

Date: 22 June 2022
Your Ref: PA/2018/1950
Our Ref: 2941KA



Andrew Law
North Lincolnshire Council
Civic Centre
Ashby Road
Scunthorpe
DN16 1AB

6 New Bridge Street
London EC4V 6AB
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: dwdllp.com

Dear Mr Law

THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

SECTION 73 - MINOR MATERIAL AMENDMENT – VARIATION OF CONDITION 1 OF PLANNING PERMISSION REF. PA/2018/1950 – PILFREY BIRDGE TEMPORARY LAYDOWN AREA

I write on behalf of Keadby Developments Limited ('KDL'), a subsidiary of SSE plc ('the Applicant'), to submit a planning application (the 'Application') under Section 73 of the Town and Country Planning Act 1990 (as amended) for a minor material amendment ('MMA') to vary the wording of condition 1 attached to Planning Permission Ref. PA/2018/1950 (the 'Planning Permission') dated 23 November 2018.

The Planning Permission, as approved, allowed the temporary retention and use of an existing construction laydown and parking area for the period of four years in connection with the Keadby 2 Power Station project ('Keadby 2'). Prior to that the application site was previously used temporarily for construction laydown on the Keadby wind farm development. This Application seeks to vary Condition 1 which imposes a time limit on the use of the site for construction laydown and parking

This Application comprises the following documents:

- The Application Form and Certificates
- Cover Letter (this document);
- Site Location Plan; and
- Planning Permission Ref. PA/2018/1950 (dated 23 November 2018)

The application has been submitted via the Planning Portal (ref PP-11347214). The application fee is £266.20 and has been settled via electronic payment.

Background to the Application

The Application Site ('The Site') is currently being used for the construction of Keadby 2 which was consented by the Secretary of State ('SoS') on 1 March 2019 under Section 36 of the Electricity Act 1989. During construction of Keadby 2, the Site has been utilised for both the laydown of construction materials and smaller abnormal loads associated with the Power Station as well as the secure storage of materials. The use of this site has enabled KDL to manage the construction impacts of Keadby 2 on the local road network and surrounding environment. Construction is scheduled to finish later in 2022.

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
A Meech BSc MRICS
S Page BA MA (Cantab) MSc MRTPI

P Roberts FRICS CEnv
T Lodeiro BA (Hons) PGDip MSc MRICS
A Pilbrow BSc (Hons) MRICS IRRV(Hons)
C Turnbull BSc (Hons) MSc MRTPI



KDL is now advancing proposals for a further Combined Cycle Gas Turbine ('CCGT') power station on land to the north-west of Keadby 1 under the Planning Act 2008. An application for development consent was accepted for Examination by the Planning Inspectorate for 'Keadby 3' on 28 June 2021. The Examination subsequently concluded on 8 June 2022 and a decision from the Secretary of State (SoS) is therefore expected on 8 December 2022. The Pilfrey Bridge Laydown Area forms part of the proposals for which development consent has been sought, though it will not benefit from such status until the Development Consent Order ('DCO') is granted.

Condition 1 of the planning permission currently requires the Applicant to restore the temporary laydown area to its original condition by 23 November 2022. Consequently, the Applicant is seeking to extend this period by 6 months so that the site can remain in its current state (ready for use) until the DCO is granted. Should the K3 DCO not be granted, the Site will be re-instated following the close of the additional 6-month period (26 May 2023).

If consented, the Keadby 3 construction works, which could commence in late 2022/early 2023, will once again seek to make use of the temporary laydown and parking area during construction for smaller abnormal loads during construction. KDL is therefore applying to vary Condition 1 of the Planning Permission to retain the laydown area for six months in order to ensure the temporary laydown area does not need to be reinstated in the interim period prior to the DCO being granted.

The Application Site

The Site is located 1.5Km to the west of the existing Keadby 1 and proposed Keadby 2 and 3 Power Station sites and is surrounded by agricultural land. The Site comprises a 0.5ha section of flat hardstanding, with 50 parking spaces currently marked out. It is located on the south-west side of the Pilfrey Bridge. Prior to Keadby 2 It was vacant and unused since 2013. The site has proven to be a suitable area for temporary construction laydown and parking purposes. KDL maintain their view that the site continues to be suitable for this type of activity, this time for Keadby 3. The Site is connected to its southern perimeter by an access road (constructed as part of Keadby Wind Farm development) which connects the A18 to Pilfrey Bridge and the wider Keadby Power Station sites to the north east. The use of this Wind Farm access road from the A18 is planned and agreed as part of the Keadby 3 DCO Application, meaning that the Site is well located for re-use for construction laydown and parking.

The Site lies in Flood Zone 3, the most significant flood zone. However, the site is well under 1 hectare in area and a flood risk assessment was previously prepared in 2007 as part of the Keadby Wind Farm Section 36 application. This application proposes no changes to the size or purpose of the Site. Therefore, it remains aligned with the conclusions of the previous assessment. It should also be noted that the use of the Site to laydown materials and park vehicles would be temporary and the type is of use is of limited vulnerability in terms of flooding. It is therefore considered that the Proposed Development is acceptable in flood risk terms.

The Site is secured externally on its perimeter via a metal palisade fence, and as confirmed above, comprise of flat hardstanding. There are no trees on site and only very limited vegetation. It is therefore considered that the Site has no ecological potential. The Site in its current state is shown in Figure 1 below.

Figure 1: The Site



Proposed variation of Condition 1

As confirmed above, it is proposed that the construction laydown and parking area is retained for a further 6 months to ensure it can be reused in association with Keadby 3's construction. It is anticipated that construction of Keadby 3 could (subject to the necessary consents being granted and an investment decision being made) potentially start as early as Quarter 4 (Q4) 2022 and last for 42 months.

The amended wording to Condition 1 of the Planning permission is shown below. The Strikethrough text shows words to be deleted and the new wording is emboldened:

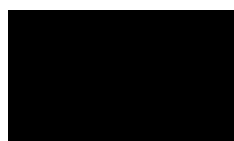
*1. The laydown and parking area hereby permitted for retention shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition on or before ~~21 November 2022~~ **26 May 2023** in accordance with a scheme of work submitted to and approved by the local planning authority*

Summary

The Site is proposed to be retained as a laydown and parking area for a further six months in connection with the construction of Keadby 3. The proposals present is a more cost-effective and sustainable approach than the site were to be restored and redeveloped, as currently required by Condition 1.

We trust that we have provided sufficient information for the LPA to validate the application and look forward to receiving confirmation of this in due course. However, in the meantime, should you require have any questions or require any additional information please do not hesitate to contact me.

Yours faithfully,





Rob Booth
Senior Associate
DWD
Rob.Booth@dwdllp.com
020 7489 4830

Enc.

Application Forms and certificates
Site Location Plan
Planning Permission – PA/2018/1950