

DEPARTMENT OF ENERGY AND CLIMATE CHANGE
CONSTRUCTION AND OPERATION OF A COMBINED CYCLE GAS
TURBINE ELECTRICITY GENERATING STATION AT THE THORPE MARSH,
BARNBY DUN, DONCASTER

CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989

1. Pursuant to section 36 of the Electricity Act 1989 the Secretary of State for Energy and Climate Change (“the Secretary of State”) hereby consents to the construction, on the area of land coloured pink on Figure 5, attached hereto, of a combined cycle gas turbine generating station at Thorpe Marsh, Barnby Dun, Doncaster (“the Development”), and to the operation of that generating station. This consent is granted to Thorpe Marsh Power Limited, its assigns and successors (“the Company”).

2. The Development shall be about^[1] 1,500 MW capacity and, unless otherwise agreed by the Council pursuant to the provisions of deemed planning permission, comprise two distinct phases:

(a) Phase 1:

Two combined cycle and one open cycle natural gas fired turbine generating units; and

- (i) air cooled condensers;
- (ii) gas receiving facility;
- (iii) ancillary plant and equipment; and
- (iv) the necessary buildings (including administration offices) and civil engineering works

(b) Phase 2:

One combined cycle gas turbine generating unit; and

- (i) air cooled condensers;
- (ii) ancillary plant and equipment; and

^[1] A tolerance of up to 5% is permitted

- (iii) the necessary buildings (including administration offices) and civil engineering works
- 3. The Development shall be designed so as to have the capability for extracting steam from the electricity generating cycle.
- 4. This consent is granted subject to the following conditions:
 - (1) The Development shall be constructed and operated in accordance with the details contained in paragraph 2 of this consent and the application dated 24 February 2010, as amended by the Company's letters of 7 May 2010 and 15 June 2011, subject to any minor changes which may be approved by the Council pursuant to the provisions of deemed planning permission.
 - (2) The commencement of any phase of the Development shall not be later than five years from the date of this consent, or such longer period as the Secretary of State may hereafter direct in writing.
 - (3) The following definitions apply for the purposes of Conditions (4) to (10):
 - (a) "capture equipment" means the plant and equipment required to capture the target carbon dioxide and identified as such in the current CCS proposal;
 - (b) "CCS proposal" means a proposal for the capture, transport and storage of the target carbon dioxide, which identifies the proposed technology, transport route and storage location;
 - (c) "current CCS proposal" means:
 - (i) the CCS proposal set out in the Feasibility Study and assessed in accordance with the guidance entitled "Carbon Capture Readiness (CCR) A guidance note for Section 36 Electricity Act 1989 consent applications"¹; or
 - (ii) if a revised CCS proposal has been identified under Condition (9), the proposal which has most recently so identified;
 - (d) "designated site" means the land hatched blue on Figure 5, annexed hereto, as the area where the Company proposes to locate the capture equipment;

³http://www.decc.gov.uk/Media/viewfile.ashx?FilePath=What%20we%20do\UK%20energy%20supply\Development%20consents%20and%20planning%20reform\electricity\1_20091106164611_e_@@_ccrguidance.pdf&filetype=4

- (e) “Feasibility Study” means the document entitled Thorpe Marsh CCGT Power Station CARBON CAPTURE READINESS REPORT Final and dated July 2011;
 - (f) “target carbon dioxide” means as much carbon dioxide emitted by the Development when it is operating at full capacity as it is reasonably practicable to capture for the purposes of permanent storage, having regard to the state of the art in carbon capture and storage technology from time to time; and
 - (g) “the report” means the report to be submitted in accordance with Condition (5).
- (4) Until such time as the Development is decommissioned, the Company shall not, without the written consent of the Secretary of State:
- (a) dispose of any interest in the designated site; or
 - (b) except for use as a laydown area during the construction of the Development and ending at the commissioning of the Development, do any other thing or allow any other thing to be done or to occur, which may reasonably be expected to diminish the Company’s ability, within two years of such occurrence, to prepare the designated site for the installation and operation of the capture equipment.
- (5) The Company shall make a report to the Secretary of State:
- (a) on or before the date on which three months have passed from the commissioning of the Development; and
 - (b) within one month of the second anniversary, and each subsequent even-numbered anniversary, of that date.
- (6) The report shall provide evidence that the Company has complied with Condition (4):
- (a) in the case of the first report, since this consent was granted; and
 - (b) in the case of any subsequent report, since the making of the previous report.
- and explain how the Company expects to continue to comply with Condition (4) over the next two years.
- (7) The report shall state whether the Company considers that some or all of the technology referred to in the current CCS proposals will not work, and explain the reasons for any such conclusion.

- (8) The report shall identify any other impediment of which the Company is aware, as a result of which it considers that any aspect of what is proposed in the current CCS proposals is likely or certain not to be technically feasible.
- (9) Reports which identify such an impediment shall state, with reasons, whether the Company considers it technically feasible to overcome the impediment by adopting revised CCS proposals, and, if so, include such proposals.
- (10) The report shall state, with reasons, whether the Company has decided to seek any additional regulatory clearances, or to modify any existing regulatory clearances, in respect of its current CCS proposals in the period referred to in Condition (6)(a) or (b), as appropriate.
- (11) Conditions (3) to (10) shall cease to have effect as soon as any of the following events occurs:
 - (a) the capture equipment is installed; or
 - (b) the Development is decommissioned; or
 - (c) the Secretary of State's agreement to the Company not installing capture equipment and having no current CCS proposal has been obtained in writing.

