



# **SCOPING OPINION:**

## **Proposed Keadby 3 Low Carbon Gas Power Station Development**

**Case Reference: EN010114**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**June 2020**

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# 1. INTRODUCTION

## 1.1 Background

- 1.1.1 On 15 May 2020, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from SSE Generation Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Keadby 3 Low Carbon Gas Power Station Project (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled The Keadby 3 Low Carbon Gas Power Station Project Environmental Impact Assessment Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
  - (b) *the specific characteristics of the development;*
  - (c) *the likely significant effects of the development on the environment; and*
  - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it

is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) a plan sufficient to identify the land;*
  - (b) a description of the proposed development, including its location and technical capacity;*
  - (c) an explanation of the likely significant effects of the development on the environment; and*
  - (d) such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on *'the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)'*.
- 1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017. This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations. The Applicant's ES should therefore be co-ordinated with any assessment made under the Habitats Regulations.

## **1.2 The Planning Inspectorate's Consultation**

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

- 1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.
- 1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

### **1.3 The European Union (Withdrawal Agreement) Act 2020**

- 1.3.1 The UK left the European Union as a member state on 31 January 2020. The European Union (Withdrawal Agreement) Act 2020 gives effect to transition arrangements that last until the 31 December 2020. This provides for EU law to be retained as UK law and also brings into effect obligations which may come in to force during the transition period.
- 1.3.2 This Scoping Opinion has been prepared on the basis of retained law and references within it to European terms have also been retained for consistency with other relevant documents including relevant legislation, guidance and advice notes.

## **2. THE PROPOSED DEVELOPMENT**

### **2.1 Introduction**

- 2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

### **2.2 Description of the Proposed Development**

- 2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity (where relevant) is provided in Scoping Report Section 2 paragraphs 2.1–2.34 and Section 3 paragraphs 3.1–3.42.
- 2.2.2 The Proposed Development comprises the construction, operation and maintenance of a Low Carbon Combined Cycle Gas Turbine (CCGT) generating station with a capacity of up to 910MW electrical output. It is to be located on land in the vicinity of the existing Keadby Power Stations (Keadby 1 and Keadby 2), near Scunthorpe in North Lincolnshire. The generating station comprises:
- one CCGT unit and associated steam turbine;
  - a natural gas pipeline connection to the existing gas pipeline associated with Keadby 1 and 2, plus new Above Ground Installation (AGI);
  - electricity transmission infrastructure to an existing substation on site;
  - new cooling water infrastructure.
- 2.2.3 The Proposed Development also includes two options for low carbon technology. One option is to operate as a hydrogen fired plant, requiring onsite hydrogen pipework and hydrogen AGI, and an air separation unit and nitrogen compression and storage facility (to manage and regulate the combustion process). The other option is to install post-combustion carbon capture and compression plant, to make the plant fully Carbon Capture, Utilisation and Storage (CCUS) enabled, ready to connect into emerging proposals for the Humber Low Carbon (HLC) Cluster CO<sub>2</sub> pipeline. This would connect carbon emitters in the region and transport captured carbon to an off-site geological store. Paragraph 1.13 states that the hydrogen and CO<sub>2</sub> pipelines would be progressed under separate consents.
- 2.2.4 The proposed application site is located on part of the existing Keadby Power Station and land adjacent to it, on the western edge of the village of Keadby in North Lincolnshire; approximately 3.5km west of Scunthorpe. The River Trent is c. 500m east of the existing Keadby Power Station site, and the area is predominantly flat and low-lying former marsh reclaimed as farmland. The Stainforth and Keadby Canal extends along the southern edge of the Proposed Development area, and three parallel artificial channels known as the Three Rivers flow c. 450m to the south. There are numerous artificial drains, ditches, sluices and flood banks or dykes in the vicinity. The A18 curves around 1.25km

to the south and south-east of the site. The existing Keadby Power Station site is accessed from the B1392, a single-carriageway road serving the village of Keadby. Known as Chapel Lane, this also extends north-south through the existing site and is an adopted highway maintained by North Lincolnshire Council to a location north of its crossing of the North Soak Drain and Stainforth and Keadby Canal. A site location plan is provided at Figure 1 (Appendix 1) of the Scoping Report.

- 2.2.5 The principal area of the Proposed Development consists of a laydown and soil storage area used during the construction of Keadby 2, along with a combination of existing buildings and hardstanding, power infrastructure such as transformers, storage tanks, grassland, and limited areas of landscaping. Some areas are unused and vegetated mounds or spoil heaps of Pulverised Fuel Ash (PFA) with scrub vegetation. There also appears to be a small area of existing arable farmland too, shown in green and labelled as 'Keadby 3 CCGT (Option 1)' on Figure 2B; though this needs to be clarified. The total development area is approximately 70.1 hectares in extent.

## **2.3 The Planning Inspectorate's Comments**

### **Description of the Proposed Development**

- 2.3.1 The ES should include the following:
- a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development; and
  - a description of the location of the development and description of the physical characteristics of the whole development, including any requisite demolition works and the land-use requirements during construction and operation phases
- 2.3.2 The description of the Proposed Development provided in the Scoping Report is brief and limited to the likely main components of the scheme. The Inspectorate expects more detail to be presented within the ES, including detailed descriptions of all works for which development consent is sought, supported by clear figures. Details of components such as lighting, drainage features, landscaping and environmental mitigation features have not been specified in the Scoping Report and this information should be provided in the ES.
- 2.3.3 A basic description of a CCGT installation and production process is outlined in the Scoping Report (paragraphs 3.16.–3.21 pages 19–20), along with some information regarding possible hydrogen power (Paras 3.22–3.23 page 20 and the CCP and ancillary infrastructure (Paras 3.24–3.2 pages 20–21). The ES should include greater detail in terms of the technical processes involved and the equipment and infrastructure necessary, particularly those pertaining to low-carbon and carbon-capture delivery. In all phases of the development the nature and quantity of materials and natural resources used (including water, land, soil and biodiversity features) should be identified and an assessment made of the anticipated impacts where significant effects are likely to occur.

- 2.3.4 The Inspectorate notes the uncertainty with regards to many aspects of the Proposed Development including but not limited to the site layout, the choice of low carbon technology, cooling technology and water source, and gas and electricity connections. The Inspectorate considers that the Applicant should make the effort to refine options and reduce uncertainty to aid a robust assessment. Where uncertainty persists, the Applicant should ensure that the ES appropriately assesses the likely significant effects associated with the different permutations or worst-case scenario.

*Access*

- 2.3.5 Paragraph 3.29 states that the construction traffic “*could*” be routed via the existing access road via the A18, but this is not confirmed. Should construction traffic be routed through another access route (via Keadby village) this would have a range of impacts. There is also the potential for the use of waterborne traffic but again this has not been determined. It is proposed that details of construction traffic (including parking and access requirements) will be provided in the Framework Construction Environmental Management Plan (CEMP) accompanying the ES (paragraph 3.36). The ES should detail the proposed access routes for both construction and operational traffic and assess any significant effects associated.

*Gas and electric connections*

- 2.3.6 A large area is denoted on Figure 2B for the electrical connection to the existing substation. The figure does not denote where the gas connection options are. Paragraph 4.2 suggests that there are alternative options for both the gas and electricity network connections. The ES should provide greater clarity regarding the connections and effort should be made to refine the options and remove uncertainty. However, where uncertainty remains the assessment should be conducted in accordance with a worst-case scenario.

*Low carbon option*

- 2.3.7 At present it appears that the choice of low carbon technology is where the greatest level of uncertainty lies. The Inspectorate recognises that this decision may depend on issues such as Government policy and third-party infrastructure which are outside of the Applicant’s responsibility. The Inspectorate welcomes the intention to select the preferred technology prior to submission of the DCO (paragraph 3.10).
- 2.3.8 In addition to the natural gas and hydrogen fuel options, paragraph 3.8 mentions a third option constituting “...*a low carbon fuel gas blend (natural gas stream enriched with hydrogen)*”, but no further details are provided nor what natural gas or hydrogen infrastructure (or elements of both) would be required for this alternative. Paragraph 3.23 states that “*natural gas would still be required for the start-up of a hydrogen fired CCGT, but when running at full load the plant would run on up to 100% hydrogen fuel*”. Should hydrogen power be selected as the preferred technological solution, the ES should elaborate on the concept of a fuel-gas blend and assess the impacts associated with it. The ES should provide more detail of different operational modes and their varying impacts.

### *Construction works and programme*

2.3.9 No description has been provided relating to the construction of the Proposed Development in the Scoping Report. The Inspectorate welcomes the intention at paragraph 3.35 to provide further details and an indicative construction programme in the ES. This should be including but not limited to:

- the description of the construction period;
- site preparation and construction methods (e.g. piling method);
- staging/phasing of the Proposed Development including different scenarios and the certainty attached to them;
- location of construction activities, including a clear description of all works within and adjacent to the watercourses;
- location of any temporary structures or areas required (such as construction compounds and temporary closures of Public Rights of Way (PRoW)), including likely dimensions and duration of use; and
- description of the construction traffic route.

### *Decommissioning*

2.3.10 The Scoping Report notes that the Proposed Development is expected to operate for at least 25 years and that at the end of its operating life "*the most likely scenario is that it would be shut down and all above ground structures removed from the Site*" (paragraphs 3.40–3.41). Remediation works would then be undertaken to the site to facilitate re-use. A Decommissioning Environmental Management Plan would be produced and agreed with the Environmental Agency as part of the Environmental Permitting process. The Inspectorate recommends that the ES covers the life span of the Proposed Development, including decommissioning. The purpose of such a long-term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The Inspectorate encourages consideration of such matters in the ES.

### *Hydrogen/ CO<sub>2</sub> pipelines*

2.3.11 The Scoping Report states that the hydrogen and CO<sub>2</sub> pipelines would be progressed under separate consents (paragraph 1.13). As this infrastructure would be a direct consequence of the Proposed Development, the pipelines should be viewed as a consequential impact within the ES. As far as is reasonably practicable, the ES should determine the likely effects of the construction, operation and decommissioning of the hydrogen and CO<sub>2</sub> pipelines.

## **Alternatives**

2.3.12 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are

relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'. The Scoping Report discusses alternatives at paragraphs 4.1–4.3.

- 2.3.13 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.

### **Flexibility**

- 2.3.14 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose. Where the details of the Proposed Development cannot be defined precisely, the Applicant will apply a worst-case scenario. The Inspectorate welcomes the reference to Planning Inspectorate Advice Note 9 'Using the 'Rochdale Envelope'<sup>1</sup> in this regard.
- 2.3.15 The Applicant should make every attempt to narrow the range of options. The ES should explain which elements of the Proposed Development have yet to be finalised and provide the reasons for this. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.
- 2.3.16 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.

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<sup>1</sup> Advice Note nine: Using the Rochdale Envelope. 2012. Available at:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## 3. ES APPROACH

### 3.1 Introduction

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'<sup>2</sup> and associated appendices.
- 3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant; and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.
- 3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.4 The Inspectorate has made effort to ensure that this Scoping Opinion is informed through effective consultation with the relevant consultation bodies. Unfortunately, at this time the Inspectorate is unable to receive hard copy consultation responses, and this may affect a consultation body's ability to engage with the scoping process. The Inspectorate also appreciates that strict compliance with COVID-19 advice may affect a consultation body's ability to provide their consultation response. The Inspectorate considers that Applicants should make effort to ensure that they engage effectively with consultation bodies and where necessary further develop the scope of the ES to address their concerns and advice. The ES should include information to demonstrate how such further engagement has been undertaken and how it has influenced the scope of the assessments reported in the ES.
- 3.1.5 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultation bodies agree on the adequacy of the measures proposed.

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<sup>2</sup> Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## **3.2 Relevant National Policy Statements (NPSs)**

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.
- 3.2.2 Designated NPSs relevant to the Proposed Development and which are referred to in the Scoping Report are the:
- Overarching NPS For Energy (NPS EN-1);
  - NPS for Fossil Fuel Electricity Generating Infrastructure (NPS EN-2).
- 3.2.3 The Applicant's Scoping Report does not acknowledge the following designated NPSs which may also be relevant to the Proposed Development:
- NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4);
  - NPS for Electricity Networks Infrastructure (NPS EN-5).

## **3.3 Scope of Assessment**

### **General**

- 3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:
- to demonstrate how the assessment has taken account of this Opinion;
  - to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
  - to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (e.g. a dDCO requirement);
  - to describe any remedial measures that are identified as being necessary following monitoring; and
  - to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

### **Baseline Scenario**

- 3.3.2 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline

scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

- 3.3.3 In light of the number of ongoing developments within the vicinity of the Proposed Development application site, the Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline. A list of other developments to be considered in Cumulative Impact Assessment is provided in the Scoping Report (paragraph 6.206, Table 9), and this will need to be revised and updated in the submitted ES.

### **Forecasting Methods or Evidence**

- 3.3.4 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.
- 3.3.5 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.
- 3.3.6 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

### **Residues and Emissions**

- 3.3.7 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.
- 3.3.8 No estimate is provided in the Scoping Report concerning the type and quantity of waste and residues produced during the construction, operation and/or decommissioning of the Proposed Development. No detail is provided concerning levels of emissions to air or discharges to water; nor impacts on soil, farming production and/or field drainage. No data is supplied relating to soil and subsoil pollution, noise, vibration, light, heat, and/or radiation. This will need to be addressed in the ES.

### **Mitigation and Monitoring**

- 3.3.9 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.

- 3.3.10 The ES should identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

### **Risks of Major Accidents and/or Disasters**

- 3.3.11 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.
- 3.3.12 Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

### **Climate and Climate Change**

- 3.3.13 The ES should include a description and assessment (where relevant) of the likely significant effects the Proposed Development has on climate (for example having regard to the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change. Where relevant, the ES should describe and assess the adaptive capacity that has been incorporated into the design of the Proposed Development. This may include, for example, alternative measures such as changes in the use of materials or construction and design techniques that will be more resilient to risks from climate change.

### **Transboundary Effects**

- 3.3.14 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Scoping Report has not indicated whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.
- 3.3.15 Regulation 32 of the EIA Regulations *inter alia* requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.

- 3.3.16 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.
- 3.3.17 Having considered the nature and location of the Proposed Development, the Inspectorate is not aware that there are potential pathways of effect to other EEA states but recommends that, for the avoidance of doubt, the ES details any such consideration and assessment.

#### **Combined Heat and Power**

- 3.3.18 The Scoping Report identifies that a Combined Heat and Power (CHP) assessment is not formally part of the ES (paragraphs 6.209 – 6.211). On this basis, the Inspectorate provides no comment relating to the CHP assessment. However, should the CHP assessment identify opportunities which would lead to the requirement to establish CHP infrastructure, then the environmental impacts of the construction, operation and decommissioning of this infrastructure should be assessed in the ES, where significant effects are likely to occur.

#### **Carbon Capture Readiness (CCR) Assessment**

- 3.3.19 The Scoping Report (paragraphs 6.212 – 6.214) notes the requirement for the Proposed Development to demonstrate CCR, and that the Applicant intends to produce a standalone CCR report to demonstrate compliance. This is not part of the ES and the Inspectorate makes no comment relating to this assessment.

#### **A Reference List**

- 3.3.20 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

### **3.4 Coronavirus (COVID-19) Environmental Information and Data Collection**

- 3.4.1 The Inspectorate understands government enforced measures in response to COVID-19 may have consequences for an Applicant's ability to obtain relevant environmental information for the purposes of their assessment. The Inspectorate understands that conducting specific surveys and obtaining representative data may be difficult in the current circumstances.
- 3.4.2 The Inspectorate has a duty to ensure that the environmental assessments necessary to inform a robust DCO application are supported by relevant and up to date information. Working closely with statutory consultation bodies, the Inspectorate will seek to adopt a flexible approach, balancing the requirement for suitable rigour and scientific certainty in assessments with pragmatism in order to support the preparation and determination of applications in a timely fashion.

- 3.4.3 Applicants should make effort to agree their approach to the collection and presentation of information with relevant consultation bodies. In turn the Inspectorate expects that consultation bodies will work with Applicants to find suitable approaches and points of reference to allow preparation of applications at this time. The Inspectorate is required to take into account the advice it receives from statutory consultation bodies and will continue to do so in this regard.

## **3.5 Confidential and Sensitive Information**

- 3.5.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to personal information specifying the names and qualifications of those undertaking the assessments and / or the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information.
- 3.5.2 Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2004.
- 3.5.3 The Inspectorate adheres to the data protection protocols set down by the Information Commissioners Office<sup>3</sup>. Please refer to the Inspectorate's National Infrastructure privacy notice<sup>4</sup> for further information on how personal data is managed during the Planning Act 2008 process.

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<sup>3</sup> <https://ico.org.uk>

<sup>4</sup> <https://infrastructure.planninginspectorate.gov.uk/help/privacy-and-cookie/>

## 4. ASPECT BASED SCOPING TABLES

### 4.1 Air Quality

(Scoping Report paragraphs 6.2 – 6.22)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	6.21	Decommissioning	The Scoping Report proposes to scope out a quantitative assessment of decommissioning from the ES on the basis that the details regarding decommissioning are not known. The Inspectorate recognises that a quantitative assessment would be challenging and therefore agrees to scoping one out. The ES should provide as much detail as possible when describing the decommissioning, including the timescale, the phases of decommissioning, and the associated likely significant effects.
4.1.2	7.1 – 7.2	Operational road traffic emissions	The Scoping Report proposes to scope out an assessment of the effects of operational traffic by applying screening criteria in order to determine the potential for significant air quality effects. The Inspectorate is content for this matter to be scoped out of the ES, should the traffic levels be below the relevant screening thresholds.

ID	Ref	Other points	Inspectorate's comments
4.1.3	6.4 – 6.6	Air quality monitoring	The Scoping Report discusses the automatic air quality monitoring stations used by North Lincolnshire Council within Scunthorpe, Killingholme and Immingham and paragraph 6.6 states that air quality monitoring from " <i>nearby representative automatic monitoring stations</i> " supplemented with Defra air quality data and UK Air Pollution Information System (APIS) will be used.

