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To all interested parties, statutory parties, other persons and affected persons

Your Ref:

Our Ref: EN010060

Date: 1 July 2014

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Dear Sir/Madam

**Planning Act 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended)**

**Application by Progress Power Limited for an Order Granting Development Consent for the Progress Power Station**

**Notice of Preliminary Meeting and availability of relevant representations**

I write to you following my appointment by the Secretary of State as the Examining Authority for this application for a Development Consent Order (DCO).

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and contains a number of supporting annexes. I would like to thank those of you who submitted relevant representations. These representations have assisted me when preparing my proposals for how to examine this application.

**Date of meeting:** Thursday 24 July 2014

**Seating available from:** 9.30am

**Meeting begins:** 10.00am

**Venue:** The Park Hotel, Denmark Street, Diss, Norfolk, IP22 4LE.

**Access and parking:** There is car parking at the Park Hotel.

The purpose of the Preliminary Meeting is to enable views to be put to me about the way in which the application is to be examined. It is important to appreciate that this meeting deals only with procedure, and not the merits of the application. The merits of the application will only be considered once the examination starts after the Preliminary Meeting has closed. Further information is given in Advice Note 8.4, which is available on the National Infrastructure pages of the Planning Portal website at:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

I wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, I strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is in Annex B. This has been set following my initial assessment of the principal issues arising on the application. That assessment is set out in Annex C. Whilst this list is not exhaustive, it provides an indication to all interested parties of the specific issues upon which questions will be asked and Statements of Common Ground (SoCG) sought. My proposed timetable for the examination is set out in Annex D.

As a result of this assessment I wish to hear views at the meeting from the applicant, interested parties, statutory parties, local authorities and others, both on my list of principal issues and my proposed timetable.

### **Attending the Preliminary Meeting**

If you wish to attend the Preliminary Meeting please write, email or telephone the Planning Inspectorate, using the address and contact details set out at the front of this letter marking correspondence for the attention of Jeffrey Penfold, Case Manager. We need to receive your confirmation by 5pm on 17 July 2014. Please also refer to Annex A for administrative arrangements for this meeting.

It will help the management of the meeting and benefit everyone if you also:

- Tell me whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- Bring this letter with you as proof of your identity and unique reference number

Please note that you are **not** required to attend the Preliminary Meeting in order to participate in the examination. If you are registered as an interested party you will still be able to make written representations and participate in any hearings that are arranged. Should you no longer wish to be an interested party and do not wish to be involved in the examination process, you can notify us of this in writing.

### **After the Preliminary Meeting**

Shortly after the end of the Preliminary Meeting you will be sent a letter confirming the timetable for the examination. The audio recording of the meeting will also be published on our website.

The examination of the application will primarily be a consideration of written representations about the application, along with any oral representations made at

the hearings. All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Energy and Climate Change, who will take the final decision in this case.

If you are a statutory consultee who has not made a relevant representation but wishes to become an interested party, you should inform me as soon as possible. Statutory consultees who have not made a relevant representation and do not notify us of their wish to become an interested party by **Thursday 14 August 2014** will not receive any further correspondence.

### **Award of costs**

I also draw your attention to the possibility of the award of costs against interested parties who behave unreasonably. You should be aware of the relevant cost guidance that applies to National Infrastructure projects. The "Awards of costs; examinations of applications for development consent orders" is available on the National Infrastructure pages of the Planning Portal website:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/guidance/>

I look forward to working with all parties in the examination of this application.

Yours faithfully

*Jonathan Green*

**Jonathan Green**  
**Examining Authority**

### **Annexes**

- A** Administrative arrangements for the Preliminary Meeting
- B** Agenda for the Preliminary Meeting
- C** Initial assessment of principal issues
- D** Draft timetable for examination of the application
- E** Availability of relevant representations and application documents
- F** Notice of appointment of Examining Authority

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

### **Administrative arrangements for the Preliminary Meeting**

On arrival at the venue you may be asked to register your name and unique reference number with staff of the Planning Inspectorate. Priority will be given to the applicant and those registered as interested parties, statutory parties, local authorities and invited persons before seating is allocated to other members of the public. The Examining Authority may exercise his discretion to permit any person, in addition to those who are entitled to take part, to participate in the meeting.