DIRECTION TO DEEM PLANNING PERMISSION TO BE GRANTED UNDER SECTION 90 OF THE TOWN AND COUNTRY PLANNING ACT 1990

CONSTRUCTION AND OPERATION OF A 1500MW COMBINED CYCLE GAS TURBINE ELECTRICITY GENERATING STATION AT THORPE MARSH, BARNBY DUN, DONCASTER

5. The Secretary of State in exercise of the powers conferred on him by section 90(2) of the Town and Country Planning Act 1990 hereby directs that planning permission for the Development be deemed to be granted subject to the following conditions:

Definitions

(1) In these Conditions unless the context otherwise requires -

"BS 4142 1997" means British Standard 4142: 1997 - Method for rating industrial noise affecting mixed residential and industrial areas;

"Bank Holiday" means a day that is, or is to be observed as, a Bank Holiday or a holiday under the Banking and Financial Dealings Act 1971;

"the commencement of any phase of the Development" means the date on which work on any phase of the Development for which a scheme has been approved by the Council under Condition (8) shall be taken to be initiated in accordance with section 56 of the Town and Country Planning Act 1990, as amended;

"the commissioning of the Development" means the date on which, following completion of the testing of any phase of the Development, the Development first supplies electricity on a commercial basis;

"the Company" means Thorpe Marsh Power Ltd and its assigns and successors;

"the Council" means Doncaster Metropolitan Borough Council and its successors;

"the Development" means the 1,500 MW gas turbine generating station comprising three combined cycle gas turbine generating units with a total generating capacity of 1,400MW and one open cycle gas turbine generating unit with a capacity of 100MW proposed to be constructed on the Site at Thorpe Marsh, Barnby Dun, Doncaster;

"emergency" means circumstances in which there is reasonable cause for apprehending imminent injury to persons, serious

damage to property or danger of serious pollution to the environment;

“Environment Agency” means the Environment Agency and its successors;

“Environmental Statement” means the document entitled “Thorpe Marsh CCGT Power Station Environmental Statement (Amended)” September 2010;

"heavy commercial vehicle" has the meaning given by section 138 of the Road Traffic Regulation Act 1984;

"the main Development" means the construction work commencing with the placing of the first concrete for the main plant foundations of any phase of the Development;

“Natural England” means Natural England and its successors;

“operating weight” in relation to a goods vehicle has the meaning given by section 138 of the Road Traffic Act 1984;

“Permitted Preliminary Works” means:

- (i) landscaping and creative conservation, providing these do not require the delivery or removal of bulk filling materials to or from the Site and have been approved pursuant to Condition (44);
- (ii) installation and diversion of utility services within the Site;
- (iii) surveys and geotechnical surveys;
- (iv) decontamination measures approved pursuant to Condition (39);
- (v) temporary fencing of the Site;
- (vi) provision of wheel cleansing facilities required pursuant to Condition (4);
- (vii) provision for temporary contractors’ facilities necessary for (i) to (vi) above within the Site;

“Phase 1 of the Development” means the construction of two combined cycle and the open cycle gas turbine generating units of the Development;

“Phase 2 of the Development” means the construction of the third combined cycle gas turbine generating unit of the Development;

“Phasing of the Development” means the construction of the Development in two phases, namely Phase 1 and Phase 2, unless otherwise agreed in writing by the Council pursuant to Condition (8) or Condition (10);

"the Site" means the area of land coloured pink on Figure 5, annexed hereto; and.

“SUDS” means a sustainable drainage system comprising all treatment and drainage systems including any pipework, swales, reed beds, ponds, filter trenches, attenuation tanks and detention basins.

The Site

- (2) The construction of the Development shall only take place within the Site.

Reason: To ensure that no construction takes place beyond the boundary of the area which is the subject of this planning permission.

Time Limits

- (3) The construction of the Development shall be begun before the expiry of five years from the date of this permission.

Reason: To strike a balance between the time it may take to put in place the necessary pre-construction measures required, for example – tendering, obtaining the necessary financing, design of the proposal (including its layout and main plant foundations); and minimising the impact of any period of uncertainty for those who may be affected pending the decision to begin construction works.

Suppression of Dust and Dirt

- (4) Except for the Permitted Preliminary Works, the commencement of any 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. 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 Development unless any variation has been approved in writing by the Council.

- (5) All heavy commercial vehicles and any mobile plant which has an operating weight exceeding three tonnes associated with the construction of the Development leaving the Site, other than those vehicles exclusively using tarmacadam or concrete roads on the Site, shall on each occasion, prior to leaving, pass through the wheel cleansing facilities provided pursuant to Condition (4).
- (6) Except for the Permitted Preliminary Works, the commencement of any 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 employing all reasonable measures for the suppression of dust during the period of the construction of the Development. The measures approved in the scheme shall be employed throughout the period of construction except in so far as any variation to it has been approved in writing by the Council.
- (7) All open bodied heavy commercial vehicles carrying dry loose aggregate, cement or soil into and/or out of the Site shall be sheeted.

Reason: To ensure that mud and deleterious material is not deposited on the public highway.

Layout and Design

- (8) Except for the Permitted Preliminary Works, the commencement of any 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 which shall include provisions for:
 - (i) details of the siting, design, external appearance and dimensions of all new or modified buildings and structures which are to be retained following the commissioning of the Development;
 - (ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
 - (iii) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the Site;
 - (iv) details of ground levels and heights of all permanent buildings and structures together with cross-sections through the Site showing existing and proposed ground levels;

- (v) details of all new or modified permanent fencing and gates required on the Site;
 - (vi) details of artificial lighting required during the operation of the Development; and
 - (vii) phasing of works included in the scheme and timing of the works to which the scheme relates relative to the timing of other works involved in the Development.
- (9) The use of columns for artificial lighting shall not exceed the obtrusive light limitations of sky glow, light into windows, source intensity and building luminance specified in the Institution of Lighting Engineers document “Guidance Notes for the Reduction of Obtrusive Light: GNO1 2005”
- (10) The Development shall proceed only in accordance with the scheme referred to in Condition (8) except in so far as any variation to it has been approved in writing by the Council.

