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Mobil Court
3 Clements Inn
London WC2A 2EB

14 March 1997

Dear Sir

ELECTRICITY ACT 1989
TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE A
COMBINED HEAT AND POWER COMBINED CYCLE GAS TURBINE
GENERATING STATION AT CORYTON, ESSEX

I. THE APPLICATION

1.1 I am directed by the Secretary of State for Trade and Industry (the Secretary of State) to refer to the application dated 3 June 1996, as varied on 21 January 1997, (the Application) by Mobil Oil Company Limited (the Company), for the consent of the Secretary of State under section 36 of the Electricity Act 1989 (section 36 consent) to the construction and operation of a combined heat and power combined cycle gas turbine generating station at Coryton, Essex (the Development) and for a direction under section 90(2) of the Town and Country Planning Act 1990 (section 90 direction) that planning permission for the Development be deemed to be granted.

1.2 In accordance with the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990 (the 1990 Regulations) the Company also submitted on 3 June 1996 a document, entitled "Environmental Statement", describing the Development and giving an analysis of its environmental implications. The Company supplemented this document with a further document on 21

January 1997 entitled "Assessment of Environmental Implications of Larger Plant". The documents are hereafter referred to in this letter as the "Environmental Statement".

1.3 The Thurrock Borough Council and the Essex County Council (the relevant planning authorities) entered into discussions with the Company about the terms on which it would be content for the Development to proceed. As a result of these discussions, 40 conditions to be attached to any section 90 direction were agreed between the Company and the relevant planning authorities (the Planning Conditions).

1.4 In view of the successful conclusion of these discussions the relevant planning authority entered no objection to the Application provided that the agreed Planning Conditions are imposed should the Secretary of State be minded to grant section 36 consent and give a section 90 direction in respect of the Development.

II. SECRETARY OF STATE'S CONSIDERATION OF THE PLANNING CONDITIONS

2. The Secretary of State has considered the Planning Conditions carefully. He agrees that they are suitable for inclusion in any section 90 direction which he may give.

III. SECRETARY OF STATE'S DECISION ON THE HOLDING OF A PUBLIC INQUIRY

3.1 As stated in paragraph 1.4 above, there was no objection by the relevant planning authorities to the Application, and the Secretary of State is not therefore obliged under paragraph 2(2) of Schedule 8 to the Electricity Act 1989 (the 1989 Act) to cause a public inquiry to be held.

3.2 Paragraph 3(2) of Schedule 8 to the 1989 Act, however, requires the Secretary of State to consider all objections he has received pursuant to the Electricity (Applications for Consent) Regulations 1990 (made under paragraph 3(1) of Schedule 8), (hereafter "the Applications Regulations"), together with all other material considerations, in order to determine whether it would nevertheless be appropriate to hold a public inquiry.

3.3 The Secretary of State received no objections under the Applications Regulations.

3.4 The Secretary of State has carefully considered the views of the relevant planning authorities and all other material considerations. He takes the view that it would not be appropriate to cause a public inquiry to be held into the Application.

IV. SECRETARY OF STATE'S CONSIDERATION OF POSSIBLE EFFECTS ON A EUROPEAN SITE

4.1 The Conservation (Natural Habitats, &c) Regulations 1994 (the 1994 Regulations) require the Secretary of State to consider whether the Development would be likely to have a significant effect on a European Site, as defined in the 1994 Regulations.

4.2 The Secretary of State is aware that there are several European Sites and a proposed European Site within a radius of 10km of the Development. He has also been informed by English Nature that there will be no impact on the nature conservation interest of the areas. The Secretary of State does not therefore believe the Development is likely to have any significant effect on any European Site. He considers that no assessment pursuant to the 1994 Regulations is therefore necessary. He also concludes that there is therefore no reason for refusing section 36 consent on the grounds of adverse effects on the integrity of a European Site.

V. SECRETARY OF STATE'S CONSIDERATION OF THE ENVIRONMENTAL INFORMATION

5.1 The Secretary of State is satisfied that the Environmental Statement is sufficient to allow him to make a determination on the Application.