**If you wish to make any submissions on matters not set out in the agenda**, please write to Jeffrey Penfold, Case Manager, setting out the submissions that you wish to make **by 5pm on Thursday 17 July 2014**. I will attempt to accommodate reasonable requests and will alter the agenda on opening the Preliminary Meeting if I consider this will assist the discussion of the procedure for the examination.

A note will be taken of the Preliminary Meeting. This will be published on our website and made available in electronic form at the locations listed in Annex E as soon as practicable after the meeting. Please note that an audio recording of the meeting will also be taken and made available on the website as soon as practicable after the meeting.

The Planning Inspectorate will send you a copy of the procedural decision as to how the application is to be examined as soon as practicable after the meeting.

## Agenda for the Preliminary Meeting

**Date:** Thursday 24 July 2014

**Meeting Start Time:** 10.00am (Registration will begin at 9.30am)

**Venue:** The Park Hotel, Denmark Street, Diss, Norfolk, IP22 4LE.

9.30am	Room opens
10.00am	1. Welcome and Introductions
	2. Principles of the Examination and how the Examining Authority proposes to conduct the Examination  3. Any submissions on matters not set out in the agenda, that have been submitted to the Planning Inspectorate by 17 July 2014 as specified in Annex G; and any late representations received before the preliminary meeting
	4. Initial Assessment of Principal Issues – see Annex C
	5. Update on Statements of Common Ground, Local Impact Reports
	Break
	6. Discussion of draft Timetable for the Examination – see Annex D  (a) Issue of timetable and written questions  (b) Deadlines for submissions of: <ul style="list-style-type: none"> <li>• All written representations and summaries</li> <li>• Local Impact Reports</li> <li>• Responses to Examining Authority's written questions</li> <li>• Statements of Common Ground</li> <li>• Comments on written representations and relevant representations</li> <li>• Comments on the Report on Impact on European Sites (RIES)</li> </ul> (c) Hearings <ul style="list-style-type: none"> <li>• Time period reserved for open floor hearing as required</li> <li>• Time period reserved for issue specific hearings</li> <li>• Notifications relating to hearings</li> </ul> (d) Accompanied Site Visit <ul style="list-style-type: none"> <li>• Time reserved for an accompanied site visit to the application site and the surrounding area</li> <li>• Suggestions for locations to be included in the accompanied site visit.</li> </ul>
	Lunch break

	Continuation of discussion on agenda item 6 if required
	7. Any other matters
	8. Close of the Preliminary Meeting

**Please note:** The timings above are only indicative; please register and be available from the start and throughout the meeting. If the discussion takes less time than anticipated, the ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time, the meeting may run for longer and the order of items may change.

## **Initial assessment of principal issues**

This is the initial assessment of the principal issues arising from consideration by the Examining Authority of the application documents and relevant representations received.

It is not a comprehensive or exclusive list of all relevant matters. The Examining Authority will have regard to all important and relevant matters when he writes his report and recommendation to the Secretary of State after the examination has concluded.

The issues are in alphabetic order and should not be taken to imply an order of importance.

**Compulsory Acquisition**, including issues related to:

- The requirement for the powers sought
- The need to establish a compelling case in the public interest
- Financial arrangements

**Design, Layout and Visibility**, including issues related to:

- The proposed design for the power station and associated development
- Use of agricultural land
- Landscape and visual impact
- Landscaping and screening

**The Development Consent Order (DCO)**, including issues related to:

- The description of the development and definitions used
- Powers acquired through the DCO
- Requirements
- Protective provisions

**Economic and Social impacts**, including issues related to:

- The impact on the local economy including tourism
- The impact on local services and facilities
- The impact on housing and employment
- Access to leisure facilities
- Other developments on the business park

**Environmental Impact Assessment**, including issues related to:

- The adequacy of the assessment of its potential impacts
- Cumulative effects
- Mitigation measures

Other **Environmental Issues** including issues related to:

- Airborne emissions and air quality
- Flooding
- Noise, lighting, dust and vibration

**Habitats, Ecology and Nature Conservation**, including issues related to:

- The impact on European and other protected sites and species
- Impacts on habitats and on biodiversity

**The Historic and Archaeological Environment**, including issues related to:

- Impact on heritage assets and historic landscapes
- Impact on archaeological remains

**Operational**, including issues related to:

- The operational mechanisms not to exceed 299Mw output
- Environmental Permitting
- The potential use of Combined Heat and Power

**Transport and Traffic**, including issues related to:

- Proposed changes to the local and national road network
- Construction Traffic movement and routeing
- Road safety



### Draft timetable for examination of the application

The Examining Authority's (ExA) examination of the application takes the form of consideration of written representations about the application. The ExA will also consider any oral representations made at the hearings. The ExA is under a duty to **complete** the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.

Item	Matters	Due Dates
1	<b>Preliminary Meeting</b>	<b>Thursday 24 July 2014</b>
2	Issue by ExA of: <ul style="list-style-type: none"> <li>• Examination timetable</li> <li>• ExA's first written questions and requests for Statements of Common Ground</li> </ul>	<b>As soon as practicable following the Preliminary Meeting</b>
3	<b>Deadline 1</b>  Deadline for statutory parties to inform the Examining Authority of a wish to be considered as an interested party.  Request or receipt of notification (using the prescribed form) by persons within certain categories of interests in the land of a wish to become an interested party	<b>Thursday 14 August 2014</b>
4	<b>Deadline 2</b>  Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on relevant representations (RRs)</li> <li>• Summaries of all RR's exceeding 1500 words</li> <li>• Written representations (WRs) by all interested parties</li> <li>• Summaries of all WRs exceeding 1500 words</li> <li>• Local Impact Report from any local authorities</li> <li>• Statements of Common Ground requested by ExA</li> <li>• Responses to ExA's first written questions</li> <li>• Notification of wish to speak at a compulsory acquisition hearing</li> <li>• Notification of wish to make oral representations at the first issue specific hearing on the local impact of the project</li> </ul>	<b>Thursday 4 September 2014</b>

	<ul style="list-style-type: none"> <li>• Notification by interested parties of wish to be heard at an open floor hearing</li> <li>• Notification by interested parties of wish to attend any accompanied site visits and any representations relating to locations to view at or near the site and in the surrounding area</li> <li>• Comments on any other / additional submissions received prior to the preliminary meeting</li> <li>• Submissions from interested parties recommending itinerary items for the accompanied site visit</li> <li>• Any further information requested by the ExA for this deadline</li> </ul>	
5	<p>Notification by ExA of date, time and place for:</p> <ul style="list-style-type: none"> <li>• First issue specific hearing to be held on the local impact of the project</li> <li>• Any accompanied site visit(s)</li> <li>• Any open-floor hearing</li> </ul>	<b>Monday 15 September 2014</b>
6	<p><b>Deadline 3</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs and responses to comments on RRs</li> <li>• Comments on Local Impact Reports</li> <li>• Comments on Statements of Common Ground</li> <li>• Comments on responses to ExA's first written questions</li> <li>• Revised DCO from the applicant</li> <li>• Any further information requested by the ExA for this deadline</li> </ul>	<b>Thursday 2 October 2014</b>
7	<p>Date reserved for ExA's Inspection of Site(s) in the company of interested parties (am)</p> <p>Date reserved for a the first open floor hearing (pm)</p>	<b>Tuesday 14 October 2014 or</b>
8	<p>Date reserved for the first issue specific hearing on the local impact of the project</p>	<b>Wednesday 15 October 2014</b>
9	<p><b>Deadline 4</b></p> <p>Deadline for receipt by ExA of:</p>	<b>Friday 24 October 2014</b>