ID	Ref	Other points	Inspectorate's comments
			<p>The distance from the Proposed Development to Scunthorpe air quality monitoring station is 7km and the distances to Killingholme and Immingham are even greater. The ES should explain how this data is representative of the Proposed Development.</p> <p>The ES should include a figure(s) depicting the locations of all air quality monitoring stations used to inform the air quality assessment. The ES should make an effort to agree its air quality data with the appropriate statutory consultees.</p>
4.1.4	6.14	Study area	<p>A 2km study area is stated to be used to predict impacts at human health receptors, but no justification for using a 2km study area has been provided. The ES should provide justification as to why a 2km study is appropriate and the Applicant should make effort to agree the study area with the relevant consultation bodies.</p> <p>The ES should also include a figure(s) that depict the study area, air quality monitoring sites used to inform the assessment and sensitive receptors considered.</p>
4.1.5	6.11 and 6.17	Stacks	<p>Scoping Report Paragraph 6.11 states "<i>will emit known pollutants to air, via one or more stacks</i>" and it is noted that a proposed height of the stack(s) is omitted from the chapter. Within the ES, the number and height of the stack(s) should be stated. If the number and height of the stack(s) is not finalised by the time the ES is submitted. The ES should include an assessment for the reasonable worst case scenario.</p> <p>Additionally, the ES should describe any uncertainties or assumptions used within the model for determining the height of the stack(s).</p>
4.1.6	6.19	Pollutants	<p>The Scoping Report states that an assessment of air quality impacts from construction vehicle movements would "<i>calculate emission fluxes for the above listed pollutants for each road source</i>". However, the Scoping Report has not provided an explicit list of pollutants</p>

ID	Ref	Other points	Inspectorate's comments
			making it unclear which pollutants would be included within the assessment. The ES should clearly state which pollutants have been addressed in the assessment.
4.1.7	N/A	Baseline data	<p>The Scoping Report omits information regarding the existing air quality baseline. The ES should describe baseline air quality conditions within the area likely to experience impacts from the Proposed Development.</p> <p>When determining the relative change to the existing air quality, the ES present the residual effects associated with predicted emission levels of all pollutants.</p>
4.1.8	N/A	Methodology	<p>The Scoping Report chapter does not outline the methodology that will be used within the ES air quality assessment. The methodology in the ES should clearly state how significant effects will be determined and the Applicant should make effort to agree the methodology with the relevant consultation bodies.</p> <p>In addition to the Institute of Air Quality Management (IAQM) <i>Land-use Planning and Development Control: Planning for Air Quality 2017</i> guidance, the Applicant may wish to consider utilising the IAQM <i>Assessment of dust from demolition and construction 2014</i> when assessing the impact from dust and particulate matter during construction and decommissioning.</p>

## 4.2 Noise and Vibration

(Scoping Report paragraphs 6.23 – 6.41)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	7.1	Operational road traffic noise and vibration effects	The Applicant provides no estimate of operational traffic volumes though it states that these are likely to be low. It proposes to agree the scope of the traffic assessment with the relevant highways authorities, and depending on the forecast volumes of operational traffic, apply criteria to determine the potential for significant noise and vibration effects. Having regard to the characteristics of site, Proposed Development, receiving environment and the anticipated magnitude of the impacts, the Inspectorate is content for this matter to be scoped out of the ES.

ID	Ref	Other points	Inspectorate's comments
4.2.2	6.40	Guidance	The Scoping Report states that a " <i>range of relevant guidance</i> " will be applied to assess the significance of changes in road traffic noise levels. The ES should specify exactly what guidance is being applied to determine significance.
4.2.3	6.25	Ecological receptors	The baseline presented in the Scoping Report comprises residential receptors only. To assess the impacts on ecological receptors, the Applicant should make efforts to agree suitable behavioural response thresholds (by noise type) for relevant species.
4.2.4	6.27	Sensitive receptors	The Scoping Report includes the potential noise sensitive receptors to be assessed and proposes to establish these in consultation with North Lincolnshire Council. The Inspectorate considers that the ES

ID	Ref	Other points	Inspectorate's comments
			should also identify receptors sensitive to changes in vibration, including the canal and Keadby lock.
4.2.5	N/A	Underwater noise and vibration	Should the construction programme include noise and vibration generating activities that have the potential to impact fish species, the ES should assess underwater noise and vibration impacts on underwater receptors where significant effects are likely to occur.

## 4.3 Traffic and Transport

(Scoping Report paragraphs 6.42 – 6.67)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	7.1	Operational road traffic	No estimate of operational traffic volumes is provided, but a detailed assessment of this matter is proposed to be scoped out subject to agreement with the relevant highways authorities on the scope of the Transport Assessment. Having regard to the characteristics of the site, the Proposed Development, the receiving environment and the anticipated magnitude of the impacts, the Inspectorate is content for this matter to be scoped out of the ES.

ID	Ref	Other points	Inspectorate's comments
4.3.2	6.46	Study area	The Scoping Report does not explain the reasoning in support of the chosen study area. The ES should provide a clear justification as to why the study area chosen is sufficient to address the extent of the likely impacts resulting from the Proposed Development. The Applicant should make effort to agree the study areas with relevant consultation bodies including, NELC and Highways England. If agreement is reached with either body, evidence should be included in the ES.
4.3.3	6.59	Impacts on mariners	The Inspectorate notes that a qualitative desk-based assessment of navigational risk is proposed to assess the risks to mariners caused by in-river working. This assessment should also assess obstruction impacts resulting from the proposed offloading area to the access point to the Stainforth and Keadby canal at Keadby lock. The ES should include a summary of the salient points of this navigational assessment and any significant effects to or from marine transport.

ID	Ref	Other points	Inspectorate's comments
4.3.4	6.44	Construction access	The ES should assess impacts resulting from the routing of construction vehicles via the access route from the A18. The assessment should address issues relating to the capacity of the bridge crossings at Stainforth and Keadby canal and the Scunthorpe to Doncaster passenger rail line where significant effects are likely to occur.

## 4.4 Ecology

(Scoping Report paragraphs 6.68 – 6.87)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	6.78	Vibration Impacts	The Inspectorate welcomes the statement in Scoping Report paragraph 6.82 that impacts to ecological receptors from vibration disturbance will be assessed using data from the respective Chapter. However, vibration is not listed in paragraph 6.78 in the scope of the assessment. For clarity, the ES should assess vibration impacts to ecological receptors where significant effects are likely to occur.
4.4.2	6.84 and 7.3	Great crested newt surveys	The Scoping Report states that previous surveys undertaken between 2010 and 2017 confirmed that there is no suitable habitat for great crested newts within the Zone of Influence and there are no desk study records of Great Crested Newts in the ZOI, however this evidence has not been provided. The Inspectorate is content to scope out these surveys subject to evidence of the agreed approach with Natural England.
4.4.3	6.84 and 7.3	Bat Roost Surveys	<p>It is anticipated that the Proposed Development will not affect existing buildings or structures with bat roosting potential. The works associated with the Proposed Development are not explained in the Scoping Report therefore it is unknown whether the Proposed Development will impact nearby buildings and if so, in what way. Also, no data has been presented to evidence that buildings at the site do or do not have potential for bat roosts.</p> <p>The ES should determine whether the Proposed Development could impact any nearby buildings based on the ZOI and whether these have bat roost potential. The ES should assess impacts to bat roosts where significant effects are likely to occur.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.4	6.75, 6.84 and 7.3	Surveys for Reptiles, Breeding Birds, wintering and passage birds and terrestrial invertebrates	<p>The reasoning provided to support scoping these surveys out of the assessment are based on previous surveys within the Proposed Development site conducted in 2017 and 2015; the Scoping Report states that these data are considered suitable given that habitat remains comparable.</p> <p>The ZOI and the works to be carried out are currently unknown therefore it is unclear whether these species could still be impacted within and surrounding the Proposed Development site. Previous surveys carried out in June 2019 as highlighted by the Environment Agency (EA), recorded grass snakes in the wider area and over time, the use of these habitats by various species may have changed.</p> <p>On this basis, the Inspectorate cannot agree to scope out these surveys and the ES should assess impacts to these receptors where significant effects are likely to occur.</p>
4.4.5	7.3 and 6.78	Aquatic surveys and impacts to the aquatic environment	<p>The Scoping Report proposes to scope out the need for aquatic flora surveys and intends instead to collate previous survey data to determine the need for any further surveys. There is no detail provided as to what these previous surveys are, i.e. if they include plankton or benthic surveys and there is no mention of aquatic fauna surveys.</p> <p>Currently, apart from the proposed water intake and outfall systems the Report provides very little detail on what construction works are proposed in the aquatic environment (e.g. piling) and therefore the potential impacts remain largely unknown and speculative (e.g. potential for entrainment, underwater noise).</p> <p>On this basis, the Inspectorate does not agree to scope these surveys out of the ES. The ES should be informed by suitably detailed and update to survey information in order to establish a robust and up to date aquatic ecology baseline. The ES should include details of the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			surveys conducted (including what surveys have been carried out, locations, timeframes <i>etc</i> ) and the results of the findings. Water abstraction infrastructure will require fish screening mitigation and discharge water from the proposed outfall will need to be implemented in accordance with UK TAG guidance, for example, to ensure that water quality and temperature do not adversely impact fish populations. The construction activities associated with the Proposed Development should be included in the ES and any impacts to aquatic receptors where significant effects are likely to occur should be assessed. Such impacts might include underwater noise and vibration, chemical alteration, thermal uplift, entrainment, impingement and disturbance of migratory and breeding species. The Applicant should make effort should to agree the approach with the relevant consultation bodies.

ID	Ref	Other points	Inspectorate's comments
4.4.6		Ecology, Terrestrial Ecology and Aquatic Ecology	<p>It is not made clear in the Scoping Report whether these aspects will be assessed individually or separately; in the Scoping Report paragraph 73, terrestrial and aquatic ecology are grouped together in the matters to be scoped out, in section 6 the same receptors are listed under the two headings '<i>terrestrial ecology</i>' and '<i>ecology</i>' and aquatic ecology is not included as an aspect under potentially significant environmental issues.</p> <p>The ES should clearly set out whether terrestrial and aquatic ecology are assessed as one or two aspects and identify which receptors assessed within each Chapter; cross-referencing should be employed to enable understanding and effort should be made to agree an approach with the relevant consultation bodies.</p>

ID	Ref	Other points	Inspectorate's comments
4.4.7	6.68 to 6.77 and 8.18 to 8.20	Establishing Baseline Conditions	<p>The Inspectorate welcomes the approach to establishing baseline conditions for aspect Chapters set out in paragraphs 8.18 to 8.20 of the Scoping Report. The Scoping Report does not fully quantify or locate the characteristics of the baseline environment or describe what assessments and/or surveys have been used to inform the baseline.</p> <p>The ES should detail how the baseline has been established within an appropriate study area and include a list of sources used and/or the location, extent, date and results of any surveys undertaken to inform the baseline; where appropriate this should be supported by figures. The Applicant should make effort to agree the approach with the relevant consultation bodies.</p>
4.4.8	6.70 and Figure 3A	Study area	<p>The Scoping Report provides a study area of 15km radius from the Proposed Development site but does not explain why this area has been chosen. Paragraph 6.70 also states that there are two areas of primary relevance to the assessment for ecological impact: the main site and the water connection corridors.</p> <p>The ES should establish an appropriate study area based on the ZOI. The assessment should include all potential sensitive receptors within the ZOI and assess all impacts that likely to cause significant effects.</p>
4.4.9	6.78	Air quality impacts during construction and decommissioning	<p>Aside from dust emissions, the Scoping Report does not include air quality impacts on ecology (e.g. nitrogen deposition). The ES should assess these impacts to ecological receptors where significant effects are likely to occur during the construction and decommissioning phases of the Proposed Development.</p>
4.4.10	Section 6 and 8	Methodology	<p>No methodology is provided in Chapter 6 of the Scoping Report. The Inspectorate welcomes the statement in 8.4 that magnitude, duration and reversibility of impacts will be considered in each aspect Chapter</p>

ID	Ref	Other points	Inspectorate's comments
			<p>of the report, however, the spatial extent, probability and frequency should also be considered when determining impacts in the ES.</p> <p>The ES Ecology Chapter should include a methodology determining how significance is defined with reference to applicable guidance used to inform the assessment. The Applicant should make effort to agree the approach with the relevant consultation bodies.</p>
4.4.11	N/A	Piling	<p>Where piling works are required, the ES should include details on the piling method to be used, information on the pile size, number of piles, expected installation duration and timing of the piling work. The ES should assess any potential impacts from piling on receptors where significant effects are likely to occur.</p>
4.4.12	N/A	Dredging	<p>Where dredging, bed levelling works and/or disposal of material are required, the ES should include details on the proposed methods, timing and duration, volume of material to be dredged/disposed of and the location of the works. The ES should assess any potential impacts from dredging on receptors where significant effects are likely to occur.</p>
4.4.13	6.98	Sediment sampling	<p>The Scoping Report states that generally contaminant levels are not of concern around the intake and outfall sites, however this data is from 2017 and the proposed construction year is 2023. The Inspectorate agrees with advice provided by the MMO that dependant on the timing, footprint and nature of the works, further sediment sampling may be required closer to the commencement of the works and this should include for metal samples, Polyaromatic Hydrocarbons (PAHs) and Organochlorides (OCs). Effort should be made to agree an approach to sediment sampling with the MMO and any other relevant consultation bodies.</p>

## 4.5 Water Resources and Flood Risk

(Scoping Report paragraphs 6.88 – 6.130)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.5.2	6.88 and 6.116	Study area	<p>Scoping Report paragraph 6.116 states that all impacts to surface and groundwater bodies in hydraulic connectivity with the Proposed Development Site will be included in the scope of the assessment. However, in paragraph 6.88 a 1km study area surrounding the Proposed Development site is depicted and a 5km area is also used in Figure 3C depicting water sources in relation to the location of the Proposed Development. It is therefore unclear what study area will be applied to the assessment.</p> <p>The ES should clearly set out what study area applied to the assessment; this should be based on the ZOI and effort should be made to agree the study area with the relevant consultation bodies.</p>
4.5.3	6.117	Baseline methodology	<p>The Scoping Report states that the baseline will be determined through information from previous assessments, supported by an updated desk-based study utilising water quality monitoring data from the EA. No additional surveys are proposed.</p> <p>Effort should be made to agree the approach with the relevant consultation bodies.</p>

ID	Ref	Other points	Inspectorate's comments
4.5.4	6.105, 6.110 and 6.120	Climate Change Projections and flood defences	<p>The Strategic Flood Risk Assessment (SFRA) proposed to be used is the North Lincolnshire and North East Lincolnshire SFRA 2011 which will inform the FRA which in turn will inform the ES assessment. Although paragraph 6.120 states that climate change will be taken into account it does not explain how or what projections will be used. Additionally, in paragraph 6.105 the tidal flood defences are stated to provide a 1 in 200 level of protection but it is unclear as to whether this is based on 2011 data and if it incorporates up to date climate change projections. Therefore, this calls into question whether the defences still, or will continue to, provide the appropriate level of protection.</p> <p>The assessment should apply the most up-to-date UK Climate Change Projections (currently UKCP18) used in The National Planning Policy Guidance (NPPG) on Flood Risk Assessment and Climate Change Allowances to the ES assessment and make effort to agree the approach with the relevant consultation bodies. These projections should be used to inform the future baseline in the assessment and inform mitigation strategies over the lifetime of the Proposed Development; existing and proposed flood defences should be detailed in the ES.</p>
4.5.5	6.104 and 6.105	Tidal overtopping/breaching	<p>The site benefits from tidal flood defences as displayed on Figure 3C and explained in paragraph 6.104/5 of the Scoping Report; the ES should include an assessment on breach/overtopping of these defences where significant effects are likely to occur.</p>
4.5.6	N/A	Sensitive receptors	<p>The Scoping Report does not identify any sensitive receptors or explain how they will be identified.</p> <p>The ES should include a list of sensitive receptors identified within the appropriate study area and locate them on a figure.</p>

ID	Ref	Other points	Inspectorate's comments
4.5.7	6.121	Drainage Strategy	The Proposed Development will be located in the Isle of Axholme which relies on a complex network of drainage assets; effort should be made to agree the drainage strategy approach with the relevant consultation bodies, including the EA.
4.5.8	6.119	Methodology and Significance criteria	The Scoping Report states that standard significance criteria will be used but provides no further explanation and no methodology. The ES should include a methodology and criteria for assessing significance with explanation of how significance is determined and what is considered a 'significant effect'; this should be informed by appropriate guidance which should be referenced.
4.5.9	6.126	Modelling	Any modelling undertaken to inform the ES assessment should be based on relevant guidance and effort should be made to agree the approach with the relevant consultation bodies. Modelling results should be provided with the ES.
4.5.10	N/A	CEMP	The CEMP should include locations of dust generating construction works and details of preventative measures to limit the risk of pollution entering waterways; effort should be made to agree these measures with the relevant consultation bodies.
4.5.11	N/A	Site levels	The ES should include existing and proposed site levels including access and egress routes and heights of any existing and proposed flood defences.

## 4.6 Geology, Hydrogeology and Land Contamination

(Scoping Report paragraphs 6.131–6.152)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.6.2	6.131	Study area	<p>The Scoping Report states that for geology and land contamination, a study area that extends 250m from the boundary of the Proposed Development will be adopted, extended to 1km for hydrogeology. The reasoning behind the choice of these limits is not explained. The extent of the study area should reflect the anticipated extent of potential impacts; and be based on the appropriate professional guidance agreed with relevant consultation bodies.</p> <p>The Planning Inspectorate considers that given the potential for surviving peat deposits and waterlogged sediments (see below), at this stage of the Application it is unwise to set advance limits on study areas. Instead, the study areas in the ES should be based on the results of detailed geotechnical assessments and specialist advice from consultation bodies such as Natural England and Historic England.</p>
4.6.3	6.133, 6.137	Geology and hydrogeology	<p>The Scoping Report notes the presence of peat deposits and waterlogged sediments. These sensitive deposits form a significant component of the local landscape. The Scoping Report also notes that there is insufficient information to ascertain what the groundwater levels are in the wider area.</p> <p>Due to potential deforming, desiccating and aerobic effects of any development, the Inspectorate considers that the ES should</p>

ID	Ref	Other points	Inspectorate's comments
			characterise hydrogeological sediments in line with relevant guidance, using appropriate sources and data from surveys and modelling. Specific attention should be given to commissioning geophysical and geotechnical surveys, with groundwater monitoring via boreholes at different times of year, and at different locations across the site. Tidal influences on the River Trent and groundwater levels should be considered, along with the complex network of drainage feature in the area. The design of the proposed foundations and construction programme should be informed by specialist advice.
4.6.4	6.141 – 6.143	Land contamination baseline	<p>The Scoping Report highlights the potential for land contamination to be present on the site of the Proposed Development.</p> <p>As part of the baseline, the ES should detail the mitigation measures currently employed on site by the existing operations and clarify if/how they interact with and influence the findings in the assessment. The ES should also include the results of further commissioned assessments to ensure that baseline data are appropriately described and quantified.</p>
4.6.5	6.146 – 6.147	Phase 2 Site Investigation	The Scoping Report notes that site investigation may be required to assess possible foundation solutions. A full description of the assessment methodology should be included within the ES. Again, specialist advice should be sought and reference made to appropriate literature.
4.6.6	6.152	Additional assessment	<p>The Scoping Report states that based on the assessment of baseline data and any potential impacts the ES will recommend mitigation measures which may include an initial intrusive investigation.</p> <p>The Planning Inspectorate considers that a programme of intrusive investigations should take place <i>before</i> the submission of the ES, in order that the results might better inform baseline data, the</p>

ID	Ref	Other points	Inspectorate's comments
			assessment of significance and the production of more detailed mitigation measures.
4.6.7	N/A	Figures	The ES should include detailed supporting figures of appropriate size and scale to present the results of the detailed hydrogeological survey and modelling. In addition to plans and schematic sections, 3-D modelling of the receiving geological and hydrogeological environment is encouraged, in order to better understand the underlying deposits within the Proposed Development area and to inform design.
4.6.8	N/A	Soil classification	The ES should explain with reference to Agricultural Land Classifications, the nature and quantity of the soils that will be affected by the Proposed Development. If the soil is classified as Best and Most Versatile (BMV) BMV, then appropriate remediation and mitigation measures should be described within the ES.

