Dalton Warner Davis

Chartered Surveyors and Town Planners

21 Garlick Hill,
London, EC4V 2AU
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com
LinkedIn

Date: 17 August 2017
Our Ref: 2544F

ATTN: Richard Fidler, Development Manager
South Holland District Council
Council Offices
Priory Road
SPALDING
Lincolnshire
PE11 2XE

Dear Mr Fidler

SPALDING ENERGY EXPANSION LTD (SEEL) – GAS-FIRED ELECTRICITY GENERATING STATION OF UP TO 945 MW AT WEST MARSH ROAD, SPALDING, LINCOLNSHIRE

COMMENCEMENT OF DEVELOPMENT OF OPEN CYCLE GAS TURBINE UNIT(S) AND ASSOCIATED EQUIPMENT OF LESS THAN 300MW

APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION 14

On the 11th November 2010 the Secretary of State granted consent under Section 36 of the Electricity Act 1989 and a direction under section 90 (2) of the Town and Country Planning Act 1990 to Spalding Energy Expansion Ltd (SEEL) (the Company) to construct and operate a generating station. On 30th October 2015, the Secretary of State varied the consent under section 36C of the Electricity Act and under section 90 (2ZA) of the Town and Country Planning Act 1990, directing that planning permission for the development be deemed to be granted subject to conditions. The Consent allows for construction as either:

i. *"Up to two combined cycle gas turbine ("CCGT") unit(s) including for each CCGT unit a gas turbine, a heat recovery steam generator, a steam turbine and associated equipment with a total rated electrical output of up to 945MW; or*

ii. *One CCGT unit including a gas turbine, a heat recovery steam generator, a steam turbine with a rated electrical output of up to 645MW with open cycle gas turbine (OCGT) unit(s) and associated equipment with a total rated electrical output of less than 300MW."*

Pursuant to the provisions of condition 4(2) of the varied consent, and condition (53) of the 2015 deemed planning permission, SEEL notified the Secretary of State and South Holland District Council that the development will consist of Option ii (namely "*one CCGT unit including a gas turbine, a heat recovery steam generator, a steam turbine with a rated electrical output of up to 645MW with open cycle gas turbine (OCGT) unit(s) and associated equipment with a total rated electrical output of less than 300MW*") in a letter dated 7 June 2017. The Secretary of State confirmed that the notification discharged condition 4(2) of the varied consent, and condition (53) of the 2015 deemed planning permission in a letter also dated 7 June 2017. Both letters are appended to this cover letter.

Partners

N M Fennell BSc MRICS
R J Greeves BSc (Hons) MRICS
A R Holden BSc (Hons) FRICS
G Bullock BA (Hons) BPI. MRTPI
A Vickery BSc MRICS IRRV
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS
S Page BA MA (Cantab) MSc MRTPI
A Knight BSc (Hons) MSc MAAT MRICS

Consultants
A M Davis FRICS IRRV
K Dalton FRICS

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SEEL are undertaking the development in phases, or which the first phase entails the commencement of the development of the OCGT unit(s) and associated equipment with a total rated electrical ouput of less than 300 MW.

This application seeks the approval of details reserved by the condition 14 of the 2015 deemed planning permission for the first phase of development.

The condition requires the following:

Condition 14: Associated with Layout and Design

"Except for parts (i) and (iii) to (vi) of the Permitted Preliminary Works the commencement of each phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a Construction Environmental Management Plan. The Plan shall include details of how noise, dust and other airborne pollutants, vibration, smoke, and odour from construction work including from piling and associated traffic movements, from both inside and outside the Site boundary, will be controlled and mitigated. The construction of the specified phase of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council."

Accordingly, the application is supported by the following documents:

- This cover letter;
- Application form and certificates;
- Construction Environmental Management Plan (ref: APC-PSO-HSE-CEMP-004-Rev000), dated 18 August 2017.

We look forward to receiving confirmation that the application has been duly registered and would welcome the prompt discharge of the above conditions. If you have any queries regarding the submission, please contact Keith Dalton or Hannah Thomas-Davies (0207 332 2103).

