



The Progress Power (Gas Fired Power Station) Order

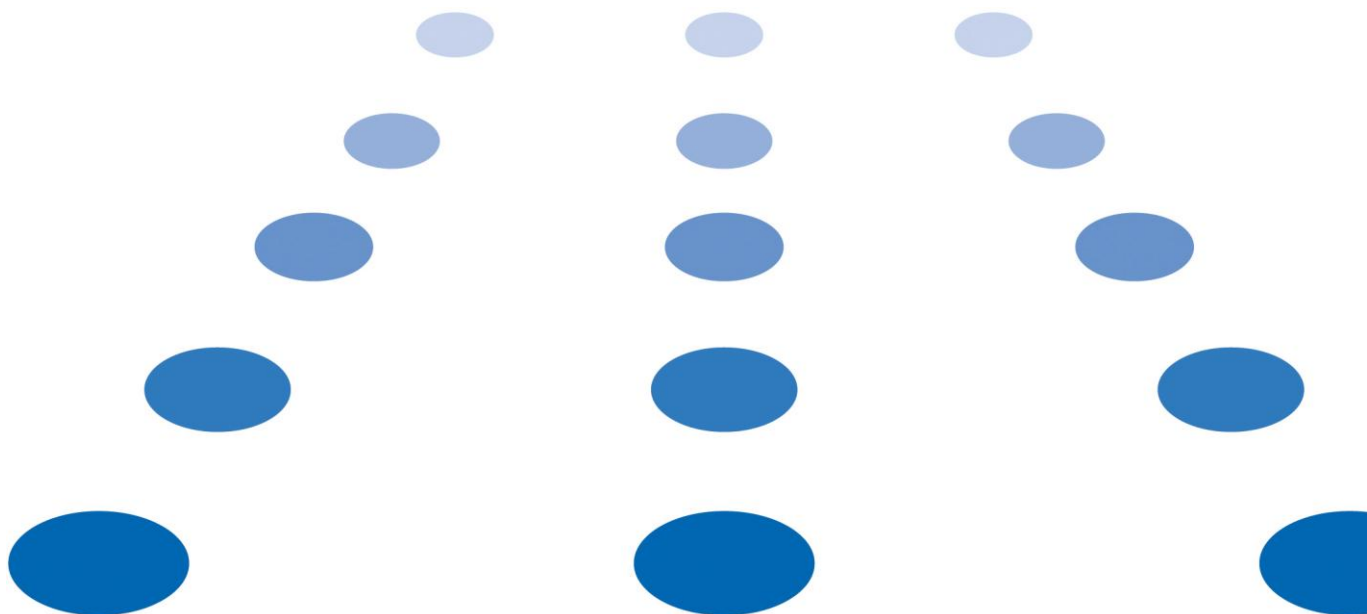
4.1 Statement of Reasons

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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GLOSSARY

A140 Junction: means the new junction from the A140 (Work No. 7 in the draft Order);

A140 Junction Site: means the site of the A140 Junction (shown as Work No. 7 on the Works Plans);

Above Ground Installation (AGI): means the above ground installation incorporating the minimum offtake and the PIG trap launching facility (Work No. 3A in the draft Order) together with a new site vehicular access (Work No. 3B in the draft Order);

Access Road: means the access road from the A140 Junction to the Electrical Connection Compound following the Electrical Connection Route Corridor (Work No. 7 in the draft Order);

Access Road Route: means the route of the Access Road (shown as Work No. 7 on the Works Plans);

Act: means the Planning Act 2008;

AGI Site: means the site of the AGI (shown as Work No. 3A and Work No. 3B on the Works Plans);

APFP Regulations: means the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009;

Application: means the application for a DCO made to the Secretary of State under section 37 of the Act in respect of the Project, required pursuant to section 31 of the Act because the Project constitutes a Nationally Significant Infrastructure Project under section 14(1)(a) and section 15 of the Act by virtue of being an onshore generating station in England or Wales of 50 MWe capacity or more;

Cable: means the cable circuit connecting the Electrical Connection Compound and the Power Generation Plant (Work No. 6 in the draft Order);

CEMP: means a Construction Environmental Management Plan;

DCO: means a development consent order made by the Secretary of State pursuant to the Act to authorise a nationally significant infrastructure project;

Developer: means PPL;

Electrical Connection: means the Cable, the Electrical Connection Compound, the Access Road and the A140 Junction;

Electrical Connection Compound: means the substation and the sealing end compound (Work No. 5 in the draft Order);

Electrical Connection Compound Site: means the site of the Electrical Connection Compound (shown as Work No. 5 on the Works Plans);

Electrical Connection Route Corridor: means the corridor in which the Cable is to be located (shown as Work No. 6 on the Works Plans);

Electrical Connection Site: means the site of the Electrical Connection (shown as Works No. 5, 6 and 7 on the Works Plans);

Gas Connection: means the Pipeline and the AGI;

Gas Connection Route Corridor: means the corridor in which the Pipeline is located (shown as Work No. 4 on the Works Plans);

Gas Connection Site: means the site of the Gas Connection (shown as Works No. 3A, 3B and 4 on the Works Plans);

Guidance: means the Department of Communities and Local Government guidance, 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' (September 2013);

Land Plans: means the plans showing the land which is to be the subject of compulsory acquisition and submitted with the Application at Document Reference 2.6;

MOC: means a minimum offtake connection;

MSDC: Mid Suffolk District Council;

MWe: means Megawatts electrical;

