

<p><b>Reference:</b> Thurrock Power NSIP</p> <p>Our Ref: 20/00273/DCO</p> <p>PINS Ref: EN010092</p>	<p><b>Site:</b> Land to the north of the former Tilbury Power Station, off Fort Road, Tilbury.</p>
<p><b>Ward:</b> Tilbury Riverside &amp; Thurrock Park</p>	<p><b>Proposal:</b> Application for a Development Consent Order (DCO) comprising of the following:</p> <p>Proposed Flexible Generation Plant comprising gas reciprocating engines with electrical output totalling 600 MW; batteries with electrical output of 150 MW; gas and electricity connections; the creation of access roads and a causeway; and creation of habitat and exchange Common Land</p>
<p><b>Applicant:</b> Statera Energy</p>	
<p><b>Recommendation:</b> That the Planning Committee consider and agree the content of both the Local Impact Report (LIR) forming Appendix 1 to this Report and the Written Representation (WR) forming Appendix 2 so that these Appendices can be formally submitted to the Planning Inspectorate by the statutory deadline (23 March 2021)</p>	

## 1.0 BACKGROUND

- 1.1 In May 2020, following a period of informal and formal consultation, Statera Energy submitted an application for a DCO with the Planning Inspectorate (PINS). The proposals within the application constitute a Nationally Significant Infrastructure Project (NSIP) as the development comprises the development of an energy producing use in excess of 50MW as set out in the thresholds of the Planning Act 2008. Consequently, an application for a DCO has been submitted to PINS who will undertake an examination and present a recommendation to the Secretary of State for a final decision.
- 1.2 PINS accepted the application in June 2020 and the 6 month period of examination is scheduled to commence in March 2021. The 2008 Act sets a 6 month period for the examination process. The process sets a number of deadlines and 'Deadline 2' (Wednesday 23 March 2021) sets a timeframe for the submission of a Local Impact Report (LIR) and a Written Representation report (WR) by the Council.

1.3 A Relevant Representation (RR) was submitted to PINS on 18 August 2020 and this set out what Officers considered to be the main issues raised by the application and the views of technical consultees available at that time. For information, the RR submitted to PINS identifies the following issues for consideration:

- Green Belt;
- Ecology and Nature Conservation;
- Landscape and Visual Impact;
- Heritage Assets;
- Flood Risk;
- Geology, Hydrogeology and Ground Conditions;
- Traffic and Transport;
- Air Quality;
- Noise and Vibration;
- Land Use and Agriculture, and Socio-Economics;
- Human Health; and
- Climate Change.

1.4 A Statement of Common Ground between the Council and Statera Energy (the applicant) is also being prepared. This document will confirm which 'topics' are agreed between the two parties with reference to the method of assessing impact, baseline conditions, and mitigation proposals etc.

## **2.0 DESCRIPTION OF PROPOSAL**

2.1 A fuller description of the proposals is set out within Appendix 1. In summary the proposal submitted by the Thurrock Power Ltd is for the construction and operation of a flexible generation plant comprising of the following:

- Reciprocating engines with electrical output totalling 600MW;
- Batteries with electrical output of 150MW and storage capacity of up to 600MW;
- Gas and electricity connections;
- Creation of temporary and permanent private access routes for construction haul and access in operation, including a causeway for barge deliveries; and
- Creation of exchange Common Land and habitat creation or enhancement for protection species translocation and biodiversity gain.
- The proposed development will be designed to operate for up to 35 years.

## **3.0 SUBMISSION OF LIR AND WR**

- 3.1 Although the Council is not the decision-making body for this application it nevertheless has a number of roles and responsibilities as 'host borough', including the submission of a LIR and WR.

Local Impact Report (LIR):

- 3.2 A LIR is defined by the 2008 Act as '*a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)*'. In coming to a decision the Secretary of State must have regard to any LIR submitted by the deadline. Advice produced by PINS provides guidance for the content of an LIR and the report at Appendix 1 broadly follows this advice. The report includes a statement of positive, neutral and negative impacts but, as advised by PINS, it does contain a balancing exercise between positive and negative impacts.
- 3.3 The LIR has to be submitted early in the 6 month examination period and the fixed deadline for receipt of the document by PINS is 23 March 2021. There is no flexibility in extending this deadline and it is crucial that the Committee consider and preferably agree the content of the LIR rather than deferring consideration to a subsequent meeting. It is suggested that any necessary relevant revisions to the LIR are delegated to be agreed by the Assistant Director of Planning, Transport and Public Protection so that the LIR can be submitted by 23 March 2021.

Written Representations (WR):

- 3.4 A WR is a separate document from the LIR which gives the local authority an opportunity to express an opinion on the submission. Whereas the LIR is a technical document setting out an assessment of the various impacts of the proposals, the WR is described by PINS as the most appropriate document for a local authority to set out its view on the application i.e. whether or not it supports the application and its reasons, with any accompanying evidence or documents.
- 3.5 Put simply the WR sets out the Council's view on the application, weighing and balancing the various positive and adverse effects to reach a balanced conclusion. As above, the WR has to be submitted by 23 March 2021 and there is no opportunity to extend this deadline. Therefore, it is essential that Committee consider and preferably agree the content of the WR rather than deferring consideration to a subsequent meeting. It is suggested that any necessary relevant revisions to the WR are delegated to be agreed by the Assistant Director of Planning, Transport and Public Protection so that the WR can be submitted by 23 March 2021.

**4.0 RECOMMENDATION**

- A:** That the Planning Committee consider and agree the content of both the Local Impact Report forming Appendix 1 to this Report and the Written Representations report forming Appendix 2 and that these Appendices are formally submitted to PINS on or before the deadline of Monday 23 March 2021.
- B:** That any necessary relevant revisions to the content of the Local Impact Report and Written Representations report are delegated to be agreed by the Assistant Director of Planning, Transport and Public Protection so that these reports can be formally submitted to PINS on or before the deadline of 23 March 2021.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