Reasons: Condition (8) is to enable the Council to exercise reasonable and proper control over the design and appearance of the Development. Condition (9) is to reduce light pollution and protect the amenity of local residents.

Travel Plan

- (11) Except for the Permitted Preliminary Works the commencement of any phase of the Development shall not take place until a Travel Plan has been submitted to and approved in writing by the Council. Such Plan shall include the following provisions:
- (i) provision for transporting no less than 60% of construction personnel to and from the Site via minibus, multi people carriers or similar multi occupancy vehicles;
 - (ii) arrangements for car sharing;
 - (iii) provisions for pedestrian and cycle access to the Site;
 - (iv) the planning of working practice to avoid peak travel flows;
 - (v) the appointment of a co-ordinator responsible for the implementation and review of the Travel Plan;
 - (vi) discussions with a public transporter provider for the provision/upgrading of public transport to and from the Site;

- (vii) the provision of transport by the Company for persons employed during the construction of the Development;
- (viii) the Travel Plan to be reviewed on a monthly basis, unless otherwise agreed in writing with the Council;
- (ix) any amendments to the Travel Plan (whether or not following a periodic review pursuant to (viii) above) not to be implemented without the written agreement of the Council; and
- (x) details of incentives to personnel to encourage them to reduce the use of single occupancy cars as the means of getting to and from the Site

The approved Travel Plan shall be implemented when 100 personnel are on the Site and shall remain in force until the commissioning of the Development or such earlier time as may be approved in writing by the Council.

Reason: To encourage travel to and from the Site by more sustainable means than single occupancy cars.

Construction and Construction Noise

- (12) Except for the Permitted Preliminary Works, the commencement of any 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 relevant to that phase. The Construction Environmental Management Plan shall include details of how noise, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The Construction Environmental Management Plan will utilise the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk). The construction of the Development shall be completed in accordance with the approved Plan unless any variation has been approved in writing by the Council.
- (13) No construction work associated with the Development shall take place on the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Saturday 0800 - 1800

unless such work –

- (a) is associated with an emergency;

(b) is carried out with the prior written approval of the Council;
or

(c) does not cause any night-time noise limits approved under the Construction Environmental Management Plan approved pursuant to Condition (12) to be exceeded.

- (14) No impact piling approved as part of the Construction Environmental Management Plan approved pursuant to Condition (12) shall take place on the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday	09.00 – 18.00
Saturday	09.00 – 13.00

unless such work –

(a) is associated with an emergency; or

(b) is carried out with the prior written approval of the Council.

- (15) In any instance where a time limitation referred to in Conditions (13) and (14) is not adhered to, the Company shall as soon as possible notify the Council and follow up the notification with a written statement detailing the nature of any relevant emergency and the reason why the time limitation could not be observed.

- (16) All activities associated with the construction of the Development shall be carried out in accordance with British Standard 5228, 2009: Code of practice for noise and vibration control on construction and open sites – Part 1 – Noise, Part 2 - Vibration.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development

Construction Traffic

- (17) No heavy commercial vehicles associated with the construction of the Development shall enter or leave the Site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Saturday	0800 - 1800
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unless such movement –

(a) is associated with an emergency; or

(b) is with the prior written approval of the Council; or

- (c) is an abnormal or indivisible load authorised by the Highways Agency pursuant to the Road Vehicles (Authorisation of Special Types) (General) Order 2003.
- (18) In any instance where a traffic movement referred to in Condition (17) is not adhered to, the Company shall as soon as possible notify the Council and follow up the notification with a written statement detailing the nature of any relevant emergency and the reason why the time limitation could not be observed.
- (19) Unless any variation has been agreed in writing by the Council all traffic associated with the construction of the Development entering or leaving the Site shall only do so via the routes identified on the plan entitled “Agreed Access Routes to Thorpe Marsh CCGT for Construction Staff and Vehicles”, annexed hereto.
- (20) The commencement of any phase of the Development shall not take place until a Construction Traffic Management Plan has been submitted to, approved in writing by and deposited with the Council. The Construction Traffic Management Plan shall include for adequate provision for addressing any abnormal wear and tear to the highway and be in accordance with Chapter 12 [Traffic and Transportation] and Appendix L [Transport Assessment Final Rev B September 2010] of the Environmental Statement and include proposals to control and manage construction traffic using the access routes identified under Condition (19) and to ensure that no other local roads are used by construction traffic.
- (21) For the duration of the construction period of the Development all traffic associated with the construction of the Development will comply with the Construction Traffic Management Plan and use no local roads other than the Traffic Access Routes identified under Condition (19) unless different arrangements have been approved in writing by the Council.

Reason: To ensure reasonable and proper control to be exercised over the methods of construction of the Development and to reduce the number of heavy commercial vehicle movements for the safety of other road users and pedestrians.

Operational Noise

- (22) The commissioning of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council a programme for the monitoring and control of noise generated by the normal commercial operation of the Development. The programme shall specify the locations from which noise will be monitored, the method of noise measurement

(which shall be in accordance with BS 4142 1997) and the maximum permissible levels of noise at each such monitoring location. The programme shall make provision for such noise measurements to be taken by the Company as soon as possible following requests by the Council and such measurements shall be given to the Council as soon as they are available. At the approved measurement locations noise levels during the operation of the Development shall not exceed the levels specified in the approved programme, except in so far as any variation has been approved in writing by the Council or in an emergency. Such noise shall exhibit no tonal or impulse content at these locations in any weather conditions.

