, which include some migratory bird species.</p> <p>Paragraph 7.255 explains that migratory fish and marine mammals utilising the River Thames could be impacted by construction activities in the river (e.g. piling and dredging).</p> <p>The Water Framework Directive (WFD) status of the surface water bodies on/ around the application site has not been confirmed in the Scoping Report. It is stated that the ES would include a detailed WFD assessment.</p> <p>Thurrock Council has designated 16 Air Quality Management Areas (AQMAs). The closest AQMA to the application site is in Tilbury, approximately 30m to the north-east.</p>
<p><b>Extent</b></p>	<p>No impacts have been identified which would be likely to have significant effects on the environment in another EEA State.</p>
<p><b>Magnitude</b></p>	<p>No impacts have been identified which would be likely to have significant effects on the environment in another EEA State.</p>
<p><b>Probability</b></p>	<p>No impacts have been identified which would be likely to have significant effects on the environment in another EEA State.</p>
<p><b>Duration</b></p>	<p>No impacts have been identified which would be likely to have</p>

	significant effects on the environment in another EEA State.
<b>Frequency</b>	No impacts have been identified which would be likely to have significant effects on the environment in another EEA State.
<b>Reversibility</b>	No impacts have been identified which would be likely to have significant effects on the environment in another EEA State.

### **Transboundary screening undertaken by the Secretary of State**

The transboundary screening of the Proposed Development has been considered taking into account the transitional provisions in Regulation 37 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations). The Applicant has requested the Secretary of State to adopt a scoping opinion in respect of the development to which the screening relates prior to 16 May 2017 (the date of the commencement of the 2017 EIA Regulations). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) are therefore considered to be the applicable EIA Regulations. Under Regulation 24 of the 2009 EIA Regulations and on the basis of the current information available from the Applicant, the Secretary of State is of the view that the Proposed Development **is not likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Secretary of State has applied the precautionary approach (as explained in the Planning Inspectorate's Advice Note 12: Transboundary Impacts Consultation); and taken into account the information currently supplied by the Applicant.

#### **Action:**

No further action required at this stage.

**Date:** 8 June 2017

**Note:** The Secretary of State's duty under Regulation 24 of the 2009 EIA Regulations continues throughout the application process.

### **SECOND TRANSBOUNDARY SCREENING UNDERTAKEN BY THE INSPECTORATE ON BEHALF OF THE SECRETARY OF STATE**

<b>Document used for transboundary Screening:</b>	Environmental Statement (ES) (October 2017) (Doc Ref: 6.1) and Habitats Regulation Assessment (HRA) Report (Doc Ref: 6.2 10.0)
<b>Date:</b>	Re-screened on 2 February 2018 following submission of the application documents

### **Transboundary re-screening undertaken by the Inspectorate on behalf of the SoS**

Following submission of the DCO application, which included the ES and the Applicant's HRA report, the Inspectorate has reconsidered the transboundary screening decision undertaken on 8 June 2017.

The Inspectorate has identified the following matters that differ from those considered at the time of the previous transboundary screening decision:

- Change in the description of the proposed development - the ES states that the CMAT could operate up to 363 days per year (compared to 312 days identified in the Scoping Report).

- Carrier – the ES identifies the Chadwell Sewer as a main river (in addition to the three identified in the Scoping Report).
- Environmental importance – in terms of WFD status, the ES classifies the Seaford and Newhaven Chalk Formation principal aquifer as having 'Good' chemical and quantitative status; and the River Thames (Gravesend Reach) as having 'Good' chemical and 'Moderate' ecological status.
- Cumulative effects assessment – five projects are included within the final list of projects for the cumulative effects assessment; these are different to those identified within the Scoping Report. However, the ES states that these have been identified through consultation with local planning authorities. Various other River Thames dredging and river maintenance works within 15km radius of the application site have been considered in the cumulative assessments for the Marine Ecology, Terrestrial Ecology, Navigation and Water Resources and Flood Risk topics.

The transboundary screening of the Proposed Development has been considered taking into account the transitional provisions in Regulation 37 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations). The Applicant has requested the SoS to adopt a scoping opinion in respect of the development to which the screening relates prior to 16 May 2017 (the date of the commencement of the 2017 EIA Regulations). The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) are therefore considered to be the applicable EIA Regulations.

Under Regulation 24 of the 2009 EIA Regulations and on the basis of the current information available from the Applicant, there is no change to the previous conclusion, and the Inspectorate remains of the view that the proposed development **is not likely** to have a significant effect on the environment in another EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice note twelve: Transboundary Impacts Consultation); and taken into account the information currently supplied by the Applicant.

**Action:** No further action required at this stage.

**Date:** 2 February 2018

**Note:** The Secretary of State's duty under Regulation 24 of the 2009 EIA Regulations continues throughout the application process.

**Note:**

The Secretary of State's screening of transboundary issues is based on the relevant considerations specified in Annex 4 to the Planning Inspectorate's Advice Note 12, available on our website at <http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>