## 4.7 Landscape and Visual Amenity

(Scoping Report paragraphs 6.153–6.169)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.7.2	6.157 and 6.164	Methodology	<p>The Scoping Report correctly makes reference to the <i>Landscape Institute Technical Guidance Note 06/19: Visual Representation of Development Proposals</i> (2019), but in a subsequent paragraph references the previous iteration of these guidelines (Technical Guidance Note 02/17). The most up-to-date guidelines should be followed and referenced throughout the ES. The ES should be supported with suitable visual representations in line with the approach set out in the <i>Landscape Institute Technical Guidance Note 06/19</i>.</p> <p>In this instance, the Planning Inspectorate considers that Category A Type 4 visualisations may be appropriate (Landscape Institute Technical Guidance Note 06/19: 13).</p>

ID	Ref	Other points	Inspectorate's comments
4.7.3	6.164, 6.168	Visual Representations	<p>The Scoping Report notes that up to four accurate Visual Representations of the Proposed Development will be produced.</p> <p>The Inspectorate considers that four Visual Representations of the Proposed Development may not be enough to provide full representation and notes the degree of uncertainty over the final design and layout. The Inspectorate recommends that effort is made to agree relevant details of the design of the structures as soon as possible so that this aids the assessment and iterative design process.</p>
4.7.4	6.166	Night-time visual assessment	<p>The Scoping Report indicates that during construction and operation stages of the Proposed Development lighting will be designed to reduce unnecessary light spill. There is no explicit mention of night-time visual assessment, however.</p> <p>The Inspectorate considers that, given the scale of the Proposed Development, a night-time lighting impact assessment should also be prepared for the ES, for both the construction and operational phases. This must also consider possible effects on the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) and its proposed extension, along with the Humber Estuary Ramsar site, the Thorne Moors Special Area of Conservation (SAC) and the Thorne and Hatfield Moors Special Protection Area (SPA). This assessment needs to be cross-referenced with potential night-time impacts on ecological receptors.</p>
4.7.5	6.169	Landscaping and biodiversity management strategy	<p>The Landscape and Visual Amenity assessment in the ES should explain how the North Lincolnshire Green Infrastructure Network (2019), the proposed northern extension to the Lincolnshire Wolds AONB, and other relevant local policies have been taken into account.</p>

## 4.8 Cultural Heritage

(Scoping Report paragraphs 6.170–6.185)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.8.2	6.172	Waterlogged alluvial and peat deposits	<p>The Scoping Report notes the potential for favourable conditions for the survival of organic material in the vicinity of the Proposed Development. This is a significant aspect of the local landscape. However, the report makes no further reference to waterlogged deposits, nor any means of assessing them.</p> <p>The ES must specifically assess possible effects on waterlogged deposits, following appropriate guidelines (e.g. Historic England 2016 – <i>Preserving Archaeological Remains. Appendix 3 – Water Environment Assessment Techniques</i>; Historic England 2020 – <i>Deposit Modelling and Archaeology: Guidance for Mapping Buried Deposits</i>). Geophysical and detailed geotechnical deposit modelling surveys should therefore be commissioned for this.</p>
4.8.3	6.173	Keadby Lock	<p>The Scoping Report acknowledges that Keady Lock is a Scheduled and Listed structure. Possible physical impacts to the lock and its waterway environs, either through vibration, dust, pollution or accident must also be assessed. Mitigation through design or protective measures should be identified and developed in consultation with relevant consultation bodies e.g. the Canal and River Trust and included in the ES.</p>

4.8.4	6.176, Figure 3B	Study area and receptors	<p>Figure 3B in Appendix 1 illustrates the location of designated heritage assets within 1km, 3km and 5km of the Proposed Development. None of the assets are numbered or cross-referenced to data tables. Non-designated assets are not shown.</p> <p>The ES will need to detail all the receptors considered within the study area and locate them on one or more Figures in relation to the Proposed Development.</p>
4.8.5	6.178	Desk-based heritage assessment	<p>The Scoping Report notes that a desk-based cultural heritage assessment will be undertaken, including formal Historic Environment Record (HER) searches at North Lincolnshire HER and visits to relevant archives and local studies libraries.</p> <p>The Planning Inspectorate considers that the National Monuments Record (NMR) should also be consulted for the ES, along with a specialist study of available historic aerial photographs and lidar data.</p>
4.8.6	6.179	Heritage-specific viewpoints	<p>The Scoping Report notes that a Zone of Theoretical Visibility (ZTV) (as discussed in the Landscape and Visual Amenity section) will also be used as a tool of assessment to identify areas of visibility for the setting of heritage assets.</p> <p>The Planning Inspectorate welcomes this but considers that separate heritage-specific viewpoints should be included within the heritage assessment chapter rather than being subsumed within Landscape and Visual Amenity section. In particular, there should be a structured assessment of the visual (fixed point and kinetic) impacts from the Proposed Development on Keadby Lock and associated waterways within the ZTV.</p>
4.8.7	6.179	Literature review	<p>The Scoping Report refers to professional good practice guidelines produced by the Chartered Institute for Archaeologists (CIfA) and Historic England (HE).</p> <p>The criteria to establish significance in the ES should also make specific reference to relevant published and unpublished literature</p>

			resources such as; Lincolnshire Historic Landscape Characterisation (HLC) Project (2011), the Isle of Axholme HLC (1997) and <i>The Archaeology of the East Midlands: An Archaeological Resource Assessment and Research Agenda</i> (2006).
4.8.8	6.182	Archaeology and heritage baseline	<p>The Scoping Report states that sufficient heritage information is presently available to provide an adequate baseline assessment, and that "<i>Further archaeological evaluation such as geophysical survey is not anticipated</i>".</p> <p>The Applicant should ensure that the assessment is based on a robust baseline position. The significance of remains should be carefully characterised ensuring that the buried archaeological historic baseline is identified within an appropriate study area using relevant guidance and appropriate source information. Aerial photographic and lidar analyses should be undertaken, along with a programme of walkover, geophysical and geotechnical (deposit modelling) surveys. Effort should be made to agree the approach with relevant consultation bodies. The results and assessment of significance should be clearly presented within the ES along with a description of any uncertainties or assumptions applied.</p>
4.8.9	6.184	Assessment	<p>The Scoping Report notes that once all potential heritage receptors have been identified they will be assigned a 'value'.</p> <p>The origin and rationale of such an approach, the matrixes used, and which organisation devised them should be acknowledged and referenced in the ES. The ES should also describe where expert judgement has been applied to enable an assessment beyond that which is achieved solely by the use of systematic matrixes or scoring systems. Expert judgement should be provided in the form of non-technical narrative within the Historic Environment chapter.</p>
4.8.10	N/A	Archaeological receptors in river and riverbank areas and fluvial archaeological baseline	The Cultural Heritage section of the Scoping Report does not identify any potential impacts on historic receptors within watercourses and along their banks. Based on results of walkover and geophysical

			surveys the ES should identify and assess any potential impacts on historic receptors (where significant effects are likely to occur) within the River Trent, the Stainforth and Keadby Canal, Three Rivers and drainage channels; as well as riverbank areas.
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## 4.9 Socio-Economics

(Scoping Report paragraphs 6.186 - 6.193)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Other points	Inspectorate's comments
4.9.2	N/A	Study area	The Scoping Report does not identify a study area for this aspect. The study area should be described and justified within the ES.
4.9.3	6.190	Guidance	The Scoping Report refers to " <i>standard EIA guidance</i> ", however no references are provided. The ES should include a reference to the formal reference list and guidance documents used to inform the assessment.
4.9.4	6.191	Inequalities	The local area indices of multiple deprivation is amongst the 30% most deprived in the country. The ES should consider how the development might impact local inequality, including health inequality.
4.9.5	N/A	Impacts	The Scoping Report makes no mention of the potential for construction workers moving into the area and placing an increased demand on local services (e.g. housing, healthcare, recreational/open space). The ES should assess any likely significant effects associated with the influx of workers during the construction stage.
4.9.6	N/A	Assessment methodology	The Inspectorate expects the figures and calculations used to generate an assessment of employment opportunities to be clearly stated within the ES, together with adequate justification for their use in the methodology section. The ES should clearly describe the

ID	Ref	Other points	Inspectorate's comments
			methodology used to assess loss of private land in the ES. The ES should clearly state the assessment criteria which the effects are to be assessed against, and clearly state the value of receptors identified.

## 4.10 Climate

(Scoping Report paragraphs 6.194–6.201)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.10.1	6.197 (Table 6)	GHG lifecycle assessment - decommissioning	<p>The Scoping Report seeks to scope out the "<i>removal and/or renewal</i>" of the Proposed Development arguing that it is not reasonably foreseeable and would be subject to a separate permission.</p> <p>The Inspectorate agrees that the renewal of the scheme would be subject to separate consent and this matter can therefore be scoped out of the assessment. However, a qualitative assessment of the impacts from removal should be included in the ES.</p>
4.10.2	Table 7	In-combination Climate Change Impact (ICCI) assessment – Extreme weather events; sea level rise; and precipitation change leading to flash flooding	<p>The Scoping Report considers that these matters will be adequately addressed in the FRA and therefore a separate Climate Change Assessment on these matters is not necessary. The Inspectorate considers the results of this assessment should also be presented in the climate change chapter, signposting to the relevant information in the FRA.</p>
4.10.3	Table 7	ICCI assessment – temperature change; precipitation change (including low precipitation and drought conditions)	<p>The Scoping Report considers that these matters will be adequately addressed in a Landscape and Biodiversity Management Strategy and therefore a separate Climate Change Assessment on these matters is not necessary. No further details are provided concerning the nature of the Landscape and Biodiversity Management Strategy, what relationship it will have to the ES, and whether it will comprise an assessment of effects. Considering this, the Inspectorate does not agree to scope these matters out and they should be addressed in the assessment where significant effects are likely.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.10.4	Table 7 and Table 8	ICCI assessment – wind; and Climate Change resilience assessment - wind	The Applicant seeks to scope out the impacts of wind on receptors in the surrounding environment (ICCI assessment) and on the resilience of the Proposed Development (Climate change resilience assessment) as they “ <i>are likely to be no worse relative to baseline conditions</i> ”. Provided these baseline conditions are evidenced and the data source is acknowledged, The Inspectorate is content to scope this matter out.

ID	Ref	Other points	Inspectorate's comments
4.10.5	6.194	Baseline - Future climate conditions	No mention is made in the Scoping Report of UK Climate Change Projections (UKCP18) – the most up-to-date assessment of climate change used in National Planning Policy Guidance (NPPG) on Flood Risk Assessment and Climate Change Allowances. The ES should include detailed reference to these projections and associated data, in particular the regional studies; and agree the approach adopted within the ES with the relevant consultation bodies.
4.10.6	6.197	GHG lifecycle impact assessment	The Scoping Report asserts that potential GHG emissions can be avoided due to a low carbon approach and the beneficial impact of the Proposed Development on power generation in the UK.  There is no detail provided in the Scoping Report regarding the differences between the respective emissions profile and overall carbon impacts with the two main fuel options (natural gas versus hydrogen firing). The Planning Inspectorate ES considers that such detailed information should be provided in the assessment to enable a comparative impact assessment.
4.10.7	6.198, 6.200	Methodology	The Scoping Report chapter does not outline the methodology that will be used for the assessment. The differences between an ICCI, a

ID	Ref	Other points	Inspectorate's comments
			CCI and a CCR Review (Table 7, Table 8) are not clearly defined. The ES and/or accompanying appendices should describe the methodology applied to the assessment and how significant effects will be evaluated. Effort should be made to agree the methodology with the relevant consultation bodies.
4.10.8	N/A	Guidance	<p>Where relevant, the ES should take into account the following guidance:</p> <ul style="list-style-type: none"> <li>• IEMA (2017) Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance</li> <li>• IEMA (2015) Environmental Impact Assessment Guide to: Climate Change Resilience and Adaptation</li> </ul>
4.10.9	6.200	CCR Review	The CCR acronym is used to refer to the Climate Change Resilience review although it is not defined in the text, and the Glossary defines it as Carbon Capture Ready. The ES will need to ensure there is clarity in the assessment terminology used.

## 4.11 Population and Human Health

(Scoping Report paragraphs 6.202–6.204)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.11.1	6.202 – 6.203	Human health impact assessment	The Applicant proposes to assess matters relevant to human health within the relevant ES chapters (e.g. air quality) and not within a standalone chapter. The Inspectorate agrees that a standalone population and human health chapter is not necessarily required. The Inspectorate welcomes the proposed signposting document, to summarise the results of the assessment and determine the combined effects on health receptors. Where significant effects to human health receptors are likely a full assessment with relevant methodology applied should be included. The proposed mitigation measures relied upon to support the conclusion to the assessment should be included within the relevant ES chapter.

ID	Ref	Other points	Inspectorate's comments
4.11.2	N/A	Electric and Magnetic Fields	The Scoping Report makes no specific mention of Electric and Magnetic Fields (EMF). The ES should clarify the extent to which EMF has been considered; significant effects from EMF should be assessed in the ES as necessary.

## 4.12 Cumulative and Combined Effects

(Scoping Report paragraphs 6.205–6.208)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.12.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.12.2	6.206	Study area	A 2km study area for TCPA developments and a 10km study area for NSIPs has been applied for the purposes of scoping. No study areas have been defined for the purposes of the assessment. The Inspectorate considers that other existing or approved development beyond this distance could give rise to cumulative effects on the same receptors. The ES must clearly state and justify the study area applied for each aspect. Effort should be made to agree the scope of the cumulative assessment with relevant consultation bodies.
4.12.3	6.206	Other National Infrastructure projects	The Scoping Report states that projects listed on the PINS National Infrastructure Planning website within 10km of the Proposed Development were also considered as part of the initial assessment of cumulative and combined effects, but none were identified.  The Little Crow Solar Park NSIP is located approximately 10km to the south-east of the Proposed Development and should be included in the assessment.
4.12.4	6.208	Combined effects	The Scoping Report does not define the scope of any combined effects and lists just one example. The ES should be clear as to which combinations of effects it is assessing, and clearly justify the approach taken.

ID	Ref	Other points	Inspectorate's comments
4.12.5	N/A	Methodology	The Scoping Report does not include a methodology for assessing cumulative or combined effects. The Applicant's attention is drawn to the Inspectorate's Advice Note 17: Cumulative Effects Assessment, which sets out the recommended approach to such assessments. Any mitigation and/ or design measures relied upon to exclude likely significant effects should be explained in the ES and appropriately secured.

## 4.13 Electronic Interference

(Scoping Report paragraphs 7.11–7.12)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.13.1	7.11	Electronic Interference	<p>The Scoping Report states that as the maximum building heights and construction cranes of the Proposed Development will be no higher than those associated with the Keadby 2 Power Station, an assessment of effects on electronic interference is not required.</p> <p>Paragraph 7.13 states that the stack height at Keadby 2 is 85m. Paragraph 6.162 (the LVIA) applies a maximum height for Keadby 3 of "<i>circa 90m</i>", however there is some uncertainty regarding the number and heights of stacks generally (see comment <b>Error! Reference source not found.</b>). In the absence of evidence demonstrating clear agreement with relevant consultation bodies and given the potentially novel technologies involved in the Proposed Development; the Planning Inspectorate is not in a position to agree to scope out this aspect from the assessment. The ES should therefore include an assessment of this aspect where significant effects are likely to occur.</p>

ID	Ref	Other points	Inspectorate's comments
4.13.2	7.12	Digital and analogue signals	<p>The Scoping Report asserts that as analogue signals have been replaced by digital signals, the Proposed Development is likely to have a negligible effect on television, radio (analogue and digital) and mobile phone reception.</p> <p>Analogue radio and television signals are still being transmitted, however. Ofcom recommends that developers undertake desk-based assessments and reception surveys in order to investigate the possible impacts of a development on analogue signals, mobile</p>

ID	Ref	Other points	Inspectorate's comments
			phones, other WiFi-based devices and point-to-point microwave transmissions (Ofcom 2009 – <i>Tall Structures and their Impact on Broadcast and Other Wireless Services</i> : 8). The Inspectorate supports this approach.

## 4.14 Major Accidents or Disaster Vulnerability

(Scoping Report paragraphs 7.15–7.23)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.14.1	7.16 – 7.22	Risks of major accidents and disasters	<p>The Scoping Report proposes to scope out an assessment of major accidents on the basis that their risks are “<i>suitably assessed, regulated and controlled by other legislative frameworks</i>”. It does however propose to discuss accidental events “<i>such as the potential for fuel spillages and abnormal air emissions, and how the risk of these events will be minimised</i>” in the relevant chapters of the ES.</p> <p>The Inspectorate acknowledges the relevance of information obtained through risk assessments pursuant to other regulatory regimes. However, given the novelty of the proposed development, and in the absence of evidence demonstrating clear agreement with relevant consultation bodies, the Planning Inspectorate does not agree to scope out these matters from the assessment. See paragraph 3.3.11 above for further details.</p>

ID	Ref	Other points	Inspectorate's comments
4.14.2	7.16	Construction and decommissioning phases	The Scoping Report states that the ERA will consider the risks from the operation of the project. The ES should address significant effects across all phases of the Proposed Development, not just during operation.
4.14.3	7.23	Screening of major accidents and natural disasters	The Scoping Report notes that should the ERA identify risks that have the potential to result in a significant adverse effect on an environmental receptor, it will identify design mitigation to reduce the risk to be as low as reasonably practicable. This information should be presented in the ES.