- (23) Notwithstanding any noise measurement and noise measurement location approved by the Council pursuant to Condition (22) the noise generated by the normal commercial operation of the Development shall not exceed the following levels at the corresponding times stated below when measured in accordance with BS 4142 1997 at the facades of the noise receptor monitoring locations indicated on Figure 8.1 of the Environmental Statement:

0700 – 2300	L_{Aeq} (1hour)	38 dB(A)
2301 – 0659	L_{Aeq} (5mins)	38 dB(A)

Such noise shall exhibit no tonal or impulse content at these properties in any weather conditions. These limitations as to noise level shall be adhered to at all times except in an emergency or in so far as any lower noise level approved by the Council pursuant to Condition (22) is applicable.

- (24) An acoustic assessment of compliance with Conditions (22) and (23) shall be submitted to the Council no later than three months from the commissioning of the Development. The results of the assessment and details of any mitigation measures recommended to remedy problems with compliance shall be submitted to and approved in writing by the Council. All works which form part of the approved mitigation measures shall be completed within six months of the date of approval.
- (25) In any instance where a noise level approved pursuant to Condition (22) or set in Condition (23) is exceeded because of an emergency the Company shall as soon as possible, and in any case within two working days, provide the Council with a written statement detailing the nature of the emergency and the reason why the noise level could not be observed. If the emergency period is predicted to be for a period of more than twenty-four hours during which such a noise level is to be exceeded then the Company shall inform those residents and businesses affected by this of the reasons for the emergency and the expected duration.

- (26) Except in an emergency, the Company shall give at least 24 hours prior notice in writing to the Council of any proposed operation of emergency pressure relief valves or similar equipment. So far as is reasonably practicable any such operation should take place between the hours of 09.00 and 17.00 hours and on a day other than a Saturday, Sunday, Bank Holiday or public holiday.

Reason: To ensure the proper control of noise during the operation of the Development.

Local Liaison Committee and Complaints Procedure

- (27) Prior to the commencement of any phase of the Development the Company shall establish a local liaison committee made up of representatives of the Company and representatives of the main contractors for the Development. The Company shall also invite the Council and the local Parish Councils to nominate representatives to join the local liaison group. The Company shall provide a full secretariat service, determine when to hold meetings and provide a suitable venue.
- (28) The local liaison committee referred to in Condition (27) shall provide a forum in which consultation can take place to consider the effects and problems the Development may have both during construction and operation on the locality. The local liaison committee shall meet on a regular basis and at least once every quarter unless otherwise agreed by the local liaison committee.
- (29) Prior to the commencement of any phase of the Development the Company shall establish a set of procedures for dealing with complaints by a member of the public, such set of procedures to be approved in writing by the local liaison committee.

Reason: To keep local residents informed of how the Development is progressing and to ensure a proper mechanism for dealing with complaints during the construction and operation of the Development.

SUDS

- (30) Except for the Permitted Preliminary Works, the commencement of any phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council, in consultation with the Environment Agency and the Dun Drainage Commissioners, a scheme for SUDS. Such SUDS shall be put in place in accordance with the approved scheme.

Reason: To ensure that a sustainable drainage system is put in place.

Prevention of Contamination of Watercourses

- (31) Except for the Permitted Preliminary Works, the commencement of any phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council, in consultation with the Environment Agency, a scheme showing the method and working of drainage facilities on the Site. Such facilities shall be put in place in accordance with the approved scheme.
- (32) The scheme referred to in Condition (31) shall include:
- (i) measures to ensure that no leachate or any contaminated surface water from the part of the Site relevant to the particular phase shall be allowed at any time to enter directly or indirectly into any watercourse or underground strata or onto adjoining land;
 - (ii) provision to ensure that all existing drainage systems continue to operate and that riparian owners upstream and downstream of the Site are not adversely affected;
 - (iii) provision for trapped gullies in car parks, hardstandings and roadways;
 - (iv) measures to ensure that all foul sewage drains to an approved foul sewerage and/or sewage disposal system, or is removed to an off-Site licenced facility for treatment;
 - (v) provisions to distinguish between temporary and permanent parts of the works; and
 - (vi) phasing of works.
- (33) Any surface water contaminated by hydrocarbons which are used during the construction of the Development shall be passed through oil/grit interceptor(s) prior to being discharged to any public sewer or watercourse or to any other surface water disposal system approved by the Environment Agency.
- (34) All facilities required for the storage of hydrocarbons, process chemicals or similar liquids which are used during the construction of the Development must be sited on impervious bases and surrounded by impervious bund walls. The size of the banded compound(s) shall be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund and there must be no drain through the bund floor or walls.

- (35) All bunded compound(s) referred to in Condition (34) containing acids, alkalis or sulphides in addition to being contained in suitable facilities shall have appropriate protective lining applied to the inner walls of the bunds.
- (36) Any storage facility to which Conditions (34) or (35) refer shall be completed in accordance with the requirements of those Conditions before being brought into use.

Reason: To ensure proper drainage of the Site and that proper containment facilities are built.

Flood Risk

- (37) The Development shall be carried out in accordance with the Appendix K [Flood Risk Assessment] of the Environmental Statement and shall include for a place of refuge for Site staff and visitors located above 9.0 metres AOD, the details of which shall be submitted to and approved in writing by the Council, in consultation with the Environment Agency.
- (38) Any safe refuge approved by the Council pursuant to Condition (37) shall be equipped with a motorised inflatable dinghy(ies) with the capacity to evacuate those seeking refuge.

Reason: To ensure there is no increase in the risk of flooding, both at the Site and to third parties, as result of the Development, and to accord with Planning Policy Statement 25 “Development and Flood Risk”.