NGET: means National Grid Electricity Transmission plc;

NPS EN-1: means the Overarching National Policy Statement for Energy (EN-1);

NPS EN-2: means the National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2);

NPS EN-4: means the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4);

NPS EN-5: means the National Policy Statement for Electricity Networks Infrastructure (EN-5);

NTS: means National Gas Transmission System;

Order: means The Progress Power (Gas Fired Power Station) Order, being the development consent order made by the Secretary of State authorising the Project, a draft of which is submitted with the Application at Document Reference 3.1;

Order Land: means the land shown on the Land Plans which is within the Order Limits and which is to be the subject of compulsory acquisition;

Order Limits: means the limits shown on the Works Plans within which the Project may be carried out;

PIG: means Pipeline Inspection Gauge;

Pipeline: means the gas pipeline (Work No. 4 in the draft Order);

Power Generation Plant: means a SCGT gas fired 'peaking' power generating plant capable of providing up to 299 MWe together with the maintenance area (Works No. 1 and 2 in the draft Order);

Power Generation Plant Site: means the site of the Power Generation Plant (shown as Works No. 1A, 1B, 1C, 1D and 2 on the Works Plans);

PPL: a special purpose vehicle which has been set up to develop the proposed Project and has been established by WPL;

Project: means the Power Generation Plant, Electrical Connection and Gas Connection located on the Project Site;

Project Site: means the entire area covered by the Project corresponding to the Order Limits of the draft Order;

SCGT: means simple cycle gas turbine;

Works Plans: means the plans showing the Work Nos. referred to in the draft Order and submitted with the Application at Document Reference 2.7; and

WPL: means Watt Power Limited, established to develop flexible gas fired generation assets to support the UK Government drive to a low carbon economy.

1. SUMMARY

1.1 This Statement of Reasons relates to the Application by PPL to the Secretary of State under the Planning Act 2008 for powers to construct, operate and maintain:

1.1.1 the Power Generation Plant on land at the former Eye Airfield located in Eye, Mid Suffolk;

1.1.2 the Pipeline with an Above Ground Installation (together the "**Gas Connection**") to provide fuel to the Power Generation Plant;

1.1.3 the Cable connecting the Electrical Connection Compound and the Power Generation Plant; and

1.1.4 the Electrical Connection Compound, comprising the substation and sealing end compound;

1.2 The Application also seeks consent for the Access Road and the A140 Junction works.

1.3 In this Statement, the term "**Electrical Connection**" encompasses the Cable, the Electrical Connection Compound, the Access Road and the A140 Junction.

1.4 The Power Generation Plant, the Gas Connection and the Electrical Connection are together described in this Statement as the "**Project**".

1.5 This Statement explains why it is necessary, proportionate and justifiable for the Application to contain compulsory acquisition powers, and why there is a compelling case in the public interest for PPL to be granted these powers.

1.6 The matters addressed in this Statement are summarised in this section. References to numbered sections or paragraphs are to sections or paragraphs of this Statement.

Powers of Compulsory Purchase under the Planning Act 2008 (Section 3)

1.7 Section 120 of the Act provides that an order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted. Schedule 5 to the Act lists the matters ancillary to the development, which includes the acquisition of land, compulsorily or by agreement, and the creation, suspension or extinguishment of, or interference with, interests in or rights over land, compulsorily or by agreement.

- 1.8 Section 122 of the Act provides that an order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State, in respect of the Application, is satisfied that (of relevance to the Project) the land is required for the development to which the DCO relates and the land is required to facilitate or is incidental to that development.
- 1.9 Further, it is also necessary for the Secretary of State to be satisfied, in relation to the Application, that there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the Order.

Scheme Details (Section 4)

- 1.10 PPL is seeking to develop a gas fired power station, together with the integral Gas Connection and Cable, at the former Eye Airfield located in Eye, Mid Suffolk.
- 1.11 The Power Generation Plant would be a SCGT gas fired 'peaking' power generating plant. To generate up to 299 MWe, between 1 and 5 Gas Turbine Generators would be used, either each with its own emission flue stack or one stack for a pair of turbines, each stack to be between 25m and 30m in height. The location of the Power Generation Plant is shown on the Power Generation Plant Land Plan (Sheet 1, Document Reference 2.6) and the various components that comprise the Power Generation Plant are shown on Figure 2 of the Works Plans (Document Reference 2.7).
- 1.12 To function, the Power Generation Plant requires an electrical connection. The integral Cable, being an approximate length of 1.6km, would connect the Power Generation Plant to the Electrical Connection Compound.
- 1.13 The Electrical Connection Compound would consist of a substation and a sealing end compound on agricultural land to the south of 'The Leys', north of Mellis Road. The sealing end compound would be approximately 45m X 22m located on the west side of the existing overhead line. The substation would be located on the east side of the existing overhead line. A substation can either be an air insulated substation (AIS) or a gas insulated substation (GIS). PPL considers that the substation with AIS technology is appropriate and acceptable in the location of the Electrical Connection Compound. The substation with AIS technology would be 150 m X 150 m. In the event that it is considered that the substation should be of a GIS design, then the substation would be 80m x 100 m. Both technology choices would be sited within the parameters of Work No. 5 (see Schedule 1 to the draft Order and Sheet 2 of 2 of Figure 1, Works Plan (Document References 3.1 and 2.7 respectively)).