ID	Ref	Other points	Inspectorate's comments
4.14.4	7.23	Vulnerability to disasters	<p>The National Risk Register of Civil Emergencies (Cabinet Office 2017) identifies a range of potential hazards that may affect the UK. Of these examples, the Scoping Report includes events arising from natural sources. No information has been provided to justify scoping out other potential hazards. The ES should therefore assess the effects associated with a broader range of civil emergencies such as diseases, major accidents, societal risks and malicious attacks, where significant effects are likely to occur.</p>

## 4.15 Materials and Waste

(Scoping Report paragraphs 7.4–7.8)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.15.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Other points	Inspectorate's comments
4.15.2	7.6	Impact to waste capacity infrastructure in the region	Scoping Report Paragraph 7.6 states the " <i>Proposed Development has potential to cause impacts on the capacity of the waste infrastructure in the region</i> " but no further details are provided. The ES should include an assessment determining the severity of the impact to the waste capacity infrastructure in the region.
4.15.3	7.7	Landfill/ waste receiving sites	The ES should include the locations of potential landfills/ waste receiving sites and depict them on a figure(s). The anticipated vehicle movements required to deliver the waste to the sites should also be included, and any ancillary effects such as increases in noise and pollutants released should be assessed within the appropriate section of the ES. The available capacity of these sites should be assessed against the volume of anticipated waste generated.
4.15.4	7.8	Mitigation	The Scoping Report states that measures will be included in the Framework CEMP to manage construction waste. The ES should contain sufficient detail as to the effectiveness of proposed measures and how they have been secured. Where relevant, operational waste mitigation measures should also be detailed.
4.15.5	N/A	Contaminated waste	The Scoping Report makes no reference to contaminated waste. The ES or SWMP should explain the measures that will be implemented

ID	Ref	Other points	Inspectorate's comments
			for the storage, removal, and disposal, including the disposal sites, of contaminated waste.

## 4.16 Aviation

(Scoping Report paragraphs 7.13 – 7.14)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.16.1	7.13	Scoping out rationale	The Scoping Report proposes to scope out aviation because the cranes/ stacks within the Proposed Development will be similar to the heights of existing or consented structures at Keadby 2 and Keadby 1 Power Stations. Notwithstanding the uncertainty surrounding the stacks (see comments <b>Error! Reference source not found.</b> and <b>Error! Reference source not found.</b> ), the Inspectorate is content that having regard to the characteristics of the Proposed Development that significant environmental effects on aviation are unlikely to occur. The Inspectorate agrees that should the need for taller structures arise, the need for an aviation assessment should be reviewed in consultation with relevant consultation bodies including the Civil Aviation Authority (CAA).

ID	Ref	Other points	Inspectorate's comments
4.16.2	7.14	Consultation	The Scoping Report notes that the CAA will be consulted on any requirements for aviation lighting on the stack(s), and should taller stacks or cranes be required than the need for an aviation assessment will be reviewed. The Planning Inspectorate encourages such consultation and recommends that once designs of the Proposed Development are finalised, details are submitted to the CAA for review and their response incorporated within the ES.

## 5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus<sup>5</sup>
- Planning Inspectorate advice notes<sup>6</sup>:
  - Advice Note Three: EIA Notification and Consultation;
  - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
  - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
  - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
  - Advice Note Nine: Using the 'Rochdale Envelope';
  - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note Twelve: Transboundary Impacts;
  - Advice Note Seventeen: Cumulative Effects Assessment; and
  - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.

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<sup>5</sup> The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

<sup>6</sup> The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>7</sup>**

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	National Health Service England
The relevant Clinical Commissioning Group	National Health Service North Lincolnshire Clinical Commissioning Group
Natural England	Natural England
Historic England	Historic England
The relevant fire and rescue authority	Humberside Fire and Rescue Service
The relevant police and crime commissioner	Humberside Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Keadby with Althorpe Community Parish Council
	Crowle and Ealand Town Council
	Belton Parish Council
The Environment Agency	The Environment Agency
The Maritime and Coastguard Agency	Maritime and Coastguard Agency
The Maritime and Coastguard Agency – Regional Office	The Maritime and Coastguard Agency – Humber
The Marine Management Organisation	Marine Management Organisation (MMO)
The Relevant Highways Authority	North Lincolnshire Council – Transport and Streets

<sup>7</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The relevant strategic highways company	Highways England
The relevant internal drainage board	Isle of Axholme and North Nottinghamshire Water Level Management Board
	Scunthorpe and Gainsborough Water Management Board
	Doncaster East Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency of the Department of Health	Public Health England

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>8</sup>**

STATUTORY UNDERTAKER	ORGANISATION
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission
The Secretary of State for Defence	Ministry of Defence
The relevant Clinical Commissioning Group	National Health Service North Lincolnshire Clinical Commissioning Group
The National Health Service Commissioning Board	National Health Service England
The relevant NHS Trust	Scunthorpe General Hospital
The relevant National Health Service Trust	Yorkshire Ambulance Service National Health Service Trust
Railways	Network Rail Infrastructure Ltd

<sup>8</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
	Highways England Historical Railways Estate
Canal or Inland Navigation Authorities	The Canal and River Trust
	Associated British Ports
Dock and Harbour authority	Associated British Ports
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	National Air Traffic Services
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant water and sewage undertaker	Anglian Water
	Severn Trent Water
	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Electricity Limited
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Last Mile Gas Limited
	Murphy Gas Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	Quadrant Pipelines Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
The relevant electricity generator with CPO Powers	Keadby Developments Limited
	Keadby Generation Limited
	Eclipse Power Networks Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Last Mile Electricity Limited
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Northern Powergrid (Northeast) Limited
	Northern Powergrid (Yorkshire & North Lincolnshire) plc
	National Grid Electricity Transmission Plc

**TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>9</sup>**

LOCAL AUTHORITY <sup>10</sup>
North Lincolnshire Council
East Riding of Yorkshire Council
Lincolnshire County Council
Doncaster Metropolitan Borough Council
Nottinghamshire County Council
North East Lincolnshire Council
Bassetlaw District Council
West Lindsey District Council

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<sup>9</sup> Sections 43 and 42(B) of the PA2008

<sup>10</sup> As defined in Section 43(3) of the PA2008



## APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Anglian Water Services Limited
Cadent Gas Limited
Canal and River Trust
Civil Aviation Authority
Doncaster Council
Environment Agency
ESP Utilities Group Ltd
Health and Safety Executive
Historic England
Marine Management Organisation
National Grid
NATS Safeguarding
Natural England
Network Rail
Northern Powergrid
West Lindsey District Council
Yorkshire Water

**From:** [Patience Stewart](#)  
**To:** [Keadby 3](#)  
**Subject:** Keadby 3 Low Carbon Gas Power Station Project - Scoping Report  
**Date:** 15 June 2020 18:41:31  
**Attachments:** [Outlook-3njg3myb.png](#)  
[Outlook-zwzhj5xs.png](#)  
[Letter to Planning Inspectorate - Keadby 3.pdf](#)

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Dear Sir/Madam,

Thank you for the opportunity to comment on the EIA scoping report for the Keadby 3 Low Carbon Power Station development. The following comments are submitted on behalf of Anglian Water as water undertaker for part of the above project site.

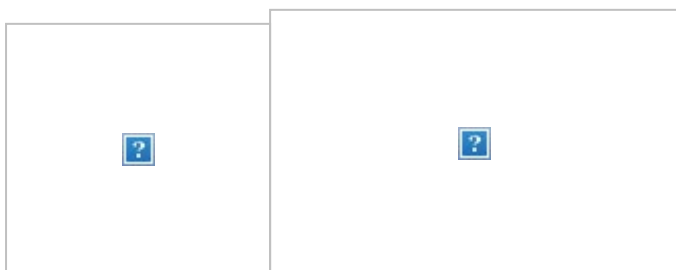
I would be grateful if you could confirm that you have received this response.

Should you have any further queries relating to this response please let me know.

Regards,  
**Stewart Patience, MRTPI**  
Spatial Planning Manager  


**Anglian Water Services Limited**

Anglian Water, Thorpe Wood House, Thorpe Wood, Peterborough, Cambridgeshire. PE3 6WT



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\*-----  
\*-----

Ms Stephanie Newman  
EIA and Land Rights Advisor  
Major Applications & Plans  
The Planning Inspectorate,  
Temple Quay House,  
Temple Quay,  
Bristol,  
BS1 6PN

Dear Ms Newman,

### **Keadby 3 Low Carbon Gas Power Station: Scoping Report**

Thank you for the opportunity to comment on the scoping report for the above project. Anglian Water is the water undertaker for part of the above site in the vicinity of the River Trent. The following response is submitted on behalf of Anglian Water.

#### General comments

Anglian Water would welcome further discussions with SSE Generation Ltd prior to the submission of the Draft DCO for examination.

In particular it would be helpful to discuss the following issues:

- Wording of the Draft DCO including protective provisions specifically for the benefit of Anglian Water.
- Requirement for water services.
- Impact of development on Anglian Water's existing assets and the need for mitigation if required.
- Pre-construction surveys.

#### 3.0 The Proposed Development

Most of the proposed site appears to be located outside of the Anglian Water company area. With the locations for abstraction and discharge together with waterborne loading area being located within or in the vicinity of the Anglian Water's water supply boundary.

#### 6.0 Water Resources and Flood Risk

Reference is made to water abstraction and discharge forming part of the proposals for the main site for the above project.



Registered Office  
Anglian Water Services Ltd  
Lancaster House, Lancaster Way,  
Ermine Business Park, Huntingdon,  
Cambridgeshire. PE29 6XU  
Registered in England  
No. 2366656.

**an AWG Company**

With an assessment of the anticipated impacts of the proposed development on the water environment to be undertaken as part of the Environmental Statement.

At this stage it is unclear whether there is a requirement for water services for the above site. It is suggested that the Environmental Statement should include reference to water supply.

Should you have any queries relating to this response please let me know.

Yours sincerely

A solid black rectangular box used to redact the signature of Stewart Patience.

**Stewart Patience**  
**Spatial Planning Manager, MRTPI**

**From:** [.box.PPRSTeam](#)  
**To:** [Keadby 3](#)  
**Subject:** FW: Cadent and National Grid Plant Enquiry Response - Your Ref: EN010114 (TC) Our Ref: EM\_GE1A\_3NWP\_023947  
**Date:** 19 May 2020 15:08:55  
**Attachments:** [NATIONAL\\_GRID\\_EM\\_GE1A\\_3NWP\\_023947\\_1\\_9168.pdf](#)

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**\*\*DO NOT REPLY TO THIS MAILBOX AS IT IS NOT  
MONITORED\*\***

If you need to contact Plant Protection e-mail  
[plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Call 0800 688 588

Did you know you can do your own search by logging on and  
registering at [www.beforeyoudig.cadentgas.com](http://www.beforeyoudig.cadentgas.com)

---

**From:** Cadent EAGLES System <noreply.eagles@dnvgl.com>  
**Sent:** 19 May 2020 13:34  
**To:** .box.PPRSTeam <PPRSTeam@cadentgas.com>  
**Subject:** Cadent and National Grid Plant Enquiry Response - Your Ref: EN010114 (TC) Our Ref: EM\_GE1A\_3NWP\_023947

**Formal Planning Application - Your Ref: EN010114 (TC) Our Ref:  
EM\_GE1A\_3NWP\_023947**

Thank you for your enquiry which was received on 18/05/2020.

Please refer to the attached documentation for Cadent and National Grid's  
response.

**Self-service for Plant Enquiries:** [www.beforeyoudig.cadentgas.com](http://www.beforeyoudig.cadentgas.com)

If you need to contact the Plant Protection Team regarding your enquiry, please  
use the following details:

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)

Address: Plant Protection

Cadent

Block 1; Floor 1;

Brick Kiln Street

Hinckley

LE10 0NA

Telephone: +44 (0)800 688 588

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**National Gas Emergency Number:**

**0800 111 999\***

**National Grid Electricity Emergency Number:**

**0800 40 40 90\***

\* Available 24 hours, 7 days/week. Calls may be recorded and monitored.

\*\*\*\*\*  
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**Cadent Gas Limited is a limited liability company, registered in England and Wales (registered no. 10080864) with its registered office at Ashbrook Court, Prologis Park, Central Boulevard, Coventry CV7 8PE.**

---

stephanie newman  
Planning Inspectorate  
The Planning Inspectorate  
Room 3C  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Plant Protection  
Cadent  
Block 1; Floor 1  
Brick Kiln Street  
Hinckley  
LE10 0NA  
E-mail: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com)  
Telephone: +44 (0)800 688588

**National Gas Emergency Number:**  
**0800 111 999\***

**National Grid Electricity Emergency Number:**  
**0800 40 40 90\***

\* Available 24 hours, 7 days/week.  
Calls may be recorded and monitored.

[www.cadentgas.com](http://www.cadentgas.com)

**Date:** 19/05/2020

**Our Ref:** EM\_GE1A\_3NWP\_023947

**Your Ref:** EN010114 (TC)

**RE: Formal Planning Application, DN17 3EL Chapel Lane, Keadby with Althorpe, Keadby, North Lincolnshire**

Thank you for your enquiry which was received on 18/05/2020.  
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

## **Are My Works Affected?**

**Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.**

**Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.**

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

**As your proposed activity is in close proximity to National Grid's Transmission assets we have referred your enquiry/consultation to our Asset Protection team for further detailed assessment. We request that you do not commence work or take further action with regards to your proposal until you hear from us. We will endeavour to contact you within 21 days from the date of this response. Please contact us at [assetprotection@nationalgrid.com](mailto:assetprotection@nationalgrid.com) if you have not had a response within this time frame.**

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

## Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- | Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- | Gas service pipes and related apparatus
- | Recently installed apparatus
- | Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

# ASSESSMENT

## Affected Apparatus

The apparatus that has been identified as being in the vicinity of your proposed works is:

- | National Gas Transmission Pipelines and associated equipment
- | Electricity Transmission overhead lines
- | Above ground electricity sites and installations

As your proposal is in proximity to apparatus, we have referred your enquiry / consultation to the following department(s) for further assessment:

- | Land and Development Asset Protection Team (High Pressure Gas Transmission and Electricity Transmission Apparatus)

**We request that you take no further action with regards to your proposal until you hear from the above. We will contact you within 28 working days from the date of this response. Please contact us if you have not had a response within this timeframe.**

## Requirements

**BEFORE carrying out any work you must:**

- | **Ensure that no works are undertaken in the vicinity of our gas pipelines and that no heavy plant, machinery or vehicles cross the route of the pipeline until detailed consultation has taken place.**
- | Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- | Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- | Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- | In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.

# **GUIDANCE**

## **High Pressure Gas Pipelines Guidance:**

If working in the vicinity of a high pressure gas pipeline the following document must be followed: 'Specification for Safe Working in the Vicinity of Cadent and/or National Grid High Pressure Gas Pipelines and Associated Installations - Requirements for Third Parties' (SSW22). This can be obtained from: <http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968>

## **National High Pressure Gas Pipelines Guidance:**

<http://www.nationalgrid.com/NR/rdonlyres/9934F173-04D0-48C4-BE4D-82294822D29C/51893/Above7barGasGuidance.pdf>

## **Dial Before You Dig Pipelines Guidance:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33969>

## **Working Near National Grid Electricity Transmission equipment:**

If you are carrying out any work in proximity to an overhead line or any excavation that may be near an underground cable then please consult National Grid Technical Guidance Note 287 that can be found at <https://www.nationalgrid.com/sites/default/files/documents/8589935533-TGN%20287%20Third%20party%20guidance%20for%20working%20near%20NGET%20equipment.pdf> Further guidance related to underground cables can also be found at <https://www.nationalgrid.com/sites/default/files/documents/8589936512-Excavating%20Safety%20Leaflet%20Electricity.pdf>

# **Standard Guidance**

## **Essential Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=8589934982>

## **General Guidance document:**

<http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=35103>

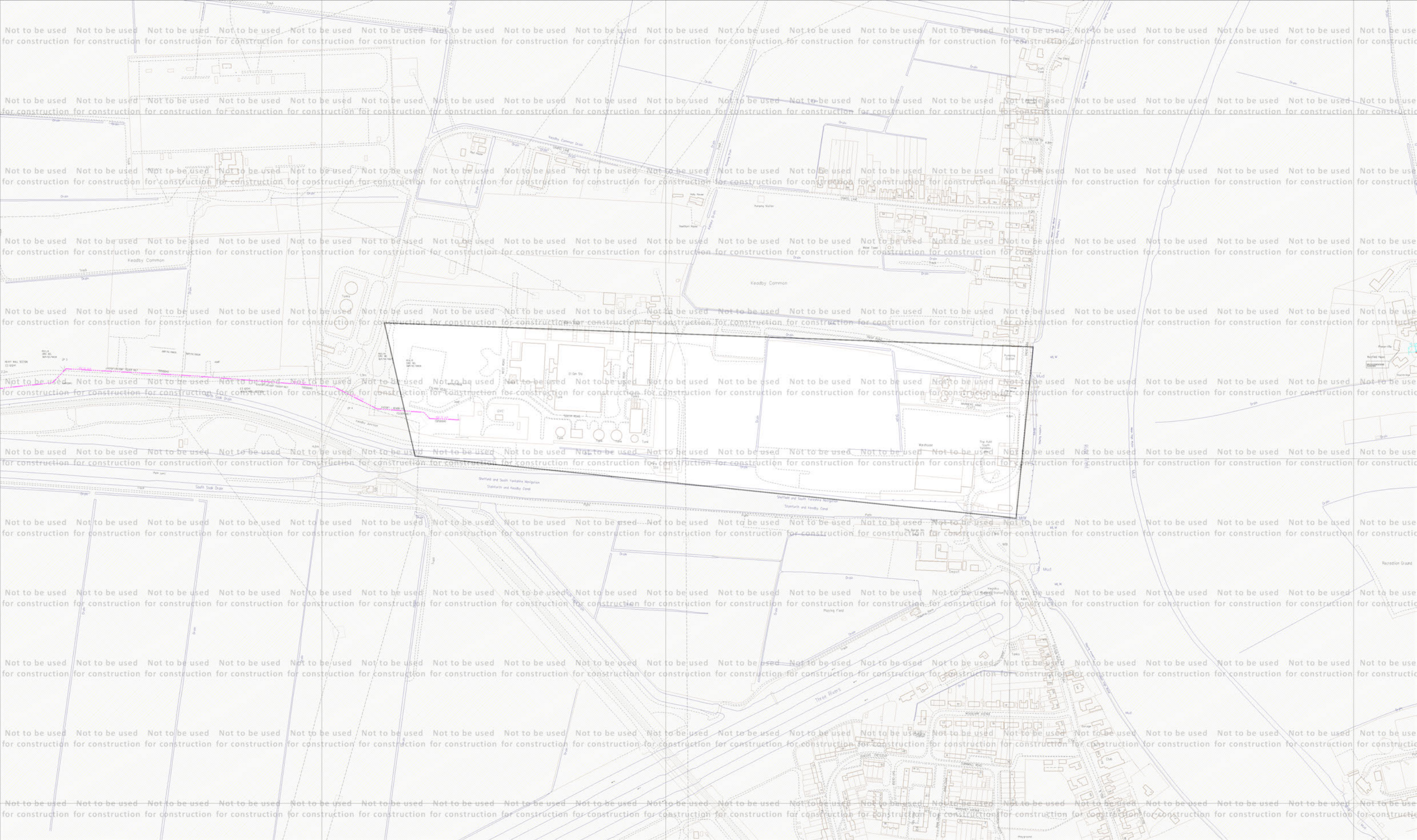
## **Excavating Safely in the vicinity of gas pipes guidance (Credit card):**


<http://www.nationalgrid.com/NR/rdonlyres/A3D37677-6641-476C-9DDA-E89949052829/44257/ExcavatingSafelyCreditCard.pdf>

## **Excavating Safely in the vicinity of electricity cables guidance (Credit card):**

<http://www.nationalgrid.com/NR/rdonlyres/35DDEC6D-D754-4BA5-AF3C-D607D05A25C2/44858/ExcavatingSafelyCreditCardelectricitycables.pdf>

Copies of all the Guidance Documents can also be downloaded from the [National Grid](#) and [Cadent](#) websites.