Contamination

- (39) The commencement of any phase of the Development shall not take place until a scheme to deal with the risks associated with contamination of the Site has been submitted to, approved in writing by, and deposited with the Council, in consultation with the Environment Agency. The scheme shall include details of the following matters:
- (a) a preliminary risk assessment identifying
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site;

- (b) a site investigation scheme based on (a) to provide information for an assessment of the risk to all receptors that may be affected, including those off-Site; and
 - (c) the results of the Site Investigation and risk assessment pursuant to (b) and a method statement based on those results giving full details of the remediation measures required, how they are to be undertaken and the timing of the remediation measures; and
 - (d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- (40) The measures approved pursuant to Condition (39) shall be adhered to unless any variation has been approved in writing by the Council, in consultation with the Environment Agency.
- (41) Prior to commencement of the main Development, a verification report demonstrating completion of the works set out in the approved remediation strategy pursuant to Condition (39)(c) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Council, in consultation with the Environment Agency. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the Site remediation criteria have been met. In the event that the verification report to be submitted pursuant to Condition (39)(c) indicates that the remediation was not effective the Company shall submit a programme of contingency action for approval in writing by the Council, in consultation with the Environment Agency. The report shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Council and carry out as approved.
- (42) Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Council in accordance with that plan. On completion of the monitoring programme a final report demonstrating that all long-term Site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Council, in consultation with the Environment Agency.
- (43) In the event that contamination is found at any time when carrying out the approved development that was not previously identified under Condition (39)(d), work on that part of the Site shall cease

immediately and shall be reported in writing to the Council. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy in respect of such contamination must be undertaken and submitted to and approved in writing by the Council, in consultation with the Environment Agency, prior to the resumption of work on that part of the Site.

Reason: To ensure that contamination is controlled and not allowed to cause harm to the health of human beings nor impact on the integrity of environmentally sensitive areas nor pose a risk to controlled waters.

Landscaping

- (44) Except for Permitted Preliminary Works the commencement of any phase of the Development shall not take place until a scheme of landscaping, which shall take into account Figures 3.1 and 4.2 of the Environmental Statement and the figure appended to the Memo of 9 December 2010 from Mike Spence to JP Wale, all annexed hereto, has been submitted to and approved in writing by the Council.
- (45) The scheme referred to in Condition (44) shall deal with the general provision of screening, shrub and tree planting and grassed areas and means of integrating the Development with the surrounding landscape and shall include details of the following matters:
- (i) planting (which should be mainly of locally native species, ideally with a local provenance);
 - (ii) management of existing and new planted areas including protection of existing planting during construction;
 - (iii) restoration of areas affected by construction works;
 - (iv) details of grass seed mix for areas of the Site to be restored to grassland;
 - (v) details of the height, type, size and species of the shrubs and trees to be planted;
 - (vi) phasing of works included in the scheme.
- (46) Landscaping and planting, including grass sowing, shall take place in accordance with the phasing of works referred to in Condition (45)(vi) and no later than the appropriate planting or sowing season following the completion of the construction of the relevant phase of the Development and shall be carried out in accordance with the scheme approved under Condition (44), unless any

variation has been approved in writing by the Council. Any trees or shrubs, including hedges, which die, become seriously damaged or diseased or are removed within five years from the date of planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise approved in writing by the Council.

Reason: To ensure proper landscaping for the Development.

Biodiversity Enhancement Measures

- (47) The commencement of any phase of the Development shall not take place until a scheme of Environmental Enhancement Measures (incorporating a management plan) has been submitted to and approved in writing by the Council, in consultation with Natural England, the Environment Agency and the Yorkshire Wildlife Trust. The approved Measures shall be adhered to in accordance with the approved scheme unless any variation has been approved in writing by the Council in consultation with Natural England, the Environment Agency and the Yorkshire Wildlife Trust.

Reason: To ensure that any adverse impact on wildlife is properly compensated for.

Protection of Bats

- (48) The commencement of any phase of the Development shall not take place until a scheme detailing the measures proposed to mitigate the impacts which the construction and operation of the Development may have on bats has been submitted to and approved in writing by the Council, in consultation with Natural England. Any relevant works or mitigation measures shall be undertaken in accordance with the approved scheme, except in so far as any variation has been approved in writing by the Council, in consultation with Natural England.

Reason: For the protection of bats which are protected under the Wildlife and Countryside Act 1981 (as amended).

Protected Flora and Fauna

- (49) The commencement of any phase of the Development shall not take place until there has been submitted to, approved in writing by, and deposited with the Council, in consultation with Natural England and the Environment Agency, a scheme detailing the measures (including full and proper mitigation) to be taken to secure the welfare on the Site of legally protected flora and fauna (such as, but not limited to, badgers, amphibians, reptiles and nesting birds) which are found on, inhabit or use the Site during

the construction, operation and decommissioning of the Development. The approved scheme shall include, but not be restricted to, the measures contained in Chapter 10 of the Environmental Statement.

Reason: For the protection of legally protected species under the Wildlife and Countryside Act 1981 (as amended), the Protection of Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010.

Air Pollution Monitoring

- (50) The commissioning 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 monitoring of nitrogen oxides (NO_x) in the area. The scheme shall include the measurement location or locations from which air pollution will be monitored, the equipment and methods to be used and the frequency of measurement. The scheme shall provide for the first measurement to be taken not less than 24 months prior to the commissioning of the Development and for the final measurement to be taken not more than 24 months after the Development is commissioned. The Company shall work with the Council, supplying full details of the measurements obtained in accordance with the scheme, as soon as possible after they become available, and ensure that such monitoring is integrated within the Council's air quality strategy. In addition, the Company shall support the annual modelling for the air quality review and assessment process whilst the Development is in operation.

Reason: In the interest of air quality.