- 1.14 Permanent access to both the Cable and the Electrical Connection Compound would be required for construction and subsequent maintenance of the Electrical Connection Compound. This would be provided via a new permanent Access Road to be constructed along the route of the Cable between the A140 and the Electrical Connection Compound. The A140 Junction would comprise a new three way highway junction (T-Junction) with 'Give Way' signals onto the A140. The track itself would be a single lane surfaced road with passing places. The Access Road and the A140 Junction are shown on Sheets 1 and 2 of Figure 1, Works Plans (Document Reference 2.7) as Work No. 7.
- 1.15 A key part of the Power Generation Plant is its fuel. The Gas Connection would be a new underground gas pipeline, approximately 1.7km in length, to bring natural gas to the Power Generation Plant from the existing high pressure gas NTS located off Potash Lane (shown on Sheet 1 of Figure 1, Works Plans (Document Reference 2.7) as Work Nos. 3 and 4.
- 1.16 The proposed Power Generation Plant, Gas Connection and Electrical Connection are referred to as the Project. The Project comprises works that are classed as the nationally significant infrastructure project and works that are classed as associated development under the Act.
- 1.17 The Power Generation Plant, Gas Connection and Cable constitute the nationally significant infrastructure project elements of the Project.
- 1.18 The Electrical Connection Compound, Access Road and the A140 Junction constitute the associated development elements of the Project.

Location and Description of the Order Land (Section 5)

- 1.19 The Power Generation Plant Site is located on land at the former Eye Airfield located in Eye, Mid Suffolk. The entire Project lies within the administrative boundaries of:
- (a) in respect of the lower-tier district council, Mid Suffolk District Council; and
 - (b) in respect of the upper-tier county council, Suffolk County Council.
- 1.20 The Order Limits covers an area of approximately 28.96ha.
- 1.21 The area required by the Power Generation Plant extends to 8.67ha and is part of agricultural land forming part of White House Farm and is located within the former Eye Airfield.
- 1.22 The Gas Connection would extend to 8.23ha in total (part of the Gas Connection is included within the Power Generation Plant Site). The

Gas Connection Route Corridor would begin at the MOC within the AGI located to the south of the airfield, north of Castleton Way and east of Potash Lane. The Gas Connection Route Corridor would cross Potash Lane heading west and around the perimeter of the agricultural field. To the north of White House Farm, the Gas Connection Route Corridor traverses east, south of the Speed Deck Factory, then turning north up Potash Lane before crossing the runway and continuing north into the south west corner of the Power Generation Plant Site.

- 1.23 The Electrical Connection comprises the Cable, which would extend to 5.89ha (part of the Cable is included in the Power Generation Plant Site). The Cable would exit the south western edge of the Power Generation Plant Site and head south down Potash Lane (the former Eye Airfield main runway) before turning west, to the south of the Speed Deck factory and crossing the northern edge of the agricultural field towards the A140. At the A140, the Cable would pass under the A140 and Old Norwich Road before heading in a westerly direction across the agricultural land towards the 400 kV line. On the west of Old Norwich Road, the Cable would cross the agricultural fields in a near perfect east – west orientation. To the west of these fields, the Cable would pass under Leys Lane and continue west, running parallel to an existing hedge line until it meets the Electrical Connection Compound Site.
- 1.24 The Electrical Connection also comprises the Electrical Connection Compound, which would extend to 7.08ha (being the extent of Work No. 5 on the Works Plan (Sheet 2 of Figure 1, Document Reference 2.7) and identified on the Electrical Connection Land Plan (Sheet 4, Document Reference 2.6)).
- 1.25 The Electrical Connection also comprises the Access Road and the A140 Junction, the location of which is identified on the A140 Junction Land Plan (Sheet 5, Document Reference 2.6).
- 1.26 PPL is seeking compulsory purchase powers to secure certain lands, new rights and interests within the Order Limits to facilitate the Project.
- 1.27 The land over which compulsory purchase powers are sought in respect of the freehold is shown edged red and shaded pink on the Land Plans (Sheets 1, 2, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the acquisition, in Table 1, at paragraph 6.3.1. Article 17 of the draft Order is relied upon in respect of this land.
- 1.28 The land over which rights are being compulsorily sought is shown edged red and shaded blue on the Land Plans (Sheets 2, 3, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the acquisition of the right, in Table 2, at paragraph 6.4.2. Article 20 of the draft Order is relied upon in respect of these rights.

- 1.29 The land over which temporary use is sought is shown (for ease of understanding) edged red and shaded yellow on the Land Plans (Sheets 2, 3, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the use being sought, in Table 3, at paragraph 6.5.2. Articles 15, 26 and 27 of the draft Order are relied upon in respect of this land and as such, no compulsory acquisition of rights is sought.
- 1.30 Pursuant to Article 21 of the draft Order:
- 1.30.1 all private rights over land subject to compulsory acquisition under the draft Order are to be extinguished;
 - 1.30.2 all private rights over land subject to the compulsory acquisition of rights under the draft Order are to be suspended and unenforceable or, where so notified by PPL, extinguished in so far as in either case their continuance would be inconsistent with the exercise of that right;
 - 1.30.3 all private rights over land of which PPL takes temporary possession under the draft Order are to be suspended and unenforceable for so long as PPL remains in possession of the land and so far their continuance would be inconsistent with the exercise of the temporary possession of that land.
- 1.31 Article 18 of the draft Order is based on Section 237 of the Town and Country Planning Act 1990 and gives PPL the authority to carry out or use the authorised development and do anything else authorised by the draft Order notwithstanding that it involves the interference with an interest or right (meaning any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land including any natural right to support) or a breach of a restrictive covenant. In this case, the interest, right or restrictive covenant would be overridden.
- 1.32 Table 4, at paragraph 6.6.2, identifies those plots where rights may be suspended or extinguished under Article 22 and where interests, rights and restrictive covenants may need to be overridden under Article 18, together with the reason for such suspension, extinguishment or overriding.
- 1.33 The Project will also interfere with the following publically adopted highways (PPL is in active discussions with the Highways Authority in this regard):
- 1.33.1 A140 affected by the Cable and A140 Junction works;