ID: EM_GE1A_3NWP_023947		View extent: 2060m, 1220m		<b>Do not proceed without further consultation</b>		Map 1 of 2 (GAS)			
USER: toby.cooper		LP MAINS		<p>This plan shows those pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.</p>		MAPS Plot Server Version 1.11.0			
DATE: 19/05/2020		MP MAINS				 <b>Your Gas Network</b>			
DATA DATE: 18/05/2020		IP MAINS							
REF: EN010114 (TC)		LHP MAINS						Requested by: Planning Inspectorate	
MAP REF: SE8311		NHP MAINS						This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office.	
CENTRE: 483062, 411556		<div>0m100m</div> <div>Approximate scale 1:5000 on A3 Colour Landscape</div>				Crown Copyright Reserved.			
Some examples of Plant Items:		<div>Valve</div> <div>Depth of Cover</div> <div>Syphon</div> <div>Diameter Change</div> <div>Material Change</div> <div>Out of Standard Service</div>				Ordnance Survey Licence number 100024886			



# ENQUIRY SUMMARY

## Received Date

18/05/2020

## Your Reference

EN010114 (TC)

## Location

Centre Point: 483062, 411556

X Extent: 945

Y Extent: 285

Postcode: DN17 3EL

Location Description: DN17 3EL Chapel Lane, Keadby with Althorpe, Keadby, North Lincolnshire

## Map Options

Paper Size: A3

Orientation: LANDSCAPE

Requested Scale: 2500

Actual Scale: 1:5000 (GAS), 1:5000 (ELECTRIC)

Real World Extents: 2060m x 1220m (GAS), 2060m x 1220m (ELECTRIC)

## Recipients

pprsteam@cadentgas.com

## Enquirer Details

Organisation Name: Planning Inspectorate

Contact Name: stephanie newman

Email Address: Keadby3@planninginspectorate.gov.uk

Telephone: 0303 444 5000

Address: The Planning Inspectorate, Room 3C, Temple Quay House, 2 The Square, Bristol, BS1 6PN

## Description of Works

P/A - Application by SSE Generation Limited (the Applicant) for an Order granting Development Consent for the Keadby 3 Low Carbon Gas Power Station (the Proposed Development) (SP)

## Enquiry Type

Formal Planning Application

## Development Types

Development Type: Development for use by General Public

**From:** [Simon Tucker](#)  
**To:** [Keadby 3](#)  
**Subject:** RE: EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification  
**Date:** 05 June 2020 13:20:43  
**Attachments:** [image003.png](#)  
[Keadby CrT Comments 05.06.20.pdf](#)

---

Dear Sir/Madam

Thank you for your notification and consultation on the proposed project at Keadby Power Station.

Please find our comments attached.

Kind Regards

Simon Tucker MSc MRTPI  
Area Planner North East, Canal and River Trust

  
E [simon.tucker@canalrivertrust.org.uk](mailto:simon.tucker@canalrivertrust.org.uk)

**Canal & River Trust**  
Fearn's Wharf; Neptune Street; Leeds; LS9 8PB

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Follow @canalrivertrust from the Canal & River Trust on Twitter  
Please visit our website to find out more about the Canal & River Trust and download our 'Shaping our Future' document on the About Us page.



---

**From:** Newman, Stephanie <[STEPHANIE.NEWMAN@planninginspectorate.gov.uk](mailto:STEPHANIE.NEWMAN@planninginspectorate.gov.uk)>  
**Sent:** 18 May 2020 15:15  
**To:** National Planning Function <[NationalPlanning.Function@canalrivertrust.org.uk](mailto:NationalPlanning.Function@canalrivertrust.org.uk)>  
**Cc:** Heather Clarke <[Heather.Clarke@canalrivertrust.org.uk](mailto:Heather.Clarke@canalrivertrust.org.uk)>  
**Subject:** EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification

**CAUTION: This email originated from an external source. DO NOT CLICK/OPEN links or attachments unless you are certain of their origin.**

Dear Sir/Madam

Please see attached correspondence on the proposed **Keadby 3 Low Carbon Gas Power Station Project**.

Please note the deadline for consultation responses is **15 June 2020**, and is a statutory requirement that cannot be extended.

Kind regards,

Stephanie Newman

Stephanie Newman  
EIA and Land Rights Advisor  
Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5633

Helpline: 0303 444 5000

Email: [Stephanie.Newman@planninginspectorate.gov.uk](mailto:Stephanie.Newman@planninginspectorate.gov.uk)

Web: [infrastructure.planninginspectorate.gov.uk](http://infrastructure.planninginspectorate.gov.uk) (National Infrastructure Planning)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) (The Planning Inspectorate)

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DPC:76616c646f72



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### **Cadw mewn cysylltiad**

Cofrestrwch i dderbyn e-gylchlythyr Glandŵr Cymru <https://canalrivertrust.org.uk/newsletter>

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Mae'r e-bost hwn a'i atodiadau ar gyfer defnydd y derbynnydd bwriedig yn unig. Os nad chi yw derbynnydd bwriedig yr e-bost hwn a'i atodiadau, ni ddylech gymryd unrhyw gamau ar sail y cynnwys, ond yn hytrach dylech eu dileu heb eu copïo na'u hanfon ymlaen a rhoi gwybod i'r anfonwr eich bod wedi eu derbyn ar ddamwain. Mae unrhyw farn neu safbwynt a fynegir yn eiddo i'r awdur yn unig ac nid ydynt o reidrwydd yn cynrychioli barn a safbwyntiau Glandŵr Cymru.

Mae Glandŵr Cymru yn gwmni cyfyngedig drwy warant a gofrestrwyd yng Nghymru a Lloegr gyda rhif cwmni 7807276 a rhif elusen gofrestredig 1146792. Swyddfa gofrestredig: First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB.

Stephanie Newman  
EIA and Land Rights Advisor  
Major Applications & Plans  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Your Ref EN010114

Friday 05 June 2020

Dear Ms Newman

**Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification**

**Waterway: Stainforth & Keadby Canal**

Thank you for your consultation in respect of the above.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The Stainforth & Keadby canal runs to the south of Keadby Power Station. The red line boundary of the development site includes the access road over the canal, and extends up against our waterway in relation to the proposed potential abstraction point and the proposed construction loading area in proximity to Keadby Lock.

### **Works affecting the Stainforth & Keadby Canal**

As the owner and Navigation Authority for the Stainforth & Keadby Canal, we wish to remind the applicant that necessary consents would need to be obtained from the Trust for any works that effect the canal or navigation associated with the use of the canal.

### **Proposed Abstraction**

The incorporation of an additional abstraction point from the Stainforth & Keadby Canal is proposed as an option for the development (paras 6.76; 6.80).

The works to install the abstraction would require the consent of and grant of a licence from the Trust. Our water sales team would be happy to assist the applicant to assess whether sufficient water resources exist on the canal, and whether the new abstraction can be safely accommodated. We recommend that the applicant contacts the Trust's water sales team for additional advice before pursuing the abstraction connection, so as to ensure that it can be safely accommodated. Lesley Inwards, our Water Sales Manager, can be contacted on 01908 351884 or at [lesley.inwards@canalrivertrust.org.uk](mailto:lesley.inwards@canalrivertrust.org.uk).

### **Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E [canalrivertrust.org.uk/contact-us](http://canalrivertrust.org.uk/contact-us) W [canalrivertrust.org.uk](http://canalrivertrust.org.uk)

Works to install abstraction equipment next to the canal would need to be designed to safeguard navigational safety. The Trust's input would be crucial to ensure that the impact on navigational safety can be fully assessed. We advise that full details of the design of any abstraction equipment and the method of construction (including details of any cofferdams) should be submitted to and approved by the Trust prior to the commencement of the works on this part of the development.

### Vibration

Vibrations from construction processes on site and construction equipment could result in damage to the canal wash wall, or the structure at Keadby Lock, which is a scheduled ancient monument. We advise that appropriate supporting information should be provided to highlight that works on site will not result in adverse vibrations that could result in damage to these structures.

The scoping report outlines a proposal for a Vibration assessment as part of the future Environmental Statement, which is focussed on the impact to residential receptors. We advise that this should be expanded to ensure that appropriate supporting information is submitted by the applicant to indicate that no adverse vibration will occur towards the canal or Keadby Lock.

We note that land to the immediate north of Keadby Lock is proposed to be used for the craning of goods from the River Trent. We understand that existing concrete pads have been installed for this, which involved piling works. Should additional pads be required, then we advise that vibrational assessments should be carried out to ensure that the risk of damage towards Keadby Lock is minimised.

### Protection of the Canal from Pollution

We understand that the area to the immediate north of the canal are proposed to be utilised for the construction compound, and for handling stockpiled materials. There is potential that dust and waste generation from the compound could reach the canal unless appropriate precautions are undertaken.

We welcome the proposal to incorporate a Construction and Environmental Management Plan. We advise that details should include information on the location of dust generating works, the location of damping down and wheel wash areas, and details of any protective measures to be incorporated to limit any risk of materials being blown to the canal.

We advise that there may be scope for some of the proposed biodiversity enhancement measures next to the canal to be installed before the compound is brought into use, which could help provide a barrier to trap wind blown dust.

### Construction Access

The proposals include the use of an existing bridge across the Stinforth & Keadby canal, which was built to accommodate traffic for the approved phase II works. We advise that Environment Statement should include information to demonstrate that the capacity of the bridge is appropriate to accommodate the weight of vehicles sought for the proposed works, so as to ensure that no significant damage will occur to the bridge, which could affect canal users below.

## **Freight**

We welcome the consideration given in the scoping report to the use of waterborne freight. We consider that the use of waterways for transport of materials is a form of sustainable transport, which can reduce greenhouse emissions and congestion on the local highway network.

### **Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E [canalrivertrust.org.uk/contact-us](https://canalrivertrust.org.uk/contact-us) W [canalrivertrust.org.uk](https://canalrivertrust.org.uk)

### Use of the Stainforth & Keadby Canal

We note that the use of the canal to transport heavy equipment is discussed in paragraphs 6.57-6.59 of the scoping report. The Trust would be willing to discuss options with the developer on the use of the canal. Our freight operation planner, Stuart McKenzie can be contacted at [stuart.mckenzie@canalrivertrust.org.uk](mailto:stuart.mckenzie@canalrivertrust.org.uk) and would be happy to assist with any enquiries.

### Offloading area next to the River Trent

The proximity of the proposed offloading area to the access point for the Stainforth & Keadby canal at Keadby Lock could result in an obstruction to the entrance point of the canal should any oversized vessels be used. We request that details should be provided by the applicant as to the anticipated size and loading times of vessels in this location to ensure that this part of the proposal does not result in a hazard for navigational safety at the entrance to the canal at Keadby.

### **Protective Provisions**

Given the proximity of works to the Stainforth & Keadby Canal, we request that a future Development Consent Order (DCO) should include provisions for the protection of the Trust in our role as Landowner and Navigation Authority. The Trust has standard provisions which have been included in a number of DCOs which have recently been confirmed.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

**Simon Tucker MRTPI**  
Area Planner

[Simon.Tucker@canalrivertrust.org.uk](mailto:Simon.Tucker@canalrivertrust.org.uk)  


<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

### **Canal & River Trust**

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T 0303 040 4040 E [canalrivertrust.org.uk/contact-us](https://canalrivertrust.org.uk/contact-us) W [canalrivertrust.org.uk](https://canalrivertrust.org.uk)

**From:** [Airspace](#)  
**To:** [Keadby 3](#)  
**Subject:** RE: EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification  
**Date:** 27 May 2020 13:22:24  
**Attachments:** [~WRD000.jpg](#)

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Dear Stephanie,

Thank you for sight of the above planning application. I note in the scoping report that the new stacks will not differ significantly in height from the pre-existing structures.

Please note the following guidance for crane operations and lighting of obstacles:

If a crane is located on top of another structure, it is the overall hgt (structure + crane) that is relevant. Temporary structures such as cranes can be notified through the means of a Notice to Airmen (NOTAM). If above a hgt of 300ft (91.4m) above ground level, the developer must ensure that the crane operator contacts the CAA's Airspace Regulation (AR) section on [ARops@caa.co.uk](mailto:ARops@caa.co.uk) or **01293 768202**. If the crane is to be in place for in excess of 90 days it should be considered a permanent structure and will need to be notified as such: to that end the developer should also contact the DGC on [dvof@mod.uk](mailto:dvof@mod.uk) - Additionally, any crane of a hgt of 60m or more will need to be equipped with aviation warning lighting in line with CAA guidance concerning crane operations which is available at <http://publicapps.caa.co.uk/docs/33/CAP%201096%20In%20Focus%20-%20Crane%20Ops.pdf>

See Air Navigation Order (CAP393) regarding Lighting for obstacles (Articles 221 to 225).  
<https://publicapps.caa.co.uk/modalapplication.aspx?catid=1&appid=11&mode=detail&id=7523>

Should you have any questions please do not hesitate to get in touch.

Best regards,

Ashley

**Ashley Dawkins**  
Airspace Regulation  
Safety & Airspace Regulation Group  
Civil Aviation Authority

Tel: +443301382567

[www.caa.co.uk](http://www.caa.co.uk)

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Due to the Covid-19 outbreak and in line with Government guidance, our staff are working from home and our offices are not currently open to walk-in visitors.

You can help us through this unprecedented time by not communicating with us via traditional post as far as possible. Instead, please email us and do not contact us by post until further notice. If you send any documents by post rather than by email, please also send copies of the relevant documents by email at the same time.

Note that all documents should be sent to us electronically.

Please see our [guidance relating to COVID-19](#) for more information.

---

**From:** Keadby 3 <Keadby3@planninginspectorate.gov.uk>

**Sent:** 18 May 2020 15:11

**To:** DCO Coordination <DCO.Coordination@caa.co.uk>

**Cc:** Airspace <Airspace@caa.co.uk>

**Subject:** EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification

Dear Sir/Madam

Please see attached correspondence on the proposed **Keadby 3 Low Carbon Gas Power Station Project**.

Please note the deadline for consultation responses is **15 June 2020**, and is a statutory requirement that cannot be extended.

Kind regards,

Stephanie Newman

Stephanie Newman

EIA and Land Rights Advisor

Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5633

Helpline: 0303 444 5000

Email: [Stephanie.Newman@planninginspectorate.gov.uk](mailto:Stephanie.Newman@planninginspectorate.gov.uk)

Web: [infrastructure.planninginspectorate.gov.uk](https://infrastructure.planninginspectorate.gov.uk) (National Infrastructure Planning)

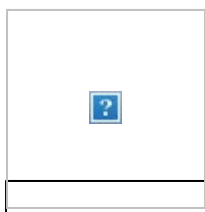
Web: [www.gov.uk/government/organisations/planning-inspectorate](https://www.gov.uk/government/organisations/planning-inspectorate) (The Planning Inspectorate)

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DPC:76616c646f72



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**From:** [Sewell Mark](#)  
**To:** [Keadby 3](#)  
**Subject:** Consultation letter  
**Date:** 12 June 2020 15:16:01  
**Attachments:** [image001.jpg](#)  
[1289.rtf](#)

---

Dear Sir / Madam

Please find attached consultation response letter.

Kind regards

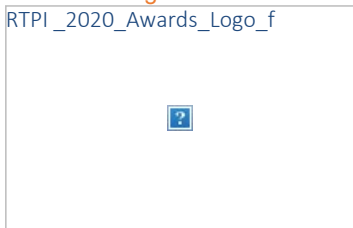
Mark Sewell  
Principal Planning Officer  
Development Management - Eastern Team  
Email: [mark.sewell@doncaster.gov.uk](mailto:mark.sewell@doncaster.gov.uk)  
Telephone: 01302 734840

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Duke Street  
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DN1 1ER

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RTPI\_2020\_Awards\_Logo\_f



\*\*\*\*\*

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**Doncaster  
Council**

The Planning Inspectorate  
Major Casework Directorate  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

**Contact:** Mark Sewell  
**Tel:** 01302 734840  
**E-Mail:** mark.sewell@doncaster.gov.uk  
**Our Ref:** 20/01289/CON  
**Your Ref:** EN010114  
**Date:** 12th June 2020

Dear Sir/Madam

**Planning Act 2008 (as amended) and The Infrastructure Planning  
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)  
– Regulations 10 and 11**

**Application by SSE Generation Limited (the Applicant) for an Order granting  
Development Consent for the Keadby 3 Low Carbon Gas Power Station (the  
Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and  
duty to make available information to the Applicant if requested**

I write regarding the above matter, and your consultation letter of the 18<sup>th</sup> May 2020.

In terms of the potential impacts which are relevant to this Authority, we would need to ensure that Air Quality matters are considered within any submitted Environmental Statement. Our Pollution Control team have requested the following comments be taken on board;

*I note and welcome that throughout the report there are references to recognised modelling methodologies and the extant UK air quality regulations with respect to human health and ecological systems.*

*In particular I note that section 6.14 refers to a 15 km distance for assessment of potential impacts on designated habitats.*

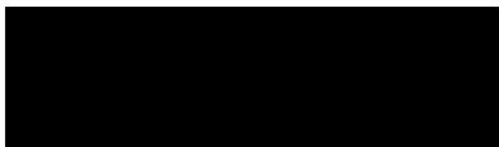
*However within that same distance lies the town of Thorne for which the results of the Council's air monitoring are currently a matter of concern with respect to a potential exceedance for nitrogen dioxide.*

*I therefore strongly request that the scope of the Environmental Statement includes a modelling exercise showing the impact of the proposal on air quality within Thorne and the surrounding area. Such modelling should include all the operational and fuelling configurations under consideration.*

*Air quality modelling should also be undertaken for proposal generated traffic*

**Development Management** Civic Office, Waterdale, Doncaster, DN1 3BU

Yours faithfully



***Scott Cardwell***  
**Assistant Director of Economy and Development**

**From:** [Hewitson, Annette](#)  
**To:** [Keadby 3](#)  
**Subject:** Scoping consultation for Keadby 3 Low Carbon Gas Power Station DCO application  
**Date:** 12 June 2020 10:30:37  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.gif](#)  
[image005.gif](#)  
[image006.jpg](#)  
[image007.jpg](#)  
[200612 EA reply to EIA Scoping Consultation - Keaby 3, Trentside, Keadby.pdf](#)

---

Dear Sir/Madam,

Please find attached the Environment Agency's Scoping Report consultation response for the above project.

