Date: 16 August 2021
Your Ref: PP-10128090
Our Ref: 14278A

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Richard Fidler
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Council Offices
Priory Road
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Dear Mr Fidler,

SPALDING ENERGY EXPANSION, WEST MARSH ROAD, SPALDING, LINCOLNSHIRE APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS 4, 14, 16, 21, 33, 34, 35 AND 40 OF THE DEEMED PLANNING PERMISSION (REF. H16-0835-17) IN RESPECT OF THE REPROFILING OF THE MOUND ONLY

Introduction

On behalf of Spalding Energy Company Limited, Spalding Energy Expansion Limited and Spalding Energy Park Limited (jointly '**the Applicant**') we hereby apply for the approval of details reserved by conditions 4, 14, 16, 21, 33, 34, 35 and 40 of the deemed planning permission (ref. H16-0835-17) for the Spalding Energy Expansion generating station.

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 permits the removal of the mound that currently occupies part of the site; however, the opportunity has now arisen to retain and reprofile the mound material 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 recently applied for a non-material amendment (application ref. H16-0847-21) to the conditions of the deemed planning permission to allow this.

This application seeks approval of details required by those conditions that are relevant to works to reprofile the mound only.

Conditions 4, 14, 16, 21

Condition (4) (Wheel Washing) states: *"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 scheme for the provision of wheel cleansing facilities for heavy commercial vehicles and any mobile plant which has an operating weight exceeding three tonnes associated with construction of the specified phase of the*

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Development. Such approved facilities shall be installed in accordance with a timescale to be approved in writing by the Council and shall be maintained throughout the period of the construction of the specified phase of the Development unless otherwise agreed in writing by the Council".

Condition (14) (Construction Environmental Management Plan) states: *"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 Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council".*

Condition (16) (Reversing Alarms) states: *"The commencement of the Development shall not take place until there has been submitted to, approved in writing by and deposited with the Council details of the use of reversing alarms to be fitted to all mobile plant on the Site. The approved reversing alarms shall be utilised on mobile plant throughout the period of the construction and operation of the Development".*

Condition (21) (Construction Traffic Management Plan and Access Route) states: *"The removal [and / or reprofiling] of the mound pursuant to Condition (6) and the commencement of each phase of the Development shall not take place until a Construction Traffic Management Plan and Access Route which incorporates adequate provision for addressing any abnormal wear and tear to the highway has been submitted to, approved in writing by and deposited with, the Council. The Construction Traffic Management Plan shall include proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure that no other local roads are used by construction traffic. The construction of the specified phase of Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing by the Council.".* The text in square brackets is one of the proposed changes subject of NMA application H16-0847-21.

The following is submitted to part-discharge the above conditions insofar as they relate to the reprofiling of the mound:

- Document titled 'Construction Environmental and Transport Management Plan' prepared by Ramboll, reference 1458382-1, version 3, dated 13 August 2021

Conditions 33, 34 and 35

Conditions (33)-(35) (Contaminated Waste) state:

"(33) The commencement of the Development shall not take place until the Company has carried out an investigation to assess the degree of ground contamination of the Site and submitted a written report of the findings to the Council and the Environment Agency. The investigation shall include testing for hydrocarbons and other contaminants, together with leachability testing. The survey shall include the leachability test results along with the locations at which they were sampled. Any groundwater encountered during the survey shall also be tested for contaminants, in order to assess the mobility of any contaminants encountered.

(34) The commencement of the Development shall not take place until the Council, in consultation with the Environment Agency, has approved in writing the report produced pursuant to Condition (33).

(35) The commencement of the Development shall not take place until a scheme of any necessary remedial measures and monitoring has been submitted to, approved in writing by, and deposited with the Council, in consultation with the Environment Agency".

The following is submitted to part-discharge the above conditions insofar as they relate to the reprofiling of the mound:

- Document titled 'Consideration of Contaminated Waste during the Reprofiling of the Mound', prepared by Ramboll, reference 1458382-6, version 2, dated 13 August 2021.

Condition 40

Condition (40) (Landscaping and Creative Conservation) states: *"The commencement of each phase of the Development shall not take place until a scheme of landscaping and creative conservation which shall accord with the approach outlined in the landscape and ecology chapters and appendices of the Environmental Statement, has been submitted to and approved in writing by the Council, in consultation with Natural England and the Environment Agency. The specified phase of the Development shall be completed in accordance with the approved scheme unless otherwise agreed in writing by the Council".*

The following is submitted to part-discharge the above condition insofar as it relate to the reprofiling of the mound:

- Document titled 'Scheme for the Reprofiling of the Mound', prepared by Ramboll, reference 1458382-3, version 4, dated 16 August 2021

This application for approval of details under conditions 4, 14, 16, 21, 33, 34, 35 and 40 has been submitted, and the application fee paid, via the Planning Portal (ref. PP-10128090). 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,

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