1.33.2 Old Norwich Road affected by the Cable and A140 Junction works; and

1.33.3 Leys Lane affected by the Cable.

1.34 PPL is not seeking formal rights of acquisition or new rights over the highways but is relying on Articles 8, 9, 10, 11, 25 and 26 of the draft Order in relation to street works to enter onto them and to lay and maintain apparatus in them, to construct means of access and to create temporary prohibitions and restrictions of the use of such streets to carry out such works. Any interference with rights, restrictions etc over the Order land arising from the exercise of any articles in the Order which provide statutory access to and/or use land within the Order limits are captured in Part 3 of the Book of Reference.

Need for Compulsory Acquisition of Land and Rights (Section 6.2)

1.35 PPL has completed an option agreement for that part of the Order Limits on which:

1.35.1 the Power Generation Plant is to be located (Plot 1_MS shown on the Power Generation Plant Land Plan, Sheet 1, Document Reference 2.6);

1.35.2 part of the Gas Connection is to be located (Plots 1_GR, 2_GR, 3_GR and 4_GR shown on the Gas Connection Land Plan, Sheet 2, Document Reference 2.6); and

1.35.3 part of the Electrical Connection Route Corridor is to be located (Plots 1_ER, 2_ER, 3_ER and part of 4_ER shown on the Electrical Connection Land Plans, Sheet 3, Document Reference 2.6).

However, PPL is including this land within the Order Land in order to ensure that certain easements and other private rights identified as affecting that land are extinguished so as to facilitate the construction and operation of the Project without hindrance (see sections 1.2, 1.3, 2.2, 2.3, 3.2 and 3.3 of the Book of Reference (Document Reference 4.3)). In addition, there may be unknown rights, restrictions, easements or servitudes affecting that land which also need to be overridden, removed and/or extinguished in order to facilitate the construction and operation of the Project without hindrance.

1.36 PPL has been seeking to acquire the remaining land, temporary use of land and rights (shown edged red and shaded pink, yellow and blue respectively on the Gas Connection Land Plan, Electrical Connection Land Plans, and the A140 Junction Land Plan (Sheets 2, 3, 4 and 5, Document Reference 2.6) by private treaty, in order to ensure implementation of the Project. However, it has not yet been possible to

acquire all of the land, the temporary use of land and the rights required by private treaty. In addition, PPL requires certain matters to be suspended, overridden or extinguished within the Order Land so as to ensure there are no impediments to the construction, operation and maintenance of the Project.

- 1.37 In the absence of powers of compulsory acquisition, the Order Land may not be assembled, uncertainty will continue to prevail and PPL considers that its objectives and Government policy objectives would not be achieved.
- 1.38 PPL's justification for seeking compulsory purchase powers, in accordance with the provisions of the Act, is to secure land, the temporary use of land, the rights and other interests required to enable PPL to construct, operate and maintain the Project within a reasonable commercial timeframe. The inclusion of powers of compulsory acquisition in the draft Order is sought in order to ensure that this can be achieved. The land and rights together with the land required for temporary use is no more than that is required to facilitate the Project, its construction and future maintenance. The necessary powers, together with powers to suspend, override and extinguish rights and other interests in or over land, are contained in Part 3 and Part 5 of the draft Order which accompanies the Application.
- 1.39 In summary, the draft DCO contains the following powers which may constitute an interference with land and/or rights over land and as such are captured in Part 3 of the Book of Reference (Document Reference 4.3):
- 1.39.1 Article 8 - Power to alter layout, etc., of streets;
 - 1.39.2 Article 9 – Street works;
 - 1.39.3 Article 10 – Construction and maintenance of new or altered means of access;
 - 1.39.4 Article 11 – Temporary prohibition or restriction of use of streets;
 - 1.39.5 Article 12 – Access to works;
 - 1.39.6 Article 13 – Agreements with street authorities;
 - 1.39.7 Article 15 – Authority to survey and investigate the land;
 - 1.39.8 Article 17 – Compulsory acquisition of land;
 - 1.39.9 Article 18 – Statutory authority to override easements and other rights;

- 1.39.10 Article 20 – Compulsory acquisition of rights;
- 1.39.11 Article 21 – Private Rights;
- 1.39.12 Article 23 – Acquisition of subsoil;
- 1.39.13 Article 24 – Acquisition of part of certain properties;
- 1.39.14 Article 25 – Rights under or over streets;
- 1.39.15 Article 26 – Temporary use of land for carrying out the authorised development;
- 1.39.16 Article 27 – Temporary use of land for maintaining the authorised development;
- 1.39.17 Article 28 – Statutory Undertakers;
- 1.39.18 Article 29 – Apparatus and rights of statutory undertakers in streets subject to temporary prohibition or restriction;
- 1.39.19 Article 30 – Recovery of costs of new connections;
- 1.39.20 Article 31 – Felling or lopping of trees.