Kind regards,  
Annette

**Annette Hewitson** | Principal Planning Adviser  
**Lincolnshire & Northamptonshire Area**  
**Environment Agency** | Ceres House, Searby Road, Lincoln LN2 4DW

✉ [annette.hewitson@environment-agency.gov.uk](mailto:annette.hewitson@environment-agency.gov.uk)  
☎ : 02030 254924



We have recently published new webpages for [LPAs](#), [developers](#) and [Neighbourhood Planning Groups](#) giving clarification on our planning consultation role. Please refer to this to check if we can provide you with advice on your development proposals. For developments in areas at risk of flooding, please refer to our new [Flood Risk Assessment checklist](#).

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Ms Stephanie Newman  
EIA and Land Rights Advisor  
The Planning Inspectorate  
Major Casework Directorate  
Temple Quay House  
2 The Square  
Bristol  
Avon  
BS1 6PN

**Our ref:** AN/2020/130468/01-L01  
**Your ref:** EN010114  
**Date:** 12 June 2020

Dear Madam

**Application by SSE Generation Limited for an Order granting Development Consent for the Keadby 3 Low Carbon Gas Power Station - Scoping Opinion Keadby Power Station, Trentside, Keadby, DN17 3EF**

Thank you for consulting us on the Scoping Report for the above project on 18 May 2020.

We have reviewed the submitted Report provided by SSE (reference 60625943, dated May 2020). Overall, we are satisfied with the scope and methodology for assessment of the following environmental issues, which fall within our remit, and provide the following comments under particular topic headings to assist the applicant.

**Environmental Permit**

The proposed combustion installation will require a permit under Section 1.1 Part A of the Environmental Permitting Regulations (England and Wales) 2016. We will consider the following areas of potential harm when assessing this permit:

- Management - including energy efficiency and avoidance, recovery and disposal of wastes
- Operations - including liquid fuels, gaseous fuels and biomass
- Emissions and monitoring - including point source emissions to water, point source emissions to air, fugitive emissions and monitoring.

New combustion plants with a capacity at or over 300 MWe and of a type covered by the EU Large Combustion Plant Directive, must be assessed to determine the technical and economic feasibility of capturing, transporting and storing its emissions of CO<sub>2</sub>. These assessments are designed to determine whether it is reasonable to expect the proposed power station to be fitted with carbon capture and storage (CCS) in the future.

We require all new proposed combustion facilities to be built Combined Heat and Power (CHP)-ready by imposing specific permit conditions. Environmental permit applications for these types of plants will therefore need to include a Best Available Technique (BAT) assessment for CHP-readiness. Permits for these plants are also likely to contain

conditions that state opportunities to realise CHP should be reviewed from time to time. These opportunities may be created by building new heat loads near the plant, or be due to changes in policy and financial incentives that make it more economically viable for the plant to be CHP.

We understand that the applicant's intention is to twin-track the permit application alongside the Development Consent Order (DCO) application. We are currently receiving a significantly high volume of permit applications at our National Permitting Service and therefore recommend that contact is made with them as early as possible, to discuss the timetable for processing any forthcoming permit application. The applicant is advised to complete the pre-application form using this link:

<https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>

### **Land Contamination**

We support the approach to undertake a Phase I Desk Study, followed by a Phase II Intrusive Investigation as required. Several historical landfills are present around and within the perimeter of the application boundary. It is therefore important that these areas are considered thoroughly, especially in areas where new buildings, and their foundations, are proposed to be built on the former landfills. The Environment Agency will assess/consider possible impacts and mitigation measures on controlled waters at both the planning and permitting stages.

### **Water Quality**

The Environmental Impact Assessment (EIA) should include a comprehensive drainage strategy, which considers both potential impact on flood risk and also the potential hydrological impacts on receiving watercourses, including alterations in flow around discharge outlets and the impacts this may have on local water quality.

Where the proposed preliminary Water Framework Directive (WFD) assessment identifies specific components of the development with the potential to impact WFD status/potential or prevent improvement of local watercourses, such components should be subject to comprehensive assessment with potential mitigation strategies identified.

### **Flood Risk**

We welcome the acknowledgement in the Scoping Report that the site lies in an area, which is at risk of flooding and therefore the DCO application needs to be supported by a flood risk assessment (FRA).

The detailed FRA will need to contain plans identifying rivers, any water body (including existing culverts/drains on site), other geographical features and the floor plans of the proposed development (highlighting the uses). The applicant should provide a topographical survey of the existing site levels and the proposed site levels post development. This should include the heights of any access/egress routes from the site. The heights of any existing flood defences should be highlighted with the distance from the defence to the development (particularly if 16m or less, as any development within this distance may also require a permit from the Environment Agency – see below).

The applicant will need to assess flood risk from all sources (fluvial, pluvial, tidal, ground water, sewers, reservoirs etc.), considering breach, overtopping, and climate change scenarios. The applicant will need to provide the surface water runoff rates before and post development. The applicant should explore the consequences of flood risk on site for the type of development which has been proposed. Details of any historic flooding that has taken place should also be included.

The applicant can request further information on flood risk to the site by asking for a product 4 and 8 from the Environment Agency ([EMDenquiries@environment-agency.gov.uk](mailto:EMDenquiries@environment-agency.gov.uk)) – This service is free of charge. The climate change allowances, which will need to be used in the assessment, can be found here: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

The FRA should identify the current flood management measures, which are already in place and state how flood risk will be managed in the future – outlining proposed mitigation measures to be implemented and how these will be maintained for the lifetime of the development. The flood mitigation measures must ensure that all occupants/users remain safe for the lifetime of the development and demonstrate that they will not increase the flood risk to others. If it is found that flood risk to others may be increased due to the loss of floodplain, the applicant may be required to implement floodplain compensation on a level by level basis.

The FRA should specify the safe access/egress routes from the site with proposed height in metres above Ordnance Datum. The access/egress routes should be reviewed for a range of flooding events (including extreme events) and it may be necessary to include an emergency/evacuation plan. The applicant will need to ensure the future occupants/users are protected from residual risk. An 8m (Fluvial)/16m (Tidal) buffer zone should be implemented from any flood defence assets or the top of a main river bank to facilitate maintenance by the Environment Agency or a 3<sup>rd</sup> Party.

### ***Flood risk activity permits***

The applicant should assess if they will require a flood risk activity permit from the Environment Agency. We will be pleased to discuss these with the applicant during future meetings regarding this project. However, further information is available from our website by following this link: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

### ***Isle of Axholme***

The development lies within the Isle of Axholme. This area relies on a complex network of drainage assets (pumping stations, etc.) to ensure it remains dry. The North & North East Lincolnshire Strategic Flood Risk Assessment (SFRA), November 2011, established a 'critical flood level' of 4.1m AOD for this area (based on a consideration of the risks in case of a failure in the network) and advises that all new developments should be set with 300mm freeboard above this level.

However, within the lifetime of the development a number of existing assets will require further improvements as they approach the end of their design life. The Environment Agency would welcome the opportunity to discuss the possibility of working in partnership with SSE to improve these assets, which would increase the flood resilience of the site, whilst providing additional benefits to the local community. We would be pleased to arrange a meeting to discuss this and ask that the applicant contacts Chris Barton, our Flood Risk Adviser, on 02030 251030 if they are amenable to this suggestion.

### ***Biodiversity***

Any water abstraction will require fish screening to protect all species but especially designated species such as lamprey and eel. In addition, any discharge water will need to be within UK TAG guidance, for example ensuring water quality and temperature doesn't damage fish populations or their migration.

The water vole surveys undertaken by Peak Ecology in June 2019 for Keadby 2 de-watering scheme identified an extensive water vole population in the drainage ditches surrounding the proposed Keadby 3 CO2 Capture Plant (Option 1), Keadby 3 CCGT (Option 1) and surrounding site. We would expect the EIA to include an understanding of the water vole population and a mitigation strategy to ensure the wider water vole population are not fragmented by the development.

It is noted that no reptile survey will be undertaken for the EIA. Grass snakes are known to occur in the wider landscape and were recorded during the Peak Ecology water vole survey of the wider site in June 2019. We would expect the development to implement reasonable avoidance measures to safeguard reptiles that could come onto site. These avoidance measure should be documented in a reptile method statement.

We note that there is no mention of Biodiversity Net Gain in the scoping report. Paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. Opportunities to incorporate biodiversity in and around developments should be considered and we encourage the applicant to do this. An assessment of the impact of the development on the terrestrial habitat, hedgerows and river corridor categories should be made in the EIA. The DEFRA Biodiversity Metric 2.0 can be used to calculate at least 10% net gain in each of these impacted categories.

### **Waste and Materials**

We welcome the proposal to include information on the types and quantities of waste that will be produced within the EIA, together with a Framework Construction Environment Management Plan (CEMP). We look forward to reviewing these in due course. Further information on the management of waste and compliance with relevant legislation can be found on our website at:

<https://www.gov.uk/topic/environmental-management/waste>.

### **Further pre-application consultation**

Should the applicant wish us to review any technical documents or want further advice to address the environmental issues, we can do this as part of our charged for service. Further engagement at the pre-application stage will speed up our formal response to their application and provide them with certainty as to what our response to the Development Consent Order application will be. It should also result in a better quality and more environmentally sensitive development. As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. The terms and conditions of our charged for service are available [here](#).

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

**Annette Hewitson**  
**Principal Planning Adviser**

Direct e-mail [annette.hewitson@environment-agency.gov.uk](mailto:annette.hewitson@environment-agency.gov.uk)

**From:** [ESP Utilities Group Ltd](#)  
**To:** [Keadby 3](#)  
**Subject:** Your Reference: EN010114 Our Reference: PE145377. Plant Not Affected Notice from ES Pipelines  
**Date:** 28 May 2020 08:56:52

---

Keadby 3  
The Planning Inspectorate

28 May 2020

Reference: EN010114

Dear Sir/Madam,

Thank you for your recent plant enquiry at: Keadby 3 Low Carbon Gas Power Station Project.

I can confirm that ESP Utilities Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP Utilities Group Ltd are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

**Important Notice**

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: [PlantResponses@espug.com](mailto:PlantResponses@espug.com)

Yours faithfully,

Plant Protection Team  
**ESP Utilities Group Ltd**



Bluebird House  
Mole Business Park  
Leatherhead  
KT22 7BA  
☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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**From:** [Linda.Cowen@hse.gov.uk](mailto:Linda.Cowen@hse.gov.uk)  
**To:** [Keadby 3](#)  
**Subject:** NSIP - Proposed Keadby 3 Low Carbon Gas Power Station Project - EIA Consultation - HSE PDF response  
**Date:** 11 June 2020 08:27:45  
**Attachments:** [NSIP - Proposed Keadby 3 Low Carbon Gas Power Station Project - EIA - PDF HSE response.pdf](#)

---

FAO Stephanie Newman

Dear Keadby 3 Low Carbon Gas Power Station Project Team

Thank you for your letter of the 18 May 2020 regarding the Proposed Keadby 3 Low Carbon Gas Power Station Project. Please find HSE's response attached.

Kind Regards

**Linda Cowen**

\*\*\*\*\*

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\*\*\*\*\*

CEMHD Policy - Land Use Planning  
NSIP Consultations  
Building 1.2, Redgrave Court  
Merton Road, Bootle  
Merseyside, L20 7HS

Your ref: EN010114  
Our ref: 4.2.1.6706

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

FAO Stephanie Newman  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

11 June 2020

Dear Stephanie

**PROPOSED KEADBY 3 LOW CARBON GAS POWER STATION PROJECT  
PROPOSAL BY SSE GENERATION LIMITED (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as  
amended) – Regulations 10 and 11**

Thank you for your letter of 18 May 2020 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records there is one major accident hazard pipeline within the indicated red line boundary for this nationally significant infrastructure project; as illustrated in Figure 1 'Site Location Plan' as part of the document 'The Keadby 3 Low Carbon Gas Power Station Project Environmental Impact Assessment Scoping Report May 2020' Document Reference 60625943.

Major accident hazard pipelines:

1. HSE ref 7034, operated by National Grid PLC; 7 Feeder Eastoft / Keadby Power Station

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substance Consent

The presence of hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) will probably require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSC is

required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.

HSC would be required to store or use any of the Named Hazardous Substances or Categories of Substances at or above the controlled quantities set out in Schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority.

#### Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 An Annex on the Planning Inspectorate's website - [Annex G - The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3.

#### Explosives sites

HSE has no comment to make in this regard, as there are no licensed explosive sites in the vicinity.

#### **Electrical Safety**

No comment, from a planning perspective.

During lockdown, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk) . We are currently unable to accept hard copies, as our offices are closed.

Yours sincerely

■ ■■■■■■

Dave Adams  
CEMHD4 Policy

**From:** [Allen, Tim](#)  
**To:** [Keadby 3](#)  
**Cc:** [Midlands ePlanning](#); [alison.williams \(alison.williams@northlincs.gov.uk\)](mailto:alison.williams@northlincs.gov.uk); [MacDonald, Alison](#)  
**Subject:** Historic England Scoping Advice EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification  
**Date:** 03 June 2020 11:00:52  
**Attachments:** [image13dd74.JPG](#)

---

## **Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

### **Ref: EN010114 Keadby 3 Low Carbon Gas Power Station Project**

**Application by SSE Generation Limited (the Applicant) for an Order granting Development Consent for the Keadby 3 Low Carbon Gas Power Station (the Proposed Development)/**

#### **Historic England Advice.**

**Thank you for your letter of 18<sup>th</sup> May 2020, having looked at the EIA scoping report submitted (hereafter ‘the report’ we have the following observations.**

Keadby Lock is a designated heritage asset of national importance, a key site in the understanding water management - at the heart of the industrial revolution.

Structured assessment of the visual (fixed point and kinetic) impacts of the proposed installation on the scheduled and listed Keadby Lock <https://historicengland.org.uk/listing/the-list/list-entry/1005204> & <https://historicengland.org.uk/listing/the-list/list-entry/1342734> and associated waterways are essential and should include metric visualisation, (alongside work in relation to other designated assets) as necessary to understand how the new installation would group with the existing power stations and infrastructure and what additional impacts would be likely / how these might be reduced eliminated. See our <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>.

Physical (construction risks) to the scheduled lock and its environs must also be considered and mitigated through design and protection measures.

We are surprised (6.182) at the implication in the report that all intrusive site investigations as regards archaeology are likely to be pushed to post-consent; this does not appear a sound approach to risk management or to providing the ExA with the information required to determine the application in a robust manner (unless the area is demonstrably archaeologically sterile - which is not shown in the report). In this landscape prehistoric, Roman and early medieval remains can survive below alluvium both through natural and ‘warped’ deposition processes and within former channels (cf para. 6.172 with reference to a previous find of a bog body in the vicinity), hence archaeological deposit modelling of particular importance. We refer you to the advice of the North Lincolnshire Council’s archaeological specialist advisor as regards necessary geophysical survey, deposit modelling (see our guidance <https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/>) and trial trenching as appropriate). Without a clear understanding of archaeological potential the development will not be able to address the significance of remains in a manner proportionate to their significance as required by national policy, simply asserting that if things

are found they will be appropriately dealt with would not per se be sufficient since only by designing in an appropriate archaeological approach would this be likely to be effective or practicable within a construction scheme.

Yours sincerely  
Tim Allen  
(for Historic England)

Tim Allen  
Development Advice Team Leader (North)  
Midlands Region

Historic England | The Axis  
10 Holliday Street | Birmingham | B1 1TF



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**From:** [Errington, Sarah](#)  
**To:** [Keadby 3](#)  
**Cc:** [Dixon, Tim](#); [Armstrong, Hope](#)  
**Subject:** EN010114: Keadby 3 Low Carbon Gas Power Station Project  
**Date:** 15 June 2020 11:52:37  
**Attachments:** [Marine Management Organisation\\_Keadby Scoping Opinion\\_15062020.pdf](#)

---

Good morning,

### **EN010114: Keadby 3 Low Carbon Gas Power Station Project**

Please find the MMO's scoping opinion response for the project reference above attached to this email.

Please do not hesitate to contact us if you have any questions or if there are any problems.

Kind regards,

Sarah Errington | Marine Licensing Case Manager| Marine Management Organisation (MMO)

 | Email: [sarah.errington@marinemanagement.org.uk](mailto:sarah.errington@marinemanagement.org.uk) |

Address: Lancaster House, Hampshire Court, Newcastle Business Park,  
Newcastle upon Tyne, NE4 7YH

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*During the current health emergency, the Marine Management Organisation is continuing to provide vital services and support to our customers and stakeholders. We are in the main working remotely, in line with the latest advice from Government, and continue to be contactable by email, phone and on-line.*

*Please keep in touch with us and let us know how we can help you -*

<https://www.gov.uk/mmo>

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Organisation**

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[www.gov.uk/mmo](http://www.gov.uk/mmo)

Your reference: EN010114  
Our reference: DCO/2020/00002

Ms Stephanie Newman  
The Planning Inspectorate

**By email only**

15 June 2020

Dear Ms Newman

**KEADBY 3 LOW CARBON GAS POWER STATION PROJECT: SCOPING OPINION**

**Marine Management Organisation Response**

Thank you for your letter dated 18 May 2020 notifying the Marine Management Organisation (the "MMO") of SSE Generation Limited's (the "Applicant") intention to submit an application for development consent under the Planning Act 2008 (the "2008 Act") to construct a Low Carbon Combined Cycle Gas Turbine Generating Station on land at, and in the vicinity of, the existing Keadby Power Station, Trent side, Keadby, Scunthorpe (the "Project").

The MMO has reviewed the documents in consultation with our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas). Please find the MMO's response below. Please note that the comments provided are not exhaustive and are provided as guidance for the Applicant. The MMO advises that the comments provided may require further review upon finalisation of the project design. The MMO reserves the right to make further comments on the Project and may modify its present advice or opinion in view of any additional information that may come to our attention.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely,

Hope Armstrong  
Marine Licensing Case Officer

E [hope.armstrong@marinemanagement.org.uk](mailto:hope.armstrong@marinemanagement.org.uk)

Copies to:

Sarah Errington – Case Manager: [sarah.errington@marinemanagement.org.uk](mailto:sarah.errington@marinemanagement.org.uk)

Tim Dixon – Senior Case Manager: [tim.dixon@marinemanagement.org.uk](mailto:tim.dixon@marinemanagement.org.uk)



INVESTORS  
IN PEOPLE | Bronze



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## 1. The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence<sup>1</sup>. Inshore waters include any area which is submerged at mean high water spring (“MHWS”) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

In the case of Nationally Significant Infrastructure Projects (“NSIPs”), the 2008 Act enables Development Consent Order’s (“DCO”) for projects which affect the marine environment to include provisions which deem marine licences<sup>2</sup>.

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations.

Further information on licensable activities can be found on the MMO’s website<sup>3</sup>. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note<sup>4</sup>.