5.2 The 1990 Regulations prohibit the Secretary of State granting section 36 consent unless he has first taken the environmental information, as defined in those Regulations, into consideration.

5.3 The Secretary of State has considered the environmental information carefully; in addition to the Environmental Statement, he has considered the comments made by the relevant planning authorities, those designated as statutory consultees under regulation 4 of the 1990 Regulations and others.

5.4 Taking account of the way the adverse environmental effects will be modified and mitigated by measures the Company has undertaken to take or will be required to take under the Planning Conditions or by regulatory authorities, including the Environment Agency, the Secretary of State believes that any remaining adverse environmental effects will not be such that it would be appropriate to refuse section 36 consent to the Development.

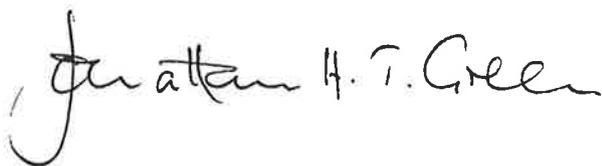
VI. SECRETARY OF STATE'S DECISION ON THE APPLICATION

6.1 The Secretary of State, having regard to the matters specified in paragraph 1(2) of Schedule 9 to the 1989 Act, has carefully considered the views of the relevant planning authority, the environmental information and all other relevant matters, and has decided to consent to the Application pursuant to section 36, subject to a condition that, unless otherwise agreed with the Secretary of State, the Development shall be in accordance with the particulars submitted and to a condition as to time limits.

6.2 The Secretary of State believes that the Planning Conditions form a sufficient basis on which the Development might proceed. He has therefore decided to give a section 90 direction that planning permission be deemed to be granted subject to these 40 conditions.

6.3 I accordingly enclose the Secretary of State's consent under section 36 of the Electricity Act 1989 and a direction under section 90 of the Town and Country Planning Act 1990.

Yours faithfully



J H T Green
Director
Electricity Directorate
Department of Trade and Industry

DEPARTMENT OF TRADE AND INDUSTRY
ELECTRICITY ACT 1989
TOWN AND COUNTRY PLANNING ACT 1990
CONSTRUCTION AND OPERATION OF A GENERATING STATION AT
CORYTON, ESSEX

1. Pursuant to section 36 of the Electricity Act 1989 the Secretary of State for Trade and Industry (the Secretary of State) hereby consents to the construction by Mobil Oil Company Limited (the Company), on the area coloured red on Fig 2.2, annexed hereto and duly endorsed on behalf of the Secretary of State, of a combined heat and power combined cycle gas turbine generating station at Coryton in the County of Essex (the Development), and to the operation of that generating station.

3. Subject to paragraph 3(1), the Development shall be of about 750 MW capacity and comprise:

- (a) one or more gas turbines, a heat recovery steam generators and steam turbines;
- (b) air cooled condensers;
- (c) one 400kV sub-station;
- (d) ancillary plant and equipment; and
- (e) the necessary buildings (including administration buildings) and civil engineering works.

3. This consent is granted subject to the following conditions:

- (1) Except where otherwise required by virtue of the planning permission deemed to be granted by paragraph 4 or where the written permission of the Secretary of State has been given to any variation in design, construction or operation of the Development, the Development shall be constructed and operated in accordance with the

details contained in the Company's application of 3 June 1996, as varied by the Company's letter of 21 January 1997.

- (2) The construction of the Development shall be begun before the expiry of five years from the date of this consent, or such longer period as the Secretary of State may hereafter direct.