	<ul style="list-style-type: none"> <li>• All post hearing documents (including any revised DCO from the applicant)</li> <li>• Any updated Statements of Common Ground</li> <li>• All written summaries of oral cases made at the open-floor and issue specific hearings</li> <li>• Notification by interested parties of wish to make oral representations at the second issue specific hearing on the draft Development Consent Order (DCO) and any related local impact report matters</li> <li>• Any further information requested by the ExA for this deadline</li> </ul>	
10	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> <li>• ExA's second round of written questions and any further request for Statements of Common Ground</li> <li>• Notification by the ExA of the time and place for the second issue specific hearing relating to the draft DCO and any related Local Impact Report matters</li> <li>• Notification by the ExA of the time and place for compulsory acquisition hearings</li> </ul>	<b>Monday 27 October 2014</b>
11	<p><b>Deadline 5</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Responses to ExA's second written questions and any further requests for Statements of Common Ground</li> <li>• Comments on written summaries of case put at the first issue specific and open floor hearings</li> </ul>	<b>Monday 17 November 2014</b>
12	<p><b>Deadline 6</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on responses to ExA's second round of written questions and any further Statements of Common Ground</li> </ul>	<b>Monday 1 December 2014</b>
13	Date reserved for the second issue specific hearing relating to the draft DCO and any related Local Impact Report matters	<b>Tuesday 2 December 2014</b>
14	Date reserved for compulsory acquisition hearings and any other issue specific hearing	<b>Wednesday 3 December 2014</b>
15	<b>Deadline 7</b>	<b>Thursday 11</b>

	<p>Deadline for the receipt of:</p> <ul style="list-style-type: none"> <li>• Optional written summary of the case put orally at the issue specific hearing on draft DCO and any related local impact report matters</li> <li>• Optional written summary of the case put orally at compulsory acquisition and any other hearings held</li> <li>• Any proposed amendments to the draft DCO</li> </ul>	<b>December 2014</b>
16	<p>Issue by ExA of:</p> <ul style="list-style-type: none"> <li>• The Report on the Implications for European Sites (RIES)</li> </ul>	<b>Monday 15 December 2014</b>
17	<p><b>Deadline 8</b></p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> <li>• Comments on written summaries of case put at the second issue specific hearing, compulsory acquisition and any other hearings held</li> <li>• Comments on any proposed amendments to the draft DCO</li> <li>• Comments on the RIES</li> </ul>	<b>Tuesday 13 January 2015</b>
18	<p><b>Deadline for close of examination</b></p> <p>The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting</p>	<b>Saturday 24 January 2015</b>

## Availability of relevant representations and application documents

On the National Infrastructure pages of the Planning Portal website:

<mailto:http://infrastructure.planningportal.gov.uk/projects/Eastern/Progress-Power-Station/>

For inspection and copying:

### Diss Library

Church Street  
Diss  
IP22 4DD  
(01379) 642609

Opening times: Monday, Thursday and Friday: 9am – 5pm;  
Tuesday and Saturday: 9am – 1pm;  
Wednesday: 9am – 1pm and 2pm – 7.30pm;  
Closed Sundays and bank holidays.

Copying charges: A4 black and white photocopy – 10p  
A3 black and white photocopy – 15p  
A4 colour photocopy – 50p  
A3 colour photocopy - £1

For inspection and copying:

### Eye Library

Buckshorn Lane  
Eye  
IP23 7AZ

Opening times: Tuesday and Saturday: 9.30am – 1pm;  
Wednesday: 9.30 – 1pm and 2pm – 5.30pm;  
Thursday: 2pm – 5.30pm;  
Friday: 9.30am – 1pm and 2pm – 7pm;  
Sunday 10am – 3pm  
Closed Sundays and bank holidays.

Copying charges: A4 black and white photocopy / printout – 10p  
A3 black and white photocopy – 20p  
A4 colour photocopy / printout - £1.00  
A3 colour photocopy - £1.50

**Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 4**

**Application by Progress Power Limited for an Order Granting Development Consent for the Progress Power Station**

**Notice of appointment of Examining Authority**

On 25 June 2014 a single examining inspector was appointed to hold the examination of the above application under Section 79 of the Planning Act 2008 (as amended).

The single examining inspector is:

- Jonathan Green

*Pauleen Lane*

**Dr Pauleen Lane CBE FICE MBA  
Group Manager, National Infrastructure  
On behalf of the Secretary of State**