## 2. The Project

The Keadby 3 Low-Carbon Gas Power Station, on the River Trent in North Lincolnshire, close to the River Humber, by SSE Generation Limited is a proposed major infrastructure project. This Low Carbon Combined Cycle Gas Turbine (CCGT) generating station, will be capable of generating up to 910MW electrical output, on land in the vicinity of the existing Keadby Power Station, Trent side, Keadby,

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<sup>1</sup> Under Part 4 of the 2009 Act

<sup>2</sup> Section 149A of the 2008 Act

<sup>3</sup> <https://www.gov.uk/planning-development/marine-licences>

<sup>4</sup> <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>

Scunthorpe. Subject to development consent, it is anticipated that construction will commence in 2023, and last approximately three to four years.

The MMO has an interest in this project because the development will require construction activities below MHWS for intake and outfall pipes to support the safe functioning of the power plant.

### 3. General Comments

#### Observations:

- 3.1 The MMO notes that the scoping report provides a high-level description of the works and consideration of potential impacts to the aquatic environment have been described in minimal detail. This approach may be considered appropriate at this stage, particularly as the final design has not yet been decided, however this means that it is difficult to anticipate the impacts of the proposals. The MMO expect that the Environmental Statement (ES) will describe all proposed activities required during the construction and operational phases of the development.
- 3.2 The MMO note that no specific receptors as such have been scoped in at this stage. However, an Ecology chapter will be included within the ES. The MMO expects this chapter to provide justification for the receptors scoped in or out of the review.

#### Changes required:

- 3.3 The MMO advises that the ES should include details on construction methodology and associated impacts arising from the installation and operation of the cooling water intake for water abstraction and the operation of the outfall pipe for the discharge of treated effluent.
- 3.4 Section 6.58 states that *“As the Proposed Development may require works at the water intake that would lie within the UK Marine Area, a Marine Licence may be required. Whether this is ‘Deemed’ within the DCO or ‘standalone’, potential effects on the marine environment will be appropriately considered; this will include potential risks to other mariners”*. The MMO encourages further engagement with the Applicant on this matter.

### 4. Benthic ecology

#### Observations:

- 4.1. The MMO note that there is no explicit reference to the scoping out of receptors regarding benthic ecological features and concurs with this decision as a precautionary approach.
- 4.2. Section 7.3 indicates there are no plans to undertake aquatic surveys for flora, although this will be finally decided following a review of previous surveys.  
*“Aquatic surveys – as the River Trent is tidal at the location, surveys of aquatic*

*flora are not proposed within the River Trent. The results of previous surveys will be collated and used to determine the need for further aquatic surveys of the River Trent, taking into account the parameters for the abstractions and discharges associated with the Water Connection Corridors for the Proposed Development.”*

- 4.3. Section 8.4 notes that “Cumulative and combined effects will also be considered where appropriate”. The MMO welcomes this approach.

Changes required:

- 4.4. Further to point 4.2 - aquatic surveys must not be scoped out of this assessment at this stage. More specificity on the types of aquatic surveys to be undertaken is required e.g. would these include benthic or plankton surveys.
- 4.5. Further to point 4.3 - the review, and the decision regarding the need of a survey, should also include aquatic fauna. Specifically, the review should focus on whether any rare or designated aquatic species have been found in the vicinity of the project.

## 5. Fisheries

Observations:

- 5.1 The MMO welcome that fish receptors have been scoped into the ES. The report recognises that there are potential permanent and temporary impacts to aquatic habitats that could arise if water abstraction from the River Trent or Stainforth and Keadby Canal is required.

Changes required:

- 5.2 As per section 6.78, the report recognises that there are potential permanent and temporary impacts to aquatic habitats that could arise if water abstraction from the River Trent or Stainforth and Keadby Canal is required. However, the report lacks detail on exactly how the temporary and permanent impacts to aquatic habitats are likely to occur. For example; whether any piling or dredging is required to facilitate the installation of the intake and outfall pipes, or; whether the impacts of impingement and entrainment of fish, and their eggs and larvae, taken in via the cooling water intake pipe, are to be included in the assessment. The MMO recommends that this is added to the ES.
- 5.3 The MMO note that the description of the environment for fish is very high-level but section 6.76 recognises that the River Trent is known to support a diverse fish assemblage, including notable species that migrate past the proposed development site between the Humber Estuary and headwaters in the Trent Catchment such as the European eel. River lamprey and sea lamprey have been recognised as designated features of the Humber Estuary Special Area of Conservation and Ramsar site and therefore the MMO expect the EIA to include species-specific assessments for these species of

conservation importance. The MMO encourages the Applicant to engage with Natural England and the Environment Agency (EA) on these matters.

- 5.4 The MMO advise that noise-generating activities such as piling, or dredging have the potential to create an acoustic barrier which may impede fish movement and migration. If such activities are to be carried out in the aquatic environment as part of the construction programme, it will be necessary to consider the impacts of underwater noise and vibration on fish receptors. The MMO recommend using the Popper *et al.* (2014) criteria for assessing the potential effects of noise on fish.
- 5.5 The MMO note that as per section 6.125, the discharge of treated effluent will be assessed, including any potential thermal uplift and chemical alteration, though it is unclear if these effects will be assessed specifically against fish receptors.
- 5.6 In regard to the cumulative impact assessment, the scoping report has identified a number of projects within a 2 kilometre radius of the proposed project location that are currently in the planning stages of development. None of these developments appear to be located near to or have any connection to the River Trent or other nearby waterbodies. However, the ES should also consider whether any existing operational activities (e.g. abstraction of water and discharge of effluent from existing sites) within the study area could result in cumulative or in-combination impacts to fish.
- 5.7 The MMO notes that a desk-based assessment is proposed to inform the characterisation of the environment and assessment of impacts to fish. The scoping report refers to publications and data sources by the EA that will be used to inform the description of local water bodies including the River Trent and the Humber Estuary. The MMO understand that the EA undertakes fisheries surveys in coastal and transitional waters including the Humber Estuary which may provide additional regional fisheries data. Data from these surveys can be downloaded, please find the link provided here:

<https://data.gov.uk/dataset/41308817-191b-459d-aa39-788f74c76623/trac-fish-counts-for-all-species-for-all-estuaries-and-all-years>

Changes required:

- 5.8 Any piling to be carried out within the aquatic environment including intertidal areas. A description of the proposed piling techniques should be provided, along with information on pile sizes, number of piles to be used, expected duration for installation of piles, and the timing of in-river piling work.
- 5.9 The MMO note that the discharge of treated effluent will be assessed, including any potential thermal uplift and chemical alteration, though it is unclear if these effects will be assessed specifically against fish receptors. The Applicant should address this matter in the ES.

## 6. Underwater noise

### Observations:

- 6.1 As the scoping report provides limited detail in relation to the receptors that could be affected by underwater noise, or on potential sources of such noise, it is not possible for the MMO to provide a detailed assessment of the scoping report in relation to underwater noise.
- 6.2 As explained in point 5.4 above, The MMO advise that noise-generating activities such as piling, or dredging have the potential to create an acoustic barrier.

### Changes required:

- 6.3 The MMO notes that section 6.76 details some of the receptors likely to be present in the vicinity of the works but advises that further consideration of potential receptors will need to be provided in relation to underwater noise. This will be informed by further details of the works in relation to methods and timings.

## 7. Coastal processes

### Changes required:

- 7.1 The MMO notes that In-combination Climate Change Impacts (ICCI) are being scoped out of assessment from the ES, as identified ICCIs will be addressed in the Landscape and Biodiversity Management Strategy and Flood Risk Assessment. The MMO advises that as the ES should cover any potential impacts for the DCO document, a summary of any relevant ICCI results should be included in the proposed Climate Change Chapter.
- 7.2 Section 6.131 outlines that a study area that extends 250 metres from the boundary of the proposed development site (PDS) will be adopted and will be extended to 1 kilometre for hydrogeology, but for soil chemical quality the area will be determined on information directly within the PDS only. The study area should cover the zone of worst case impacts The MMO advises that justification is provided for the selection of these areas.
- 7.3 The MMO advise that all parameters should be defined and assessed on a worst case scenario basis.

## 8. Dredging and Disposal

### Observations:

- 8.1 The MMO notes there is no specific mention of dredging requirements in the scoping report.

8.2 The MMO note that previous use of the site has been considered and how this could affect contamination of sediment (landfill containing pulverised fuel ash, previous history of coal-fired power station, and potentially other industrial contaminants from landfill). Surrounding land use has been considered including arable land with drainage ditches, other industry (power stations and wind energy), storage for Keadby sites, and how these could all contribute to contaminants of land and water.

#### Changes required:

8.3 Section 6.152 describes some of the mitigation methods proposed, e.g. addressing data gaps or better delineating locations of hotspots and plumes. The MMO advises that these measures may be required to occur before any development commences and therefore timing needs to be clarified.

8.4 The MMO identifies that there may be a need for dredging, bed levelling and/or disposal of material to sea depending on the specifics of construction to accommodate construction below MHWS. If any of these occur, the potential release of contaminants or suspended sediments to the surrounding environment and use of a disposal site should be considered within the ES.

8.5 If dredging and disposal of dredged material is required, then the proposed timing and method/s of dredging should be described, together with the expected volumes of material to be removed. The location for the disposal of any dredged material (if applicable) should also be provided in the ES.

8.6 Section 6.98 states that: “*Historical (2018) sediment sampling data obtained from the Marine Management Organisation (MMO) indicates that generally, contaminant levels are not of concern around the intake and outfall heads within the River Trent (Cefas; MMO, 2018<sup>5</sup>)*. The MMO raises that the sediment sampling data is from 2017. If the works are not to begin until 2023, depending therefore on the timing, footprint and nature of the works, samples will be required to be re-taken closer to commencement of works. MMO can provide advice closer to the time.

8.7 Based on previous Cefas advice (31 October 2017), previous site use, and use of surrounding areas, the MMO would recommend any sampling plan to include metals, full suite of Polyaromatic Hydrocarbons (PAHs) and Organochlorides (OCs) as a minimum.

## References

Popper, A.N., Hawkins, A.D., Fay, R.R., Mann, D.A., Bartol, S., Carlson, T.J., Coombs, S., Ellison, W.T., Gentry, R.L., Halvorsen, M.B., Løkkeborg, S., Rogers, P.H., Southall, B., Zeddies, D.G. & Tavalga, W.N. (2014). Asa S3/Sc1.4 Tr-(2014) Sound Exposure Guidelines for Fishes and Sea Turtles: A Technical Report Prepared by ANSI-Accredited Standards Committee S3/Sc1 a (Springerbriefs in Oceanography).

---

<sup>5</sup> Cefas; MMO (2017), *Sediment Sampling Advice in support of MLA/2017/00312* [Online]. Available from: [https://marinelicensing.marinemanagement.org.uk/MMO\\_PUBLIC\\_REGISTER/](https://marinelicensing.marinemanagement.org.uk/MMO_PUBLIC_REGISTER/) [Accessed March 2020].

**From:** [Holdsworth, Anne](#)  
**To:** [Keadby 3](#)  
**Subject:** APPLICATION BY SSE GENERATION LIMITED FOR AN ORDER - THE KEADBY 3 LOW CARBON GAS POWER.  
Scoping Consultation  
**Date:** 09 June 2020 14:29:46  
**Attachments:** [KEADBY 3 NG ASSET PLAN.pdf](#)  
[National Grid Scoping Response Keadby 3.pdf](#)

---

Good afternoon

Further to your letter dated 18th May 2020 in relation to the above proposed application, please find attached a response on behalf of National Grid Electricity Transmission PLC and National Grid Gas PLC.

If you require any further information please do not hesitate to contact me.

Kind regards

Anne

**Anne Holdsworth**

DCO Liaison Officer  
Land and Acquisitions, Land and Property  
**[nationalgrid](#)**



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**Land and Acquisitions**

Anne Holdsworth  
DCO Liaison Officer  
Land and Property  
anne.holdsworth@nationalgrid.com



www.nationalgrid.com

SUBMITTED ELECTRONICALLY:  
Keadby3@planninginspectorate.gov.uk

09 June 2020

Dear Sir/Madam

**APPLICATION BY SSE GENERATION LIMITED (THE APPLICANT) FOR AN ORDER  
GRANTING DEVELOPMENT CONSENT FOR THE KEADBY 3 LOW CARBON GAS POWER  
STATION (THE PROPOSED DEVELOPMENT)  
SCOPING CONSULTATION**

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG).

I refer to your letter dated 18<sup>th</sup> May 2020 in relation to the above proposed application. Having reviewed the scoping report, I would like to make the following comments:

**National Grid infrastructure within / in close proximity to the order boundary**

**Electricity Transmission**

National Grid Electricity Transmission has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within the scoping area. The overhead lines and substation forms an essential part of the electricity transmission network in England and Wales.

Substation

- Keadby 400kV Sub Station
- Associated overhead and underground apparatus including cables

Overhead Lines

- ZDA 400kV Over Head Line
- 4TM 400kV Over Head Line
- 4ZQ 400kV Over Head Line
- 4KG 400kV Over Head Line

Other Apparatus

National Grid is a trading name for:  
National Grid Electricity Transmission plc  
Registered Office: 1-3 Strand, London WC2N 5EH  
Registered in England and Wales, No 2366977

National Grid is a trading name for:  
National Grid Gas plc  
Registered Office: 1-3 Strand, London WC2N 5EH  
Registered in England and Wales, No 2006000

Above and below ground associated apparatus including underground electricity cables within the scoping area.

## **Gas Transmission Infrastructure:**

National Grid Gas has a Gas Transmission Site and high pressure gas transmission pipeline located within or in close proximity to the proposed order limits. The site and transmission pipeline form an essential part of the gas transmission network in England, Wales and Scotland:

### Gas Apparatus:

- Keadby Power Station Gas Transmission Site;
- Feeder Main 7 – Eastoft to Keadby Power Station;
- Above and below ground associated apparatus.

I enclose a plan showing the location of National Grid's:

- overhead lines;
- the substation;
- underground cables;
- the gas transmission site;
- gas pipeline; and
- associated gas apparatus.

## **Specific Comments – Electricity Infrastructure:**

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

## Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

### Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.

- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

#### Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

#### General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not

permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:

<https://www.nationalgrid.com/uk/gas-transmission/land-and-assets/working-near-our-assets>

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

## **Further Advice**

**We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.**

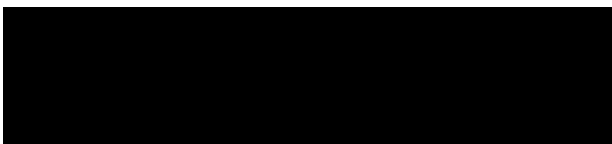
**Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: [box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

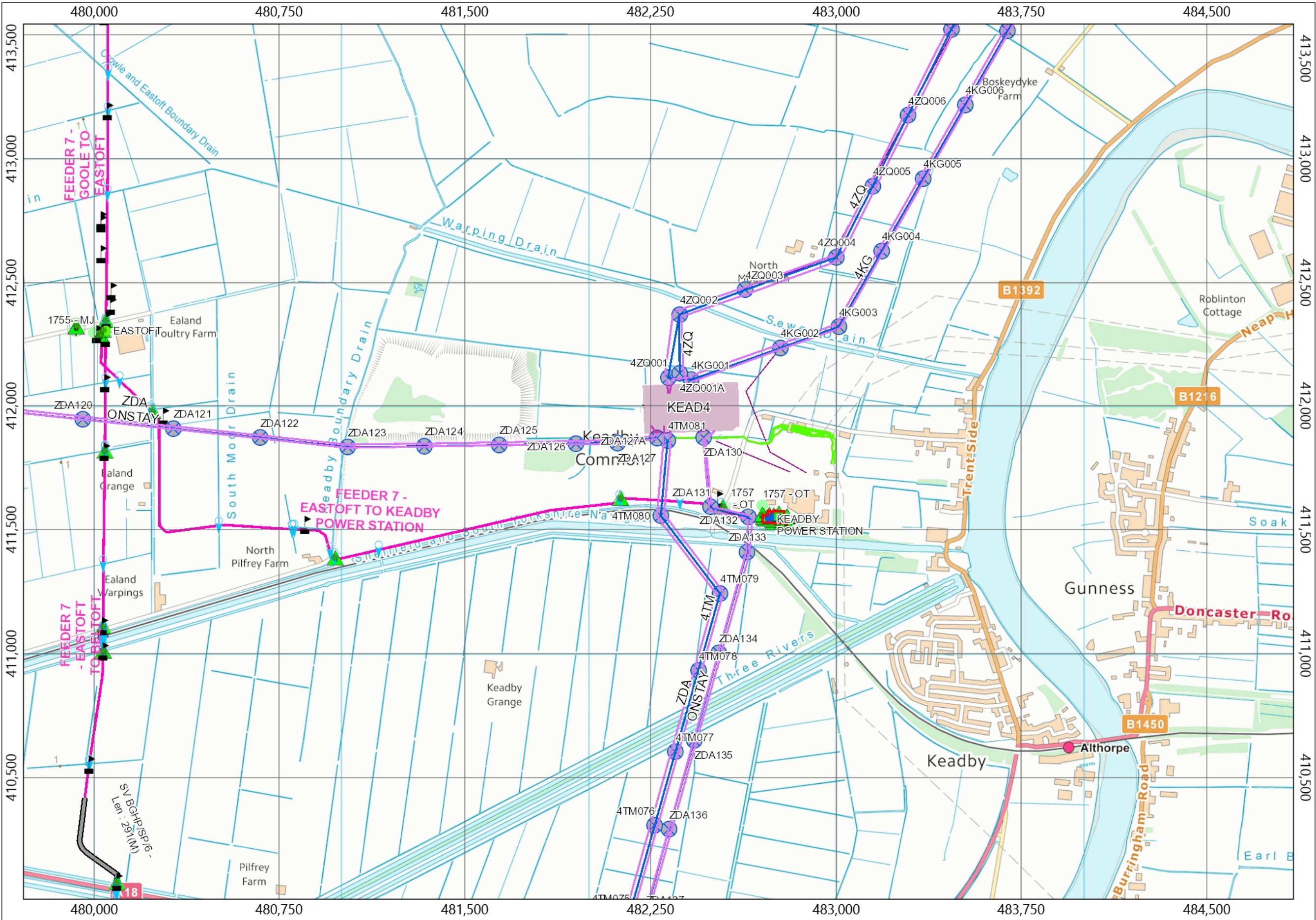
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours faithfully



**Anne Holdsworth**  
**DCO Liaison Officer, Land and Acquisitions**



Legend:

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400kV Commissioned
- OHL 275kV Commissioned
- OHL 132kV & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Overhead Transmission Line
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Block Valve
- Compressor
- LNG Site
- Multijunction
- Minimum Offtake
- Future Minimum Offtake
- Offtake
- Pressure Reduction Installation
- Pig Trap
- Terminal
- Transferred Offtake
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

KEADBY 3 NG ASSET PLAN

0 0.38 0.8 Kilometers

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Date: 09/06/2020  
Time: 11:51:17

Page size: A3 Landscape  
Print by: Holdsworth, Anne



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**From:** [NATS Safeguarding](#)  
**To:** [Keadby 3](#); [Newman, Stephanie](#)  
**Cc:** [NATS Safeguarding](#)  
**Subject:** RE: EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification (SG29724)  
**Date:** 20 May 2020 09:40:03  
**Attachments:** [~WRD000.jpg](#)  
[image005.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)

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Our Ref: SG29724

Dear Stephanie

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully



**NATS Safeguarding**

E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)

4000 Parkway, Whiteley,  
Fareham, Hants PO15 7FL  
[www.nats.co.uk](http://www.nats.co.uk)



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**From:** Keadby 3 <[Keadby3@planninginspectorate.gov.uk](mailto:Keadby3@planninginspectorate.gov.uk)>

**Sent:** 18 May 2020 15:01

**Subject:** EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed **Keadby 3 Low Carbon Gas Power Station Project**.

Please note the deadline for consultation responses is **15 June 2020**, and is a statutory requirement that cannot be extended.