Network Rail Assets

- (51) The commencement of any phase of the Development shall not take place until a method statement relevant to that phase showing how the Company intends that the construction and operation of the relevant phase of the Development will not interfere with the operation of the rail network has been submitted to, approved in writing by, and deposited with the Council, in consultation with Network Rail. Once approved, the method statement shall be implemented in accordance with its terms.

Reason: To ensure that existing operations on the East Coast mainline are not affected by the construction or operation of the Development.

Buildings Energy Efficiency

- (52) The commencement of any phase of the Development shall not take place until there has submitted to, approved in writing by and deposited with the Council a report identifying how the predicted emissions of carbon dioxide (CO₂) from the operation of the administration building (to include heating and lighting) will be reduced by at least 10% through the use of on-site renewable energy equipment. The carbon savings, which result from this, will be above and beyond what is required to comply with Part L Building Regulations (Conservation of Fuel and Power). Unless otherwise agreed in writing by the Council, the Development shall then proceed in accordance with the approved report.

Reason: In the interests of sustainability and to minimise the impact of the Development on the effects of climate change.”

Decommissioning Management Plan for the Site

- (53) Within 12 months of the Development ceasing to be used for the purposes of electricity generation the Company shall submit to the Council, for approval in writing, a scheme for the demolition of the Development.
- (54) The scheme referred to in Condition (53) shall include:
- (i) details of all structures and buildings which are to be demolished;
 - (ii) details of the means of removal of materials resulting from the demolition;
 - (iii) the phasing of the demolition and removal;
 - (vii) details of any proposed restoration works; and
 - (viii) the phasing of the restoration works.

Reason: To ensure the Site is not allowed to become derelict after the cessation of electricity generation.

Avoidance of doubt

- (55) The Development hereby permitted must be carried out and completed in accordance with the terms of this planning permission and any scheme, plan or other matter required to be approved and approved (including any approved variations) in accordance with the above Conditions (including details shown on any drawings approved as part of any such scheme, plan or other matter so approved). Notwithstanding any of the above

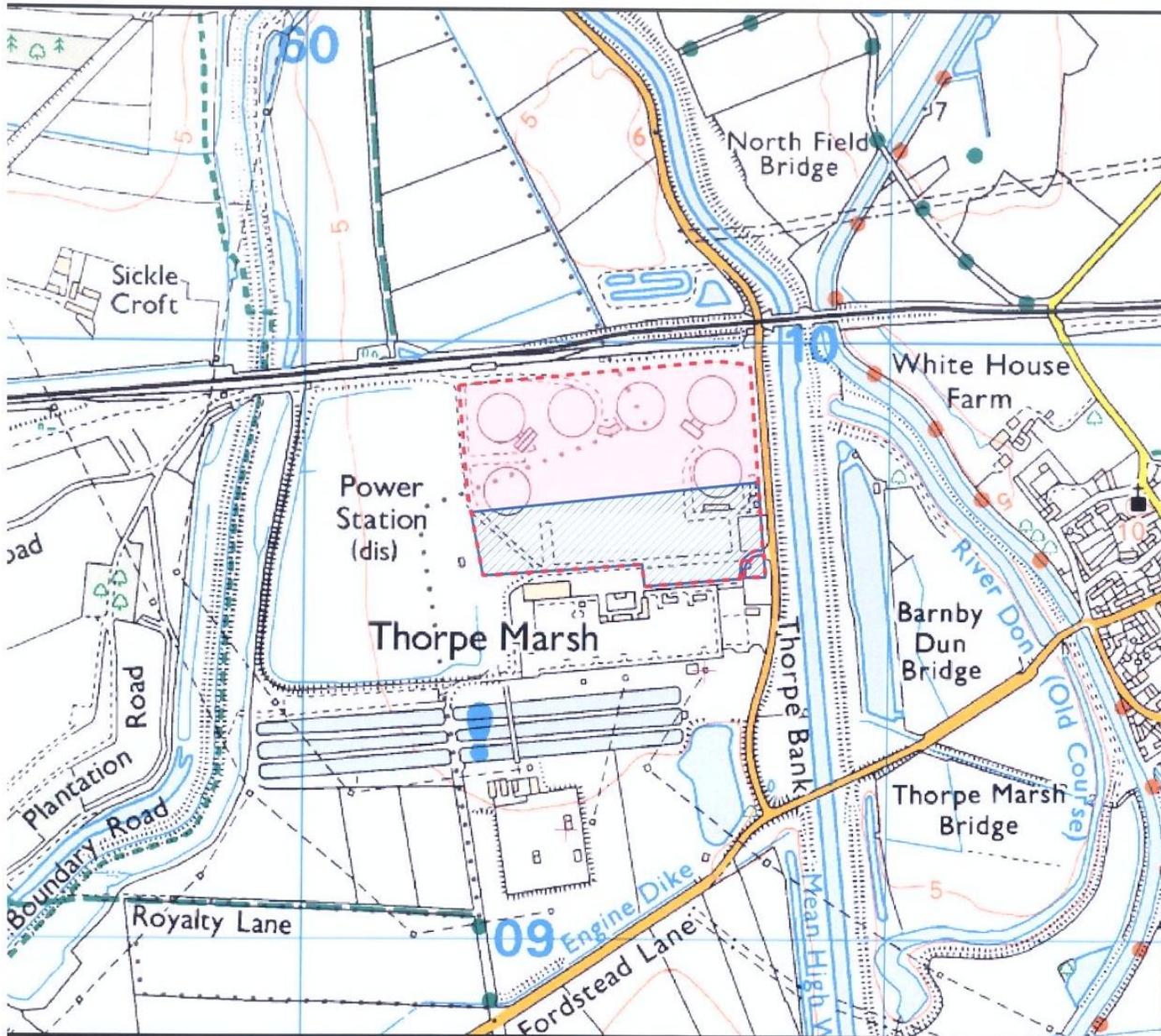
Conditions or the provisions of the consent granted in respect of the Development under section 36 of the Electricity Act 1989, the Council's functions of approving such schemes, plans or other matters shall not be exercised in such a way as to cause the Development not to be carried out and completed in accordance with

- (i) the letter from SKM Enviros to the Council dated 28 January 2011 (re: JE10440_280111_AQ-Finalv1.docx JE10440);
- (ii) the noise mitigation measures detailed in pages 182-185 of Volume 2 of the Environmental Statement;
- (iii) the air quality mitigation measures detailed in pages 68 – 70 of Volume 2 of the Environmental Statement; and
- (iv) the ecological mitigation measures detailed in pages 260 – 262 of Volume 2 of the Environmental Statement.