4. 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" means British Standard 4142: 1990 - 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;

"best practicable means" is to be interpreted by reference to the provisions mentioned in section 79(9) of the Environmental Protection Act 1990;

"the Borough Council" means the Thurrock Borough Council and its assigns and successors in title;

"bulk materials" means dry loose aggregates, cement and soil;

"the commencement of the Development" means the date on which the Development 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 the Development first supplies electricity on a commercial basis to the transmission system of the National Grid Company or directly to one of the Company's customers;

"the Company" means Mobil Oil Company Limited and its assigns and successors in title;

"contract year" means the date on which the Company agrees to take receipt of a supply of natural gas to the eve of the anniversary of such date;

"contractors compound" means the area of land coloured blue on Fig 2.2, annexed hereto;

"the County Council" means the Essex County Council and its assigns and successors in title;

"creative conservation" means the establishment of areas which are capable of sustaining indigenous species of flora and fauna;

"the Development" means the combined heat and power combined cycle gas turbine generating station at Coryton in the County of Essex;

"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;

"English Nature" means the Nature Conservancy Council for England and its assigns and successors in title;

"Environment Agency" means the Environment Agency and its assigns and successors in title;

"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 the Development;

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

"owned land" means the area of land outlined red on the drawing entitled "EXTENT OF MOCL LAND", annexed hereto;

"Permitted Preliminary Works" means:

- (i) geotechnical surveys, hydrological surveys and any other survey which may be required prior to the start of the construction of the Development;
- (ii) erection of boundary and security fencing; and
- (iii) provision of contractors accommodation/storage areas and/or car parking areas necessary for (i) and (ii) above;

"the Site" means the area of land coloured red on Fig 2.2, annexed hereto.

The Site

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

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

Time Limits

- (3) The commencement of the Development shall be not later than the expiry of five years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990.

Suppression of Dust and Dirt

- (4) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme for the provision of wheel cleansing facilities for heavy commercial vehicles and any other vehicle 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 Borough Council and shall be maintained throughout the period of the construction of the Development.
- (5) The Company shall make provision of a concrete or bituminous macadam road on the Site between the wheel cleansing facilities provided pursuant to Condition (4) and the public highway.
- (6) All heavy commercial vehicles and any other vehicle 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 roads, shall on each occasion, prior to leaving, pass through the wheel cleansing facilities provided pursuant to Condition (4).
- (7) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme employing the best

practicable means 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 unless any variation has been approved in writing by the Borough Council.

- (8) All heavy commercial vehicles carrying bulk materials into and out of the Site shall be sheeted.

Reason: To ensure that satisfactory measures are in force so as to alleviate any impact dust and dirt may have on the local environment.

Lighting

- (9) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme for artificial lighting of the Site, the contractors vehicle park and the contractors compound during the period of the construction of the Development. Such approved lighting shall include a programme for the installation of the artificial lighting. The artificial lighting shall be installed in accordance with the approved scheme unless otherwise approved in writing by the Borough Council.
- (10) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme for artificial lighting of the Site during the period of the operation of the Development. Such approved lighting shall include a programme for the installation of the artificial lighting. The artificial lighting shall be installed in accordance with the approved scheme unless otherwise approved in writing by the Borough Council.

Reason: To ensure that the Site is properly lit but without causing nuisance to occupiers of neighbouring industrial premises and road users.

Layout and Design

- (11) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by and deposited with the Borough Council, in consultation with the County Council, a scheme which shall indicate:
- (i) details of vehicular circulation roads, parking, hardstandings, loading and unloading facilities and turning facilities required during the construction of the Development;
 - (ii) details of the contractors compound;
 - (iii) details of any facilities required on the Site for the storage of materials required for the construction of the Development;
 - (iv) details of any perimeter fencing and gates required during the period of the construction of the Development; and
 - (v) phasing of works included in the scheme.
- (12) The commencement of the main Development shall not take place until there has been submitted to and approved in writing by and deposited with the Borough Council, in consultation with the County Council, a scheme which shall include:
- (i) the siting, design, external appearance and dimensions of all 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 any additional facilities required on the Site for the storage of materials required for the operation of the Development; and
 - (iv) phasing of works included in the scheme.
- (13) The Development shall proceed only in accordance with the schemes referred to in Conditions (11) and (12) subject to any variation as may be approved in writing by the Borough Council.
- (14) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme for the removal of all temporary buildings, structures and ancillary works connected with the construction of the Development. Such scheme shall include details of the land to be reinstated and the timing and phasing of removal. The measures approved in the scheme shall be employed throughout the period of removal unless any variation has been approved in writing by the Borough Council.
- (15) Notwithstanding the terms of Condition (14) the Company shall, subject to the prior written approval of the Borough Council, be permitted to retain those buildings which may be required for future use by the Company provided that any such buildings are not retained within the contractors compound.