Yours sincerely

Dalton Warner Davis LLP

Dalton Warner Davis LLP

Enc: Letter from Morris Van Looy, InterGen, dated 7 June 2017
Letter from Rob Pridham, Department for Business, Energy and Industrial Strategy, dated 7 June 2017

The Secretary of State
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Copied to: Mr R Pridham, Energy Infrastructure Planning, DBEIS
Mr R. Fidler, South Holland District Council

7 June 2017

Dear Sir / Madam,

Electricity Act 1989
Electricity Generating Stations (Variation of Consents) (England and Wales) Regulations 2013
Spalding Energy Expansion, West Marsh Road, Spalding, Lincolnshire

In accordance with conditions 4(2) and 5(53) of the Section 36c consent, issued by the Secretary of State for Energy and Climate Change on 30 October 2015 (the "Consent"), Spalding Energy Expansion Limited is notifying the Secretary of State for Business, Energy and Industrial Strategy (which subsumed the former Department for Energy and Climate Change) that it has elected to progress the Development with the gas turbine technology and capacity option as set out in Consent condition 2.(a)(ii), namely:

"*one CCGT unit including a gas turbine, a heat recovery steam generator (HRSG), a steam turbine with a rate electrical output of up to 645MW with open cycle gas turbine (OCGT) unit(s) and associated equipment with a total rated electrical output of less than 300MW.*"

Also in accordance with conditions 4(2) and 5(53) of the Section36c consent, Spalding Energy Expansion Limited is also notifying South Holland District Council of the above by copy to Mr R. Fidler.

Spalding Energy Expansion Limited wishes to confirm with the Secretary of State that, for the purposes of the OCGT only (and not the CCGT), this technology type does not need to submit details in relation to the following conditions on the basis that they are not applicable:

a) Condition 4(4) on the basis that Carbon Capture Readiness is not required to be demonstrated for an OCGT unit (or OCGT units) of less than 300MW and, consequently, conditions 6 to 11 are also not applicable; and

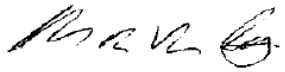
b) Conditions 5(48) and 5(49) on the "Use of Waste Heat" on the basis an OCGT unit does not produce waste heat as it does not have an associated steam cycle.

For the avoidance of doubt, it is our intention to comply with these conditions in relation to the implementation of the CCGT in due course.

I shall be grateful if you would confirm in writing receipt of this letter, discharge of conditions 4(2) and 5(53) of the Section 36c consent, and your agreement that, for the purposes of the OCGT only, conditions related to Carbon Capture Readiness and Use of Waste Heat are not applicable.

Please also contact me with any questions in relation to the above.

Yours sincerely,



Morris Van Looy
UK Development Director

Department for
Business, Energy
& Industrial Strategy

Energy Infrastructure Planning Team
Department for Business, Energy &
Industrial Strategy
Level 3 Orchard 2
1 Victoria Street
London
SW1H 0ET

T +44 (0)300 068 5682

E Robert.Pridham@beis.gov.uk

www.gov.uk/beis

Mr Morris Van Looy
UK Development Director
Spalding Energy Expansion Limited
2nd Floor, 81 George Street
Edinburgh EN2 3ES
(BY E-MAIL)

Your ref: 2544E

7 June 2017

Dear Mr Van Looy,

ELECTRICITY ACT 1989

THE ELECTRICITY GENERATING STATIONS (VARIATION OF CONSENTS) (ENGLAND AND WALES) REGULATIONS 2013

SPALDING ENERGY EXPANSION, WEST MARSH ROAD, SPALDING, LINCOLNSHIRE

Thank you for your letter of 7 June 2017 regarding the consent under Section 36C of the Electricity Act 1989 and deemed planning permission under Section 90 (2ZA) of the Town and Country Planning Act 1990 granted on 11 November 2010 and as varied by a previous application granted on 30 October 2015 for the Spalding Energy Expansion generating station project at Spalding in Lincolnshire.

The Secretary of State notes Spalding Energy Expansion Limited has elected to progress the Development with the gas turbine technology and capacity option as set out in Condition 2(a)(ii) of the Consent as varied on 30 October 2015. Namely:

"one CCGT unit including a gas turbine, a heat recovery steam generator (HRSG), a steam turbine with a rate electrical output of up to 645MW with open cycle gas turbine (OCGT) unit(s) and associated equipment with a total rated electrical output of less than 300MW."

As such, the Secretary of State agrees that Spalding Energy Expansion Limited's confirmation of the above discharges Conditions 4(2) and 5(53) of the Consent as varied on 30 October 2015.

With regard to Spalding Energy Expansion Limited's query in relation to the applicability of Conditions 4(4), 4(6)-4(11), 5(48) and 5(49) in the varied 30 October 2015 consent covering "Carbon Capture Readiness" and "Use of Waste Heat" for the one OCGT unit, the Secretary of State also agrees that the above conditions would only be applicable in respect of the one

CCGT unit. In the interest of clarity, it is suggested that consideration be given to reflecting the above in the proposed application to further vary the Consent under Section 36C of the Electricity Act 1989.

I am copying this letter to Richard Fidler at South Holland District Council for information.

Yours sincerely,



Rob Pridham
Case Manager
Energy Infrastructure Planning Team