Reason: To ensure that the Development is carried out in accordance with the application as approved.

Date: 31 October 2011

Giles Scott
Head
Development Consents and Planning Reform
Department of Energy and Climate Change



Thorpe Marsh CCGT

Figure 5

Section 36 Boundary

Key:

- Section 36 Boundary (dashed red line)
- CCS and Laydown area (hatched blue)
- Main plant area (pink)

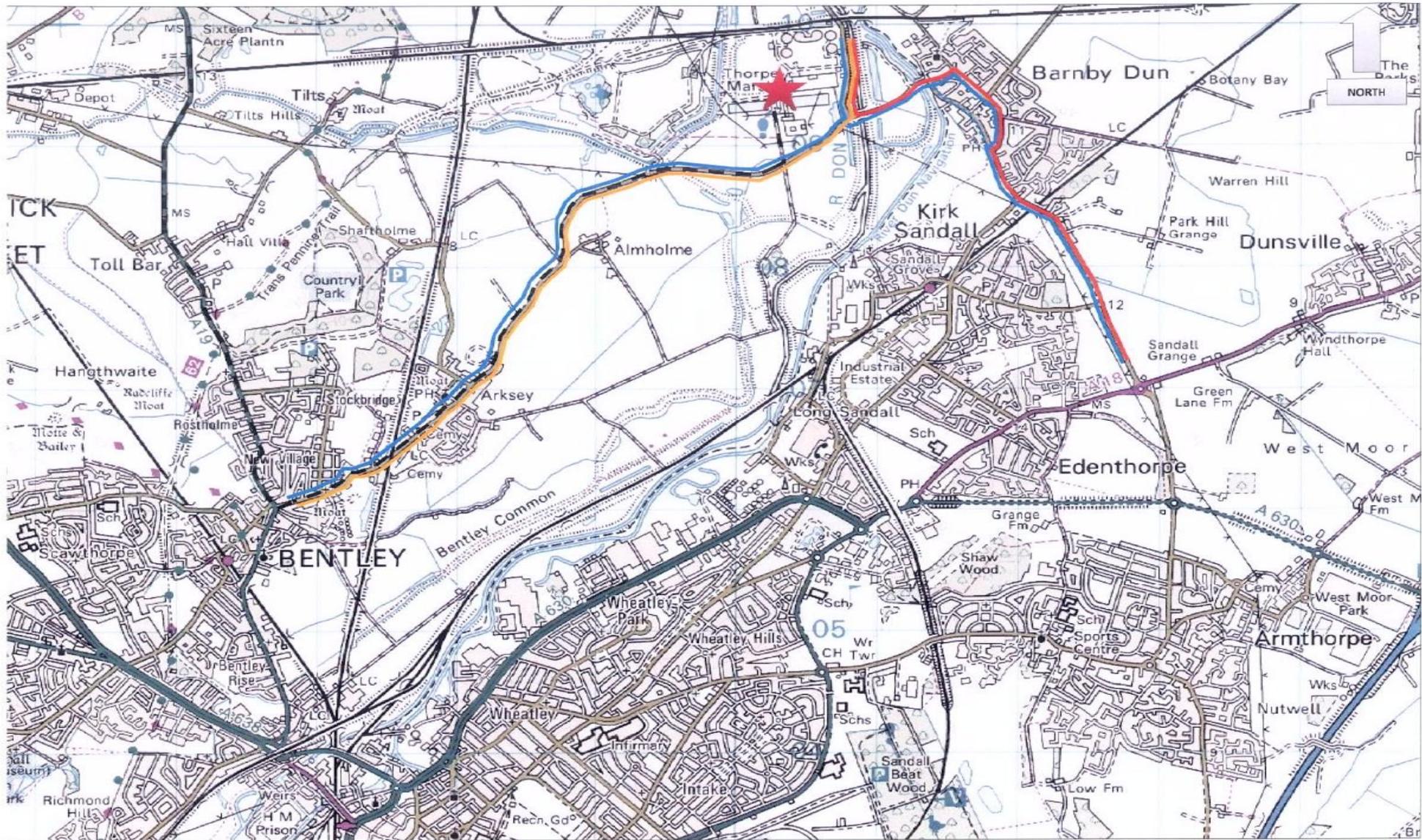
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SINCLAIR KNIGHT MERZ
SKM