- (16) All permanent roads and/or junctions provided pursuant to Condition (12)(iii) shall be surfaced to a specification to be approved in writing by the Borough Council and shall be constructed prior to the commissioning of the Development. Such approved roads and/or junctions shall be maintained to the satisfaction of the Borough Council for the duration of the operation of the Development.

Reason: To enable the Borough Council to exercise reasonable and proper control over the design and appearance of the Development and access to it.

Construction

- (17) All activities associated with the construction of the Development shall be carried out in accordance with British Standard 5228, Parts 1 and 2: 1984 and Part 4 1992.
- (18) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme for impact piling, or other means of piling, including methods and duration. The approved scheme shall be adhered to throughout the period of the construction of the Development, unless any variation has been approved in writing by the Borough Council.

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

Noise

- (19) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a programme for the monitoring of noise generated during the construction of the Development. The

programme shall specify the measurement locations from which noise will be monitored and the maximum permissible levels at each such monitoring locations. The programme shall make provision for such noise measurements to be taken as soon as possible following requests by the Borough Council and such measurements shall be given to the Borough Council as soon as they are available. At such measurement locations, noise levels during construction operations shall not exceed the levels specified in the approved programme, except in an emergency.

- (20) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a programme for the monitoring of noise generated by the operation of the Development. The programme shall specify the measurement locations from which noise will be monitored, the method of noise measurement which shall be in accordance with BS 4142 and the maximum permissible levels of noise at each such measurement location. The programme shall make provision for such noise measurements to be taken by the Company as soon as possible following requests by the Borough Council and such measurements shall be given to the Borough Council as soon as they are available. At such measurement locations noise levels shall not exceed the levels specified in the approved programme, except in an emergency.
- (21) In any instance where a noise level approved pursuant to Conditions (19) and (20) is exceeded because of an emergency the Company shall as soon as possible provide the Borough Council with a written statement detailing the nature of the emergency and the reason why the noise level could not be observed.
- (22) Except in an emergency, the Company shall give at least 2 working days prior notice in writing to the Borough Council of any

proposed operation of emergency pressure valves or similar equipment. Such operation, as far as reasonably practicable, shall take place between the hours of 09.00 and 17.00 and shall not be carried out on any Saturday, Sunday or Bank Holiday.

Reason: To ensure the proper control of noise during the operation of the Development and to give advance warning of the timing of exceptionally noisy events.

Landscaping

- (23) The commencement of the main Development shall not take place until a scheme of landscaping and creative conservation for the Site and owned land has been submitted to and approved in writing by the Borough Council, in consultation with the County Council and English Nature.
- (24) The scheme referred to in Condition (23) 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;
 - (ii) management of existing and new planted areas;
 - (iii) details of the height, type, size and species of the shrubs and trees to be planted;
 - (iv) details of the measures to be taken to create new flora and fauna habitats and of the management of such new habitats;
 - (v) phasing of works included in the scheme.
- (25) The landscaping and planting, including grass sowing, shall take place in accordance with the phasing of works specified in

Condition (24) (v) and no later than the appropriate planting or sowing season following the completion of the construction of the Development and shall be carried out in accordance with the scheme approved under Condition (23). 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 Borough Council.

Reason: To ensure proper landscaping for the Development.

