

APPENDIX C:
JUNE 2020 EIA SCREENING OPINION



Department for
Business, Energy
& Industrial Strategy

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Jon Bowen
DWD Property Planning
6 New Bridge Street
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26 June 2020

Dear Mr Bowen,

**SPALDING POWER STATION, WEST MARSH ROAD, SPALDING,
LINCOLNSHIRE (YOUR REF: 14278)**

**THE SECRETARY OF STATE'S SCREENING OPINION FOR
ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") IN
ACCORDANCE WITH THE ELECTRICITY WORKS
(ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND
WALES) REGULATIONS 2017**

Thank you for your letter of 5 May 2020 on behalf of Spalding Energy Company Limited ("the Applicant"). The letter presented a request to the Secretary of State under Regulation 10 of The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017 ("the 2017 Regulations") for a screening opinion before making an application under Section 36C of the Electricity Act 1989, to vary the existing section 36 consent granted on 15 November 2000 in respect of the Spalding Power Station. The proposed variation to the Section 36 consent for the construction and operation of a generating station, is specifically to allow an increase in electricity generation capacity to up to 950MW.

Consultation

Before screening decisions are given, Regulation 13 of the 2017 Regulations requires the relevant authority to consult every local planning authority for the area to obtain its views (if any) on whether or not an environmental impact assessment should be undertaken in respect of the proposed Section 36C application.

Lincolnshire County Council and South Holland District Council were consulted by the Secretary of State on 22 May 2020. The Secretary of State received Lincolnshire County Council's response on 17 June 2020 and South Holland District Council's response on 19 June 2020.

Lincolnshire County Council confirmed it is satisfied that the proposed variation would not give rise to any significant issues in terms of highway safety, network capacity or surface water flood risk and that the minor changes to air quality and noise emissions would not be materially different from that of the existing plant. Consequently their letter confirms that the Council are agreeable with the applicants conclusions that the proposed variation would not constitute EIA development and therefore would not require an Environmental Impact Assessment to be carried out. In its response, South Holland District Council confirmed it is of the view that the proposed changes to the generating station does not comprise EIA development as they are not likely to have significant adverse effects on the environment.

The Secretary of State has considered whether an EIA is required in accordance with schedule 2, paragraph 3 of the regulations and whether the development, as it is proposed to be varied, would result in any new or materially different environmental impacts from those already assessed from the original development, and as such would be likely to have a significant effect on the environment.

Screening Opinion

The Secretary of State has considered the Applicant's letter of 5 June 2020 and the accompanying EIA Screening Report prepared by Ramboll UK Limited. The Secretary of State notes that the Report also contains an Air Quality Impact Assessment and Noise Information Assessment. He has also considered the views of Lincolnshire County Council and South Holland District Council when considering the screening criteria in Schedule 3 of the 2017 regulations. He has taken the following factors into account in reaching his decision:

- Lincolnshire County Council and South Holland District Council consider that the proposed variation does not constitute EIA

development and therefore would not require an Environmental Impact Assessment to be carried out.

In view of the above, and having assessed the characteristics, location and impact of the proposed variation, the Secretary of State has concluded that the proposed development, in the event that it is varied as proposed, would not result in any new or materially different environmental impacts from those already assessed from the original development.

The Secretary of State can therefore confirm that the proposed development is not EIA development in accordance with regulation 5 of the 2017 regulations.

This screening opinion is provided without prejudice to the outcome of the Secretary of State's determination of the Section 36C variation application when submitted.

A copy of this letter has been sent to Marc Willis at Lincolnshire County Council and Richard Fidler at South Holland District Council for information.

Yours sincerely,

Denise Libretto

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Head of Planning