Alternatives to Compulsory Acquisition (Section 6.7)

- 1.40 As part of a detailed feasibility assessment, PPL looked at a range of sites around the UK to support power generation plants of this nature. This search for potential power generation plant sites across the UK was focused on areas that were capable of meeting PPL’s strategic project development criteria.
- 1.41 In terms of technical constraints, the size of the site (i.e. large enough to support a power generation plant of up to 299 MW and integral infrastructure) and the proximity of a site to appropriate gas and electrical connection points were both key considerations.
- 1.42 From an environmental perspective, the site must have due regard to close sensitive receptors, the current make up of the surrounding area, previous site uses and land quality and proximity to sensitive ecological habitats.
- 1.43 Based on these factors, the Project Site was considered suitable for the siting of the Power Generation Plant.
- 1.44 The Scoping Report prepared by the PPL to scope the contents of the Environmental Statement (Appendix 3A to Document Reference 6.2), identified seven potential Gas Connection options to connect the Power Generation Plant to Feeder 5 on the NTS.

- 1.45 Further analysis from additional studies has determined that five of these route corridor options were not feasible.
- 1.46 Following consultation, the shortest route was considered favourable due to its most direct and therefore less disruptive route. This option was found to be technically unachievable due to its close proximity to the gas compressor station. The preferred option for the Gas Connection Route Corridor, therefore, was the option that connects to the NTS at the south of the former Eye Airfield.
- 1.47 An Electrical Connection Siting Report undertaken by PPL (Document Reference 10.3) considered the potential connection options to the National Electricity Transmission System and the local distribution system. This found that the area to the west of the A140 between Mellis Road and Goswold Hall would be suitable for a new electrical connection compound. Two preliminary areas for the siting of the Electrical Connection Compound, north (Option 1) and south (Option 2) of Goswold Hall, were identified and the Siting Report identified that both options present technically feasible options for the siting of the Electrical Connection Compound.
- 1.48 In view of the availability of mitigation for landscape and visual impacts, and the greater number of potentially adverse effects associated with Option 1, and the absence of other differentiating factors, Option 2 was taken forward. The Electrical Connection Siting Report (Document Reference 10.3) contains more detail on the assessment undertaken by PPL.

Justification for the Use of Powers of Compulsory Acquisition (Section 7)

- 1.49 The urgent need for electricity generation, including gas fired generating stations and unabated flexible gas and peaking plants, is provided in NPS EN-1, the Gas Generation Strategy (DECC, 2012) and the National Infrastructure Plan (HM Treasury, 2013). The Project would contribute materially to meeting this need.
- 1.50 Due regard has been paid to all relevant and important considerations. These include the findings of community and statutory consultation processes which, as documented in the Consultation Report (Document Reference 5.1), have influenced considerations as to the design and siting of the various components of the Project. Local economic development and environmental policy designations have been considered in the design, siting and mitigation proposals within the Project.
- 1.51 The Project is in line with the relevant National Policy Statements, being NPS EN-1, NPS EN-2, NPS EN-4, and NPS EN-5. Considerations as to siting, Habitats and Species Regulations, alternatives, good design,

consideration of Combined Heat and Power, grid connection, safety, health, nuisance and security have been given due regard as demonstrated in the Environmental Statement (Document Reference 6.1) and its appendices (Document Reference 6.2), the Design and Access Statement and its appended Design Principles Statement (Document Reference 10.2), the Planning Statement (Document Reference 10.1) and the Grid Connection Statement (Document Reference 9.1). The Environmental Statement has also assessed all relevant likely significant environmental effects and has proposed appropriate mitigation wherever feasible. This is to be secured through compliance with various submitted documents and further approvals such as under the proposed requirements attached to the draft Order (see Schedule 2 to the draft Order, Document Reference 3.1).

- 1.52 It is considered that there are no relevant adverse impacts or disbenefits sufficient to outweigh the likely benefits of the Project including the improvements to the appearance and condition of the Power Generation Plant Site, the local and regional economic benefits, and the considerable public benefit to meeting the national need for flexible gas generation.
- 1.53 It is considered that there are no international obligations that would be breached if the Order were made in the terms proposed. There are considered to be no likely significant effects in respect of sites designated under the Habitats Directive nor species protected thereunder as set out in the no likely significant effects report submitted with the Application (Document Reference 5.7).
- 1.54 In conclusion and in line with the factors set out in Section 104 of the Act there is a compelling case in the public interest for the Order to be made in the terms proposed and in the absence of sufficient indications to the contrary.

Special Considerations (Section 8)

Statutory Undertakers Land

- 1.55 The Order Land includes an overhead electricity line (owned and operated by NGET). Whilst the Project would eventually connect into this line, PPL, in constructing the Project, would not affect the overhead line (PPL is in discussions with NGET over any Protective Provisions NGET may require to be included in the Order).
- 1.56 The Order Land also contains equipment and apparatus owned by UK Power Networks (Operations) Limited. It is not anticipated that the Project would affect this equipment and apparatus and PPL has written to UK Power Networks (Operations) Limited to ask if they require any protective provisions to be included in the draft Order. PPL is also

liaising with Anglian Water over protective provisions that they may wish to see included in the draft Order.