Prevention of Contamination of Watercourses

- (26) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough 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.
- (27) The scheme referred to in Condition (26) shall include:
- (i) provision so as to ensure that all existing drainage systems continue to operate and that riparian owners upstream and downstream of the Site are not adversely affected;
 - (ii) provision for trapped gullies in car parks, hardstandings and roadways;
 - (iii) measures to ensure that all foul sewage must drain to an approved foul sewerage and/or sewage disposal system;

- (iv) provisions to distinguish between temporary and permanent parts of the works; and
 - (v) phasing of works.
- (28) 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 on-Site foul drainage system or public sewer or watercourse or to any other surface water disposal system approved by the Environment Agency.
- (29) 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 bunded compound 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.
- (30) All containers in the bunded area referred to in Condition (29) containing acids, alkalis or sulphides in addition to being contained in suitable facilities will have appropriate protective lining applied to the inner walls of the bund.
- (31) Such facilities required to Condition (29) shall be built prior to the commencement of the main Development.

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

Atmospheric Emissions

- (32) All data relating to emissions into the air from the Development which are supplied by

the Company to the enforcing authority pursuant to the Environmental Protection Act 1990 or any other relevant legislation, for publication on the public register, shall be supplied by the Company, as soon as possible after the data become available to the Borough Council and the County Council respectively, except where any party has informed the Company in writing that it does not wish the Company to supply all or part of such data to it.

Reason: To ensure that the Councils are given access to information required for the exercise of their functions.

Air Pollution Monitoring

- (33) The commissioning of the Development shall not take place until there has been submitted to, and approved in writing by the Borough Council and County Council scheme for the monitoring of air pollution in its area. The scheme shall include the measurement location or locations within the relevant area 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 12 months prior to the commissioning of the Development and for the final measurement to be taken not more than 24 months after the commissioning of the Development. The Company shall supply full details of the measurements obtained in accordance with the schemes to the Borough Council and County Council as soon as possible after they become available.
- (34) Should the Borough Council and County Council require continued monitoring of air pollution the Company shall extend the scheme approved pursuant to Condition (33) for a period of up to 36 months from the date of the last measurement taken pursuant to Condition (33). The Company shall supply full details of the measurements obtained

during the extended period to the Borough Council and County Council as soon as possible after they become available.

Reason: To ensure that the Councils are kept informed on a regular and programmed basis about the changes in the level of air pollution at locations within its area.

Fuel

- (35) All natural gas for use in the operation of the Development shall be conveyed to the Site only by pipeline.
- (36) The period during which distillate oil can be used as a standby fuel because of an interruption of the gas supply shall not exceed 60 days in any given contract year.
- (37) No oil which has a sulphur content greater than 0.2% by weight or any lesser level as may be approved by the Environment Agency shall be used in the operation of the Development.

Reason: To ensure that no gas for use in the Development is transported by road; to limit the periods when oil can be used as the standby fuel; and that such oil has a sulphur content as low as practicable.

Contaminated Waste

- (38) Except for the Permitted Preliminary Works the commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council, in consultation with the Environment Agency, a scheme for the treatment of any contaminated material found on the Site.
- (39) Contaminated material arising from the construction of the Development shall be treated on the Site in accordance with the scheme approved pursuant to Condition (38) or shall be disposed of to licensed disposal

facilities. Prior to the removal of any contaminated waste from the Site the Company shall supply documentary evidence to the Borough Council of the statutory consents and licences relating to such disposal facilities which the Company has obtained.

Reason: To ensure that contaminated waste found on the Site is disposed of properly.

Default of Agreement

- (40) Where any matter is required to be agreed in writing by the Borough Council and/or County Council under any of the foregoing Conditions that matter shall in default of agreement be determined by the Secretary of State for Trade and Industry.

