

Date: 06 August 2021
Your Ref: PP-10066934
Our Ref: 14278A



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Dear Mr Fidler,

**SPALDING ENERGY EXPANSION, WEST MARSH ROAD, SPALDING, LINCOLNSHIRE
APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTY PLANNING ACT 1990 (AS
AMENDED) FOR NON-MATERIAL CHANGES TO THE DEEMED PLANNING PERMISSION TO ALLOW
FOR RETENTION AND REPROFILING OF THE MOUND**

Introduction

On behalf of Spalding Energy Company Limited, Spalding Energy Expansion Limited and Spalding Energy Park Limited (jointly '**the Applicant**') we hereby apply to South Holland District Council ('**SHDC**') under Section 96A of the Town and Country Planning Act 1990 ('**TCPA**') for a non-material amendment ('**NMA**') to the deemed planning permission granted, and subsequently varied, by the Secretary of State for the Spalding Energy Expansion generating station on the land outlined in red on Drawing 1620002349-009-01A Rev P.03 ('**the Site**')

The Spalding Energy Expansion generating station was originally granted deemed planning permission by the Secretary of State by way of a direction under TPCA section 90(2) alongside consent under section 36 of the Electricity Act 1989 on 11 November 2010 (SHDC ref. H16-0241-09). Subsequently both the Section 36 consent and the deemed planning permission have been varied, most recently on 31 January 2018 (SHDC ref. H16-0835-17); this constitutes the existing consent. The existing consent incorporates non-material changes to the deemed planning permission previously approved by SHDC on 7 August 2017 pursuant to NMA application ref. H-16-0605-17.

The existing consent envisages removal of the mound that currently occupies part of the Site; these works are listed as one of the 'Permitted Preliminary Works' as defined in condition (1) of the deemed planning permission. There is now an opportunity to retain and reprofile the mound on the Site and use it to raise the finished ground levels (required for flood mitigation purposes) in preparation for future development. The Applicant has established that there is no viable demand for the material off-site and rather than disposing of it there is the opportunity to retain and re-use it on Site which is a more sustainable option. The Applicant would like to carry out these works in early September.

Partners

R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI
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Proposed non-material changes

This NMA application proposes non-material changes to condition (1) (Definitions); condition (6) (Removal and/or Reprofilling of the Mound); conditions (21) and (22) (Construction Traffic Management Plan and Access Route); condition (43) (Biodiversity Enhancement Measures); and condition (45) (Surface Water Drainage), in order to allow for removal and/or reprofilling of the mound as part of the Permitted Preliminary Works and to omit the Permitted Preliminary Works from triggering certain requirements under conditions that would be more appropriately dealt with as part of future development proposals.

The proposed non-material changes to the deemed planning permission are shown in red and italicised font, alongside the previously approved amendments that form part of the existing consent, in the enclosed draft amended deemed planning permission.

The NMA application comprises:

- This covering letter;
- Application Form;
- Draft amended deemed planning permission; and
- Red Line Application Boundary (drawing no. Drawing 1620002349-009-01A Rev P.03).

Conditions to be discharged separately

To allow the mound re-profiling works to be carried out the Applicant is separately applying to SHDC for approval of details pursuant to the following conditions insofar as they relate to works to the mound only:

- Condition (4) (Wheel Washing);
- Condition (14) (Construction Environmental Management Plan);
- Condition (16) (Reversing Alarms);
- Condition (21) (Construction Traffic Management Plan and Access Route);
- Conditions (33)-(35) (Contaminated Waste); and
- Condition (40) (Landscaping and Creative Conservation).

This NMA application has been submitted, and the application fee paid, via the Planning Portal (ref. PP-10066934). We look forward to receiving confirmation that the application has been validated and trust that the necessary information has been provided to enable the application to be determined in a timely manner. Should you have any queries or wish to discuss anything, please contact Jon Bowen of this office.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'DWD'.

DWD