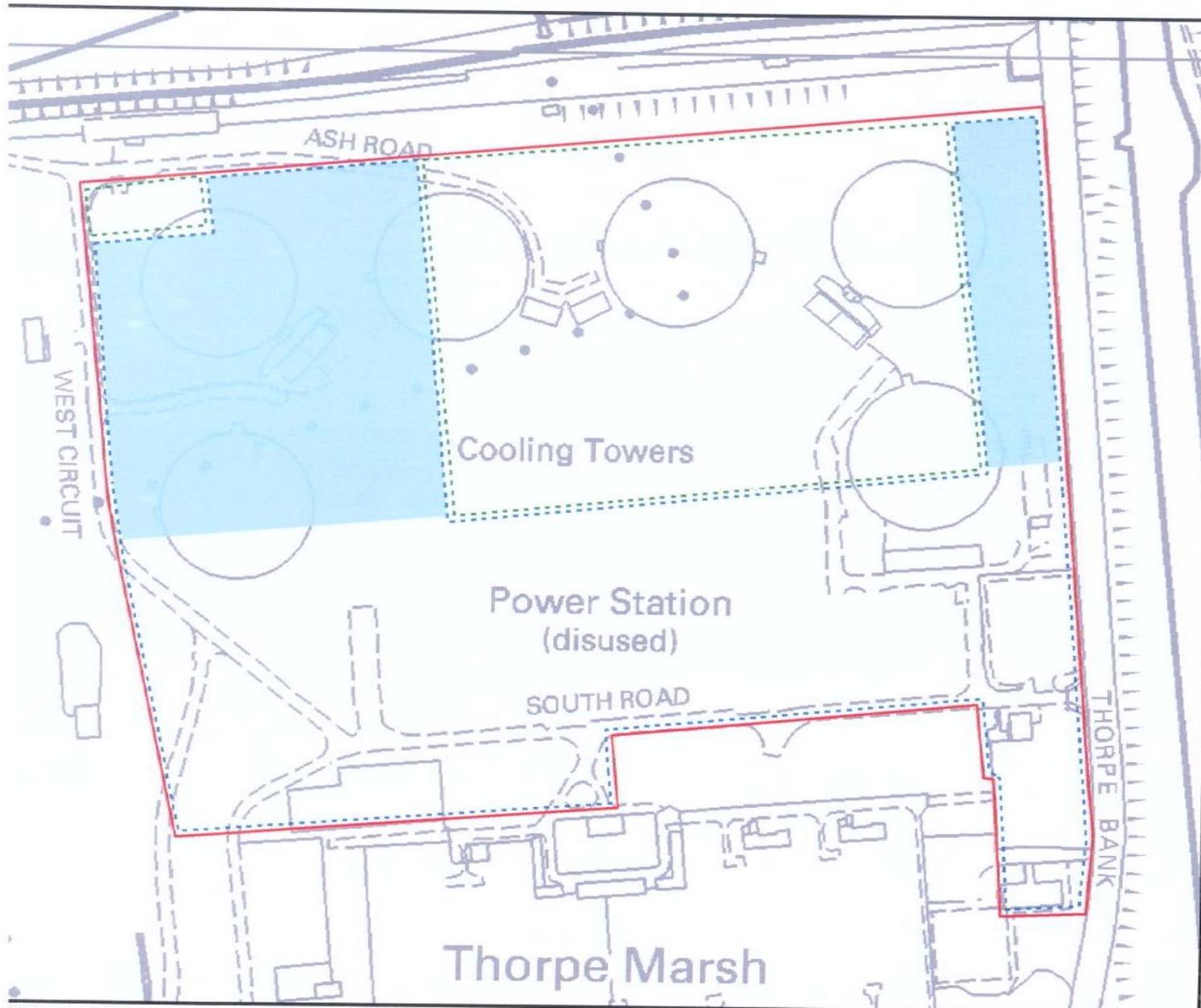
0. Drawing Issue A1, June 2011

Thorpe Marsh CCGT Power Station



Proposed Access Routes to Thorpe Marsh CCGT for Construction Staff and Vehicles

- HGVs Accessing Site
- HGVs Egressing Site
- Construction Staff
- - - Abnormal Loads



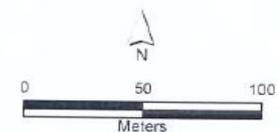
Thorpe Marsh CCGT

Figure 3.1

Main Plant, Laydown and Landscaping Areas

Key:

-  Section 36 Boundary
-  Main Plant Area
-  Area Available for Laydown During Construction
-  Areas Available for Landscaping During Operation



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Figure 4.2

Schematic Landscape Masterplan



Key:

-  New Hedgerow/Hedgerow Tree
-  New woodland (NVC 8)

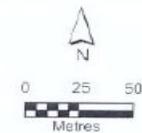
Design Concept

The schematic landscape proposals have been derived as a result of a number of environmental and land ownership constraints. The main objective was to provide a landscape buffer on the eastern side of the site to provide a wooded landscape setting to the lower elevations of the power station development in views from Barnby Dun. Further large scale woodland planting is also planned for the western site of the site. The ground levels across the site will be fixed at a level similar to the existing levels at around 7.25m AOD. All new landscape planting and habitat creation will utilize native species, of local provenance, planned to complement the semi-natural habitats of the local area.

In the Doncaster region, native woodland tends to conform to the W8 and W10 communities in the NVC. The ecological advice for the site is to adopt the W8 habitat community, and provide local variations. These could include a passage or small openings in the middle of the woodland. Such spatial heterogeneity is very good for increasing the overall biodiversity, including passing birds, mammals and invertebrates. Typical woodland species will include Ash (45%), Oak (25%), Field-maple (10%) and Hazel (10%) with additional species potentially including Elder and Hawthorn. The hedgerows and woodland edge should contain many of the same species as the woodland, but with additional species of known wildlife benefit. Ideally, these will include Hawthorn (50%), Hazel (15%), Blackthorn (10%), Ash (5%), Dog-rose (5%), Field-maple (5%), Spindle (5%) and Common Dogwood (5%).



Section A-A'



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THORPE MARSH CCGT POWER STATION SCHEMATIC OPPORTUNITIES FOR OFF-SITE LANDSCAPE MITIGATION WORKS

December 2010

- Key
-  Key views towards site from western edge of Barnby Dun
 -  Area recommended for consideration of off-site screen planting works
 -  Opportunities for new hedgerow tree planting along Fordstead Lane