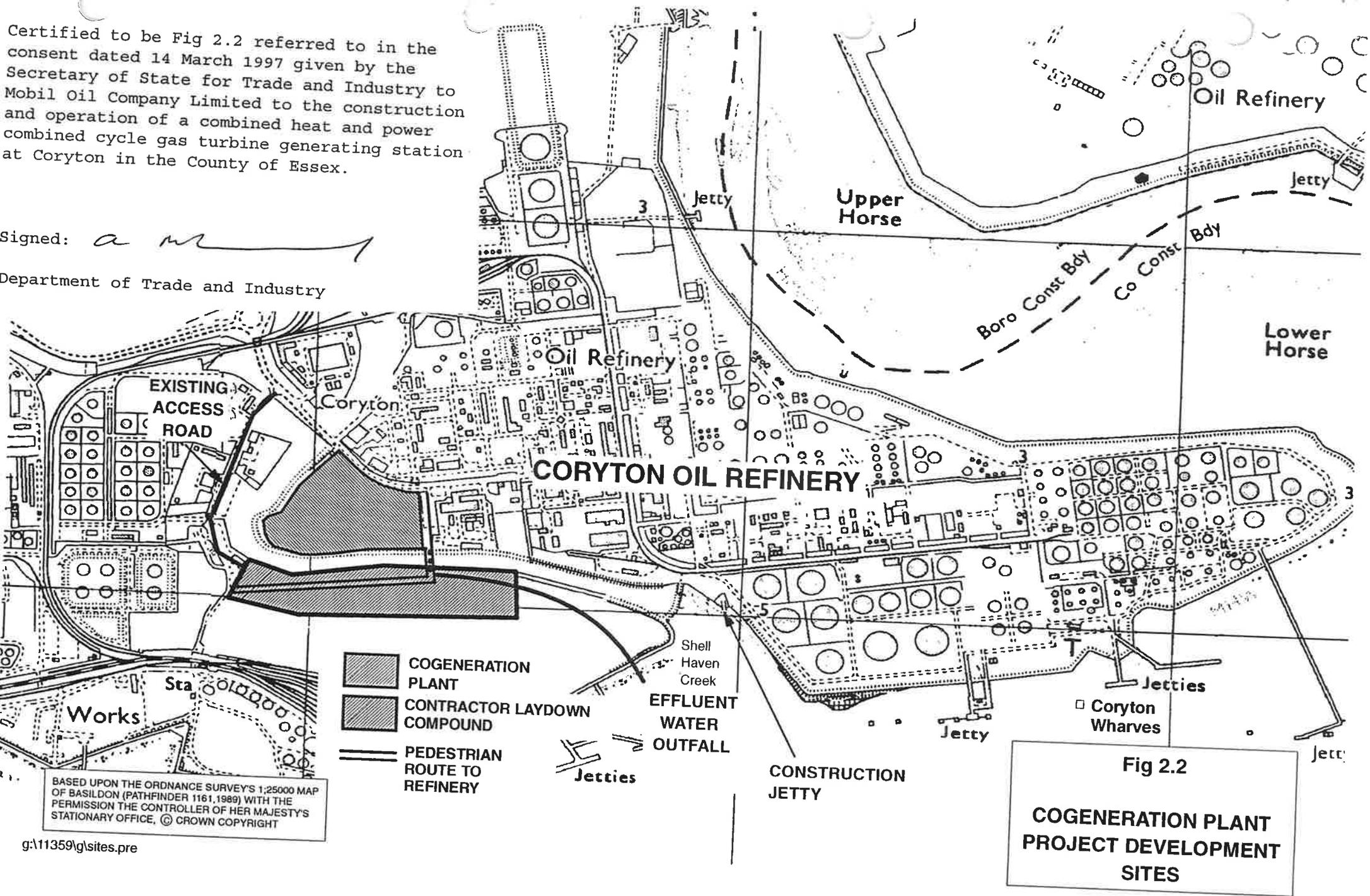


Date: 14 March 1997 J H T Green
Director
Electricity Directorate
Department of Trade and Industry