Other consents

- 1.57 Other consents are required in order for the Project to be constructed and subsequently operate. The Consents Management Document (Document Reference 5.6) sets out the additional consents required and when they will be applied for. Some of these additional consents are identified below:
- 1.57.1 As required under Section 6 of the Electricity Act 1989, PPL will submit an application for a Generation Licence to the Gas and Electricity Markets Authority prior to any operational activities taking place.
 - 1.57.2 PPL entered into a Bilateral Connection Agreement and Construction Agreement with NGET on 12 November 2013 to connect the Power Generation Plant to the National Electricity Transmission System.
 - 1.57.3 As required by the Environmental Permitting (England and Wales) Regulations 2010 as amended, PPL will submit an application for an Environmental Permit, required to operate the Project, to the Environment Agency. PPL has been in discussions with the Environment Agency about an Environmental Permit and supplied the Environment Agency with detailed information in relation to the same. PPL is seeking to produce a Statement of Common Ground with the Environment Agency before any examination of the Order.
 - 1.57.4 No European Protected Species have been identified to date. Discussions with Natural England will be commenced in the event that any European Protected Species are identified in further protected species surveys.
 - 1.57.5 A consent under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010 (ordinary water course consent), will be required in relation to the Project. An application for an Ordinary Watercourse Consent will be submitted two months prior to commencement of the works.
 - 1.57.6 The Greenhouse Gas Emissions Trading Scheme Regulations 2005 require any operator that carries out a 'regulated activity' to have a permit. Regulated activities include combustion that uses large amounts of energy or generate large amounts of CO₂, perfluorocarbons or nitrous oxide (NO₂) (under Annex 1 of Directive 2009/29/EC) and so will capture the Project unless an exemption applies.

Human Rights (Section 9)

- 1.58 The draft Order has the potential to infringe the human rights of persons who own property or have rights in the land proposed to be acquired pursuant to the draft Order.
- 1.59 PPL considers that there would be very significant public benefit arising from the making of the draft Order for the Project. That benefit can only be realised if the Order includes compulsory purchase powers.
- 1.60 PPL considers that there is a compelling case in the public interest for the exercise of such powers of compulsory acquisition. PPL considers that it would, therefore, be appropriate and proportionate for the Secretary of State to make the Order, including the grant of compulsory acquisition powers.

Further Information (Section 10)

- 1.61 Owners and occupiers of property affected by the draft Order who wish to negotiate a sale or discuss matters of compensation should contact Susannah Harvey of Progress Power Limited (Tel - 0131 550 3380, email - sharvey@stagenenergy.com).
- 1.62 Provision is made by statute with regard to compensation for the compulsory acquisition of land and the depreciation value of properties. Helpful information is given in the series of booklets published by the Department for Communities and Local Government entitled "Compulsory Purchase and Compensation". Copies of these booklets are obtainable, free of charge, from:

<https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

2. INTRODUCTION

- 2.1 This Statement of Reasons relates to an Application (the "**Application**") by Progress Power Limited ("**PPL**") to the Secretary of State under the Planning Act 2008 for powers to construct, operate and maintain:
- 2.1.1 a thermal generating station (the "**Power Generation Plant**") on land at the former Eye Airfield located in Eye, Mid Suffolk;
 - 2.1.2 an underground gas pipeline ("**Pipeline**") with an Above Ground Installation ("**AGI**") (together the "**Gas Connection**") to provide fuel to the Power Generation Plant;
 - 2.1.3 an underground cable circuit (the "**Cable**") connecting the Electrical Connection Compound and the Power Generation Plant; and
 - 2.1.4 a substation and sealing end compound (the "**Electrical Connection Compound**").
- 2.2 The Application also seeks consent for an access road to the Electrical Connection Compound (the "**Access Road**") and works enabling the Access Road to link into the A140 (the "**A140 Junction**").
- 2.3 In this Statement, the term "**Electrical Connection**" encompasses the Cable, the Electrical Connection Compound, the Access Road and the A140 Junction.
- 2.4 The Power Generation Plant, the Gas Connection and the Electrical Connection are together described in this Statement as the "**Project**".
- 2.5 The Power Generation Plant would be located on the former Eye Airfield within the administrative area of Mid Suffolk District Council in the County of Suffolk and would operate as a Simple Cycle Gas Turbine ("**SCGT**") peaking plant designed to provide an electrical output of up to 299 Megawatts electrical ("**MWe**"). As a peaking plant, the Power Generation Plant would be required to operate when there is a surge in demand for electricity associated with a particular event or where there is a sudden drop in power being generated from other plants that are designed to be constantly operational (e.g. a sudden outage). The Power Generation Plant would also help to 'balance out' the grid at times when other technologies (such as wind and solar farms) cannot generate electricity due to their intermittent operation and reliance on weather conditions. The Power Generation Plant would operate for up to 1500 hours per year, responding to changes in power demand.
- 2.6 The Power Generation Plant would be fuelled by natural gas, supplied to the Power Generation Plant by the Pipeline (an approximate length of 1.7km) connecting the Power Generation Plant to the existing National Transmission System ("**NTS**") in the vicinity of the Project Site. An AGI

containing gas regulating equipment would be required to connect the Pipeline to the NTS and would be located via a new access road off Potash Lane.