Kind regards,

Stephanie Newman

Stephanie Newman  
EIA and Land Rights Advisor  
Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5633

Helpline: 0303 444 5000

Email: [Stephanie.Newman@planninginspectorate.gov.uk](mailto:Stephanie.Newman@planninginspectorate.gov.uk)

Web: [infrastructure.planninginspectorate.gov.uk](http://infrastructure.planninginspectorate.gov.uk) (National Infrastructure Planning)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) (The Planning Inspectorate)

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---

**From:** [Gooch, Hannah](#)  
**To:** [Keadby 3](#)  
**Subject:** RE: EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification  
**Date:** 10 June 2020 17:30:41  
**Attachments:** [image001.png](#)  
[image002.jpg](#)  
[317306 Keadby 3 EIA Scoping Natural England Response.pdf](#)

---

Dear Stephanie,

Thank you for consulting Natural England on the proposed Keadby 3 Low Carbon Gas Power Station Project. Please find attached our response letter for your consideration.

If you have any further questions about this consultation response, please do not hesitate to contact me.

Kind regards,

Hannah

Hannah Gooch  
Lead Adviser - Sustainable Development  
Yorkshire and Northern Lincolnshire Area Team  
Natural England, [4th Floor, Foss House, Kings Pool, 1-2 Peasholme Green, York, Y01 7PX](#)  
**Tel: 02082 258503** [REDACTED]

During the current coronavirus situation, Natural England staff are working remotely to provide our services and support our customers and stakeholders. All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

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[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



---

**From:** Keadby 3 [<mailto:Keadby3@planninginspectorate.gov.uk>]  
**Sent:** 18 May 2020 15:01  
**Subject:** EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification

Dear Sir/Madam

Please see attached correspondence on the proposed **Keadby 3 Low Carbon Gas Power Station Project**.

Please note the deadline for consultation responses is **15 June 2020**, and is a statutory requirement that cannot be extended.

Kind regards,

Stephanie Newman

Stephanie Newman  
EIA and Land Rights Advisor  
Major Applications & Plans

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5633

Helpline: 0303 444 5000

Email: [Stephanie.Newman@planninginspectorate.gov.uk](mailto:Stephanie.Newman@planninginspectorate.gov.uk)

Web: [infrastructure.planninginspectorate.gov.uk](http://infrastructure.planninginspectorate.gov.uk) (National Infrastructure Planning)

Web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate) (The Planning Inspectorate)

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Date: 10 June 2020  
Our ref: 317306  
Your ref: EN010114



Ms. Stephanie Newman  
Major Casework Directorate  
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BS1 6PN  
**BY EMAIL ONLY**

Customer Services  
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Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Ms. Stephanie Newman

**Environmental Impact Assessment Scoping consultation (Regulations 10 and 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations):** Keadby 3 Low Carbon Gas Power Station

**Location:** Land at and in the vicinity of the Keadby Power Station site, Trentside, Keadby, North Lincolnshire

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 18 May 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law<sup>1</sup> and guidance<sup>2</sup> has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Part 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please do not hesitate to contact us. For any queries relating to the specific advice in this letter please contact Hannah Gooch at [Hannah.Gooch@naturalengland.org.uk](mailto:Hannah.Gooch@naturalengland.org.uk) or 02082 258503. For any new consultations, or to provide further information on this consultation please send your correspondence to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Hannah Gooch  
Yorkshire and Northern Lincolnshire Area Team  
Natural England

---

<sup>1</sup> Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

<sup>2</sup> *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

## **Annex A – Advice related to EIA Scoping Requirements**

### **1. General Principles**

Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

### **2. Biodiversity and Geology**

#### **2.1 Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

#### **2.2 Internationally and Nationally Designated Sites**

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 176 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) an appropriate assessment needs to be undertaken in respect of any plan or project which is (a)

likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

### **Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)**

The development site is adjacent to and partially within the following designated nature conservation site(s):

- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Ramsar
- Humber Estuary Site of Special Scientific Interest (SSSI)

The development site is also in proximity to the following designated nature conservation site(s):

- Humber Estuary Special Protection Area (SPA)
- Thorne Moor SAC
- Thorne and Hatfield Moors SPA
- Hatfield Moor SAC
- Thorne, Crowle and Goole Moors SSSI
- Hatfield Chases SSSI
- Crowle Borrow Pits SSSI
- Eastoft Meadow SSSI

Further information on the SSSI and its special interest features can be found at [www.magic.gov.uk](http://www.magic.gov.uk).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the Humber Estuary SPA, SAC, Ramsar and SSSI sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>

### **2.3 Regionally and Locally Important Sites**

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

### **2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)**

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats).

Natural England does not hold information on the location of significant populations of protected species, but advises on the procedures and legislation relevant to such species. You must provide sufficient information for the Examining authority/ Secretary of State to assess whether protected species are likely to be effected and, if so, whether appropriate avoidance, mitigation, avoidance or compensation measures can be put in place. Further information is included in Natural England's [standing advice](#) on protected species and in [Advice Note 11 Annex C Natural England](#).

Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the

wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

## **2.5 Habitats and Species of Principal Importance**

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

## **3. Landscape Character**

### **Landscape and visual impacts**

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed

proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

#### **4. Access and Recreation**

Natural England encourages any proposal to incorporate measures to help encourage people to access greenspaces for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure.

#### **5. Soil and Agricultural Land Quality**

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 170 of the NPPF. We also recommend that soils should be considered in the context of the sustainable use of land and the ecosystem services they provide as a natural resource, as also highlighted in paragraph 170 of the NPPF.

#### **6. Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

#### **7. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should

contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 174), which should be demonstrated through the ES.

## **8. Cumulative and in-combination effects**

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

**From:** [Leighton, Matthew](#) on behalf of [Town Planning LNE](#)  
**To:** [Keadby 3](#)  
**Subject:** Keadby 3 Low Carbon Gas Power Stat on Scoping Consultation  
**Date:** 15 June 2020 17:22:00  
**Attachments:** [image001.png](#)  
[image002.png](#)

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**FAO – Planning Inspectorate**  
**Ref – EN010114**  
**Proposal – Scoping Consultation**  
**Location – Keadby 3 Low Carbon Gas Power Station**

Thank you for your letter of 18 May 2020 providing Network Rail with an opportunity to comment on the abovementioned scoping report.

With reference to the protection of the railway, Network Rail would advise that the Environmental Impact Assessment should consider any impact the scheme may have on operational railway safety. In particular, there should be consideration of haulage/HGV routes into the site, for both the construction and operation phases of the development, where such routes involve use of railway assets (such as the bridge over the railway that provides access to the south of the development and any other railway structures and level crossings).

In addition, we note the proposed laydown area adjacent to the railway boundary at the south of the site, and we would be keen to ensure that operation and any subsequent restoration of this area has no impact on the security of the railway boundary and there is no heaping of materials or activity that may undermine the railway boundary (such as use of machinery and plant).

Kind regards

**Matt Leighton**  
Town Planning Technician | Property  
Network Rail  
George Stephenson House | Toft Green | York | YO1 6JT  
[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)



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\*\*\*\*\*

**From:** [Potts, Colin](#)  
**To:** [Keadby 3](#)  
**Subject:** Application by SSE Generation Limited:DCO for the Keadby 3 Low Carbon Gas Power Station  
**Date:** 21 May 2020 14:19:32  
**Attachments:** [20200521 Objection Letter to SSE Generation Ltd.docx](#)

---

Dear Sirs,

I write in response to a letter received at our Company regarding the above proposal.

As a standard Company procedure in order to protect our plant and apparatus and ensure that our Statutory obligations and duties to provide supplies of electricity to the area are not compromised I formally object to the DCO.

It is hoped that this will encourage the applicant to contact our Engineers and open up discussions as to requirements and expectations; but mainly to ensure that we receive the applicants written guarantee and undertaking that should any apparatus or plant be affected or impacted by the applicants proposals that if diversion works are required as a result that the applicant will be fully liable for all and any associated costs the Northern Powergrid incur.

Upon receipt of such an undertaking and guarantee I will check with our Engineers that everything is in order and can then look to formally lifting the objection.

For your information I attach a copy of the letter to SSE Generation Limited setting out the Company procedure and contact details to assist with opening up discussions with Northern Powergrid. I do hope this helps.

Yours faithfully

**Colin Potts**

Senior Operational Property Surveyor

Office: 0191 2294952



[colin.potts@northernpowergrid.com](mailto:colin.potts@northernpowergrid.com)

[www.northernpowergrid.com](http://www.northernpowergrid.com)

This message classified as **NPg-Internal** on **21 May 2020 14:18:46**

\*\*\*\*\*

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Northern Powergrid Holdings Company

Lloyds Court

78 Grey Street

Newcastle upon Tyne

NE1 6AF

Registered in England and Wales: Number 3476201

\*\*\*\*\*

Your ref:

SSE Generation Limited  
No 1 Forbury Place  
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0191 229 4952  
e-mail:

[colin.potts@northernpowergrid.com](mailto:colin.potts@northernpowergrid.com)

Our Ref: CP/DCO/K3LCGPS

21<sup>st</sup> May 2020

Dear Sirs

**Application by SSE Generation Limited (the applicant) for an Order granting Development Consent for the Keadby 3 Low Carbon Gas Power Station (the proposed development)**

I write following receipt of a letter from Stephanie Newman EIA and Land Rights Advisor on behalf of the Secretary of State dated 18<sup>th</sup> May regarding the above.

As part of my Company standard procedure whenever such an order is received be it DCO or CPO, to protect our apparatus, plant and equipment and ensure that our statutory duties and obligations in providing electrical supplies are not compromised, I write to formally object to the Development Consent Order.

From this it is hoped that this will encourage discussions be opened up with our Engineers to establish both parties requirements and expectations. As far as the objection is concerned this will stand until such times we receive your written guarantee and undertaking that should diversion works need to take place as a result of the DCO that your organisation will be responsible for all associated costs incurred.

Your point of contact will be our Design Team at Castleford with Chris Newman being the Design Team Manager on 0197 760 5931.

NORTHERN POWERGRID

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If you would like an audio copy of this letter, a copy in large type, Braille or another language, please call 0800 169 7602

For your information I have responded to the Planning Inspectorate by email today, to inform them of our procedures.

Yours faithfully

Colin Potts  
Senior Operational Property Surveyor

**From:** [Rachel Woollass](#)  
**To:** [Keadby 3](#)  
**Subject:** EN010114 - Keadby 3 Low Carbon Gas Power Station Project - EIA Scoping Notification and Consultation / Reg 11 Notification  
**Date:** 28 May 2020 16:58:56  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Keadby response.pdf](#)

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Dear Stephanie,

With regards to the above, please find attached our response.

Kind regards,

Rachel

**Rachel Woollass**  
Development Management Team Leader

01427 676657  
Guildhall | Marshall's Yard | Gainsborough | Lincolnshire | DN21 2NA



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Guildhall  
Marshall's Yard  
Gainsborough  
Lincolnshire DN21 2NA

Telephone 01427 676676  
Web [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk)

Your contact for this matter is:  
Rachel Woollass  
[rachel.woollass@west-lindsey.gov.uk](mailto:rachel.woollass@west-lindsey.gov.uk)  
01427 676657

Stephanie Newman  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

28<sup>th</sup> May 2020

Dear Sir/Madam

**APPLICATION REFERENCE NO: 141109**

**PROPOSAL: PINS consultation on EIA for proposed low-carbon gas power station -  
Ref EN010114**

**LOCATION: Land at and in the vicinity of Keadby Power Station Trentside Keadby  
North Lincolnshire**

Thank you for your letter dated 18<sup>th</sup> May with regards to the above proposal. I can confirm that West Lindsey District Council do not have any comments to make.

Yours faithfully



Rachel Woollass  
On behalf of West Lindsey District Council

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**From:** [Stephanie Walden](#)  
**To:** [Keadby 3](#)  
**Subject:** Keadby 3 Low Carbon Gas Power Station Project- Your ref: EN010114  
**Date:** 01 June 2020 12:14:09

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Dear Sir/Madam- thank you for consulting Yorkshire Water regarding the scoping request for the above project (ref: EN010114).

We have no comment to make regarding the Environmental Impact Assessment scoping but the applicant should note that there are water mains located within Chapel Lane and Trent Side which must be protected if any works within those carriageways are to occur.

It should also be noted that Severn Trent Water is the statutory sewerage undertaker for the area; I assume that they have been consulted separately.

Kind regards.

Stephanie Walden

Stephanie Walden  
Land Use Planning Manager  
Yorkshire Water  
Email: [stephanie.walden@yorkshirewater.co.uk](mailto:stephanie.walden@yorkshirewater.co.uk)

Yorkshire Water customers can get in touch for free via live chat or by requesting a free call back at <https://www.yorkshirewater.com>

Save money on your utility bills and help conserve water by requesting a free water saving pack <https://www.yorkshirewater.com/savewater>

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Yorkshire Water Services Limited  
Registered Office Western House, Halifax Road, Bradford, BD6 2SZ  
Registered in England and Wales No 2366682

## Newman, Stephanie

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**From:** Newman, Stephanie  
**Sent:** 25 June 2020 09:46  
**To:** Newman, Stephanie  
**Subject:** FW: : EN010114

**From:** Bob Haynes <[keadbywithalthorpeparishcouncil@yahoo.com](mailto:keadbywithalthorpeparishcouncil@yahoo.com)>  
**Sent:** 18 June 2020 17:48  
**To:** Newman, Stephanie <[STEPHANIE.NEWMAN@planninginspectorate.gov.uk](mailto:STEPHANIE.NEWMAN@planninginspectorate.gov.uk)>  
**Cc:** [cllr.johnbriggs@northlincs.gov.uk](mailto:cllr.johnbriggs@northlincs.gov.uk)  
**Subject:** Re: : EN010114

Hi Stephanie

Thank you for the opportunity to set out some concerns for the Parish Council's response to the Inspectorate's request for scoping comments relating to The Keadby 3 Power Station.

We would like the scoping document to include the following:

1. The effects of running multiple power stations together. SSE literature says that Keadby 1 is contracted to provide capacity to the grid until September 2022 and will have opportunities to secure further agreements in future auctions. This raises concerns with the PC that Keadby 1,2 and 3 could all be supplying capacity to the grid at the same time.
2. Keadby 3 has the potential to run either as a conventional gas fired power station or be fired by hydrogen. We think that the technology for 100% hydrogen-firing is only currently available in commercial configuration up to 50Mw in a single unit. SSE have said in their document that Keadby 3 will be 910Mw. We do not know what the hydrogen percentage is intended to be used, if SSE adopt this option. We are concerned about how hydrogen will be delivered and stored in the site prior to use.
3. Currently, Keadby 1 uses abstracted water from local waterways. Keadby 2 has applied for planning permission to abstract cooling water from the local canal and Keadby 3 documents suggest they too will need to abstract cooling water from local water courses. The Isle of Axholme is wholly reliant on good water management to prevent flooding on the Isle and regulates the water levels within drains, rivers and canals to minimise the risk of flooding. During potential flooding periods, the water level is lowered so as to allow for increased levels of water on the Isle. Requests for abstraction of water could cause the levels of water to be held artificially high to allow abstraction rights and therefore make flood management and preparation on the Isle more difficult. The villages along this stretch of the River Trent have experienced over-topping of the banking, with residents and

businesses suffering flood damage. How will abstraction generally affect wildlife and water quality of water being returned to water courses?

4. We are concerned about flue emissions to atmosphere when normal gas firing but especially if the Carbon Capture Plant (CCP) is running. We understand that Amine could be released. We do not know the amount of this carcinogen which will be released and what level of potential harm there is to local residents and workers in local businesses and industries. This is a significant health risk.
5. The Parish Council is concerned that there is currently no Carbon Capture and Storage facilities in this part of Lincolnshire or Humberside that the Carbon Capture plan can be connected to. The Humber Cluster has only recently formed and a feasibility study is just starting, with no transmission routes or future carbon repositories agreed, let alone the planning and infrastructure, to bring this concept to fruition. Our fear is that Keadby 3 could be up and running before the Carbon Capture Plant can run and export carbon offsite. What will this mean in terms of emissions from any power plants at Keadby? Councillors would seek confirmation that the Humber Low Carbon Cluster & Network would be in operation prior to the commissioning of Keadby 3.
6. We are concerned because we do not know the inventories of chemical substances that will be stored and used on Keadby 3 either on the CCGT power plant or the CCP. We are not sure if the CCP will be an MEA process but clearly Amine will be used as part of the conversion process. How will this be transported to site? What would be the effect of an accident resulting in a spillage in terms of ground, water or air pollution and contamination of any aquifers. Councillors also seek clarity about the transportation of chemicals and substances through the villages. What Risk Assessments have been carried out in this regard?
7. The visual aspect is another concern. The proposed stack could be anything up to 90m tall. This is significantly higher than any other structure on Keadby 1 and 2. The community is already having to contend with the aspect afforded by the Keadby Windfarm Project, as well as Keadby 1. This will be even greater when Keadby 2 is built and SSE is not able at this stage to tell us what the visual effect of Keadby 3 will be because they have yet to decide how this plant will be configured eg., Gas vs Hydrogen CCGT and/or CCP.
8. What pollutants will be emitted from the stack or flues eg., Nitrogen Oxide, Carbon Monoxide, Carbon Dioxide, Amine etc? What will be the effects on those living close to the plant and in the wider communities? What will the plume dispersion characteristics of these stacks be?
9. We are also concerned about the socio-economic effect on local communities. Local villages have spent considerable time and effort making homes and leisure and green spaces so as to afford them a better standard than that afforded by a more industrial past. The further development of the SSE site will make it far more difficult to attract new families and businesses to the area, with the effect of damping down economic growth and, at the same time, depressing the value of local housing and businesses. How will SSE mitigate the socio-economic effects of this huge expansion of the Keadby site and the associated health risks?

Regards,

Bob Haynes

Clerk: Keadby with Althorpe Parish Council



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