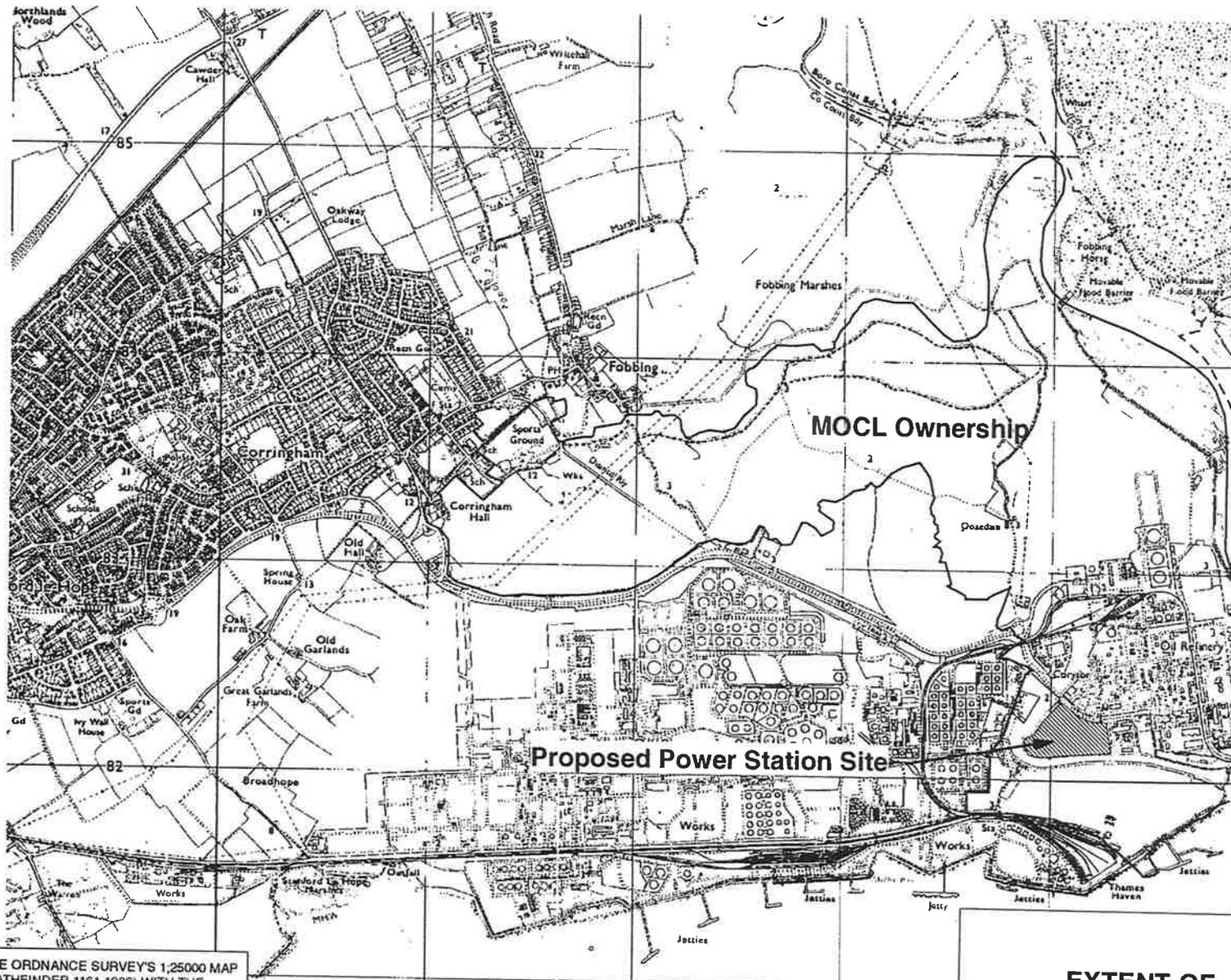
Certified to be Fig 2.2 referred to in the consent dated 14 March 1997 given by the Secretary of State for Trade and Industry to Mobil Oil Company Limited to the construction and operation of a combined heat and power combined cycle gas turbine generating station at Coryton in the County of Essex.

Signed: *a m*

Department of Trade and Industry



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EXTENT OF MOCL LAND