- 2.7 In order to export electricity generated by the Power Generation Plant to the National Grid, the Cable (approximate length of 1.6km) would connect the Power Generation Plant to the Electrical Connection Compound comprising of a new substation and sealing end compound located on agricultural land to the south of 'The Leys', north of Mellis Road. The Electrical Connection Compound would require the Access Road and the A140 Junction for operational maintenance purposes.
- 2.8 This Statement has been produced pursuant to Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "**APFP Regulations**") and the Department of Communities and Local Government guidance, 'Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land' (September 2013) (the "**Guidance**").
- 2.9 The Project, comprising an electricity generating plant with an average gross electrical output in excess of 50 MWe, falls within the definition of a "nationally significant infrastructure project" under section 15(2)(c) of the Planning Act 2008 (the "**Act**"). It is, therefore, necessary for PPL to apply to the Secretary of State for development consent to construct, operate and maintain the Project under Section 31 of the Act.
- 2.10 This Statement forms part of the suite of documents accompanying the Application submitted in accordance with Section 55 of the Act and Regulation 5 of the APFP Regulations. The Application seeks the making of the proposed Progress Power (Gas Fired Power Station) Order, which would confer the powers required.
- 2.11 The Statement is one of a number of documents required to support the Application submitted to the Secretary of State, listed in Schedule 1 to this Statement, and should be read together with those documents. This statement has been prepared in accordance with Regulation 5(2)(h) of the APFP Regulations and explains why it is necessary to acquire land, acquire and/or create rights in, on and over land, to extinguish or suspend rights in, on and over land and to temporarily use land for the purposes of the Project, if necessary by compulsion.
- 2.12 The Application is necessary so that PPL has the requisite powers to construct, operate and maintain the Project which is a nationally significant infrastructure project for which there is a pressing national need. The Project itself has been the subject of an extensive consultation exercise. It is in line with national and local policy in respect of planning and electricity generation. PPL has contracts in place to acquire a substantial part of the land required for the Project. A contract has been signed to enable PPL to acquire the Power

Generation Plant Site, the land and rights for the majority of the Gas Connection Site and the land and rights for a substantial part of the Electrical Connection Route Corridor to the east of the A140. Negotiations with regard to the purchase of land, the acquisition of and/or creation of easement rights and any other rights and interests required for the remaining parts of the Gas Connection Site, for the remaining parts of the Electrical Connection Route Corridor, for the Electrical Connection Compound Site, for the Access and the A140 Junction are in progress. The Tables in Section 6 sets out the current negotiation status.

- 2.13 Although negotiations for the purchase of land, rights and interests are ongoing in respect of the remaining parts of the Gas Connection Site, for the remaining parts of the Electrical Connection Route Corridor, for the Electrical Connection Compound Site, for the Access and the A140 Junction, it is necessary for PPL to seek compulsory purchase powers to secure such land, rights and interests and to ensure that any third party interests or encumbrances affecting such land, rights and interests are acquired or overridden pursuant to the Development Consent Order ("**DCO**"), thereby ensuring that the Project can be constructed, operated and maintained in accordance with the powers sought under the draft Progress Power (Gas Fired Power Station) Order ("**Order**").
- 2.14 Whilst PPL has secured a contract to enable PPL to acquire the Power Generation Plant Site, the land and rights for the majority of the Gas Connection Site and the land and rights for a substantial part of the Electrical Connection Route Corridor to the east of the A140, PPL is seeking compulsory purchase powers over this land (see Power Generation Plant Land Plan, Gas Connection Land Plan and Electrical Connection Land Plans, Sheets 1 to 4, Document Reference 2.6) to ensure that certain easements and other private rights identified as affecting that land are extinguished so as to facilitate the construction and operation of the Project without hindrance (see sections 1.2, 1.3, 2.2, 2.3, 3.2 and 3.3 of the Book of Reference (Document Reference 4.3)). In addition, there may be unknown rights, restrictions, easements or servitudes affecting that land which also need to be over-ridden, removed and/or extinguished in order to facilitate the construction and operation of the Project without hindrance.
- 2.15 PPL considers that there is a compelling case in the public interest, in accordance with section 122 of the Act, for the making of the Order and the inclusion of powers of compulsory acquisition to enable the Project to be constructed, operated and maintained.

3. POWERS OF COMPULSORY PURCHASE UNDER THE PLANNING ACT 2008

3.1 Powers

3.1.1 Section 120 of the Act provides that an order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted. Schedule 5 to the Act lists the matters ancillary to the development. These include:

- (a) the acquisition of land, compulsorily or by agreement (paragraph 1);
- (b) the creation, suspension or extinguishment of, or interference with, interests in or rights over land, compulsorily or by agreement (paragraph 2);
- (c) the abrogation or modification of agreements relating to land (paragraph 3);
- (d) the payment of compensation (paragraph 36).

3.1.2 Section 122 of the Act provides that an order granting development consent may include provision authorising the compulsory acquisition of land only if the Secretary of State, in respect of the Application, is satisfied that:

- (a) the land is required for the development to which the DCO relates;
- (b) the land is required to facilitate or is incidental to that development; or
- (c) the land is replacement land for commons, open spaces, etc.¹

3.1.3 Further, it is also necessary for the Secretary of State to be satisfied, in relation to the Application, that there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the DCO. This is required by section 122(3) of the Act.

3.2 Powers of compulsory acquisition in the Order for the Project

3.2.1 Under environmental impact assessment legislation there is no general requirement to consider alternatives, only a requirement to outline the main alternatives studied by the applicant and an

¹ The provision referred to in this sub-paragraph is not relevant in respect of the Project.

indication of the main reason for the applicant's choice. Furthermore, National Policy Statement EN-1 ("**NPS EN-1**") advises at paragraph 4.4.1 that "from a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option." However, NPS EN-1 makes it clear at paragraph 4.4.3 that where there is a policy or legal requirement to consider alternatives the applicant should describe the alternatives considered in compliance with these requirements.

3.2.2 As explained in Sections 6 and 7 of this Statement, PPL has given careful consideration to the suitability of the Order Limits for the Project. The Design and Access Statement (Document Reference 10.2 considers the alternatives in the design of the Project and the Environmental Statement (Document Reference 6.1) sets out the main alternatives studied by PPL. Alternatives are also further discussed in Section 6.7 below.

3.2.3 Having finalised the location for the Project, PPL completed an option agreement for that part of the Order Limits on which:

- (a) the Power Generation Plant is to be located (Plot 1_MS shown on the Power Generation Plant Land Plan, Sheet 1, Document Reference 2.6);
- (b) part of the Gas Connection is to be located (Plots 1_GR, 2_GR, 3_GR and 4_GR shown on the Gas Connection Land Plan, Sheet 2, Document Reference 2.6); and
- (c) part of the Electrical Connection Route Corridor is to be located (Plots 1_ER, 2_ER, 3_ER and part of 4_ER shown on the Electrical Connection Land Plans, Sheet 3, Document Reference 2.6).

However, PPL is including this land within the Order Land in order to ensure that certain easements and other private rights identified as affecting that land are extinguished so as to facilitate the construction and operation of the Project without hindrance (see sections 1.2, 1.3, 2.2, 2.3, 3.2 and 3.3 of the Book of Reference (Document Reference 4.3)). In addition, there may be unknown rights, restrictions, easements or servitudes affecting that land which also need to be over-riden, removed and/or extinguished in order to facilitate the construction and operation of the Project without hindrance.

3.2.4 In addition, PPL requires the remaining land, legal interests and new rights as shown on the Land Plans to construct and

operate the Project, being the remaining parts of the Gas Connection Site, the remaining parts of the Electrical Connection Route Corridor, the Electrical Connection Compound Site, the Access and the A140 Junction (see the Land Plans, Sheets 1 to 5, Document Reference 2.6), in a reasonable timeframe to enable the Project to be constructed and contribute to the need for energy supply.

- 3.2.5 Whilst land, rights and interests will be secured by agreement wherever possible, and negotiations continue with all identified owners, it is essential that compulsory purchase powers are available to PPL to enable the Project to be constructed at the earliest opportunity.
- 3.2.6 Powers are also sought to enable the use of the Order Limits for the purposes of the Project and to ensure that any, for example, rights, restrictions, easements or servitudes are over-ridden, removed and/or extinguished.
- 3.2.7 This Statement sets out the information relevant to the considerations listed above.

4. **SCHEME DETAILS**

- 4.1 PPL is seeking to develop a gas fired power station, together with the integral Gas Connection and Cable, at the former Eye Airfield located in Eye, Mid Suffolk. PPL is the Special Purpose Vehicle (SPV) which has been set up to develop the Project and has been established by Watt Power Limited ("**WPL**"). WPL has been established to develop flexible gas fired generation assets to support the UK Government drive to a low carbon economy.
- 4.2 It is intended that the Power Generation Plant would operate within the framework being established by government under the Capacity Market. This is a key part of the government's Electricity Market Reform and seeks to ensure that the UK has enough reliable electricity capacity to meet current and future electricity demand. Operation under the Capacity Market is subject to bidding into a competitive auction and it would be necessary for a DCO to be made in order to participate in this auction. Accordingly the design of the scheme and the terms of the draft Order have paid regard to the need for a competitive bid. However, participating in, or being successful in, the Capacity Market is not a prerequisite for PPL to construct and operate the Project.
- 4.3 A brief description of the elements that comprise the Project is set out below. More detail on these elements can be found in Section 4 of the Environmental Statement (Document Reference 6.1).

- 4.4 The Power Generation Plant would be a Simple Cycle Gas Turbine ("SCGT") gas fired 'peaking' power generating plant. To generate up to 299 MWe, between 1 and 5 Gas Turbine Generators would be used, either each with its own emission flue stack or one stack for a pair of turbines, each stack to be between 25m and 30m in height. The Power Generation Plant would further be composed of a banking compound; a gas receiving installation; a black start generator; water tanks and support buildings and structures. The location of the Power Generation Plant is shown on the Power Generation Plant Land Plan (Sheet 1, Document Reference 2.6) and the various components that comprise the Power Generation Plant are shown on Figure 2 of the Works Plans (Document Reference 2.7).
- 4.5 To function, the Power Generation Plant requires an electrical connection to export the electricity generated to the national electricity transmission system. The integral Cable would connect the Power Generation Plant to the Electrical Connection Compound, in summary:
- 4.5.1 the Cable would commence in the banking compound (within the Power Generation Plant) and exit the western edge of the Power Generation Plant Site and head south down Potash Lane (the former Eye Airfield Main Runway) before turning west, to the south of the Speed Deck factory and crossing the northern edge of the agricultural field towards the A140. At the A140, the Cable would pass under the road before heading in a westerly direction across agricultural land towards the 400 kV overhead line;
- 4.5.2 on the west of the A140, the Cable would cross agricultural fields in a near perfect east – west orientation. To the west of these fields, the Cable would pass under Leys Lane and continue west, running parallel to an existing hedge line until it meets the Electrical Connection Compound Site;
- 4.5.3 the total length of the Cable would be approximately 1.6km.
- 4.6 The Electrical Connection Compound would consist of a substation and a sealing end compound on agricultural land to the south of 'The Leys', north of Mellis Road. The sealing end compound would be approximately 45m X 22m located on the west side of the existing overhead line. The substation would be located on the east side of the existing overhead line. A substation can either be an air insulated substation (AIS) or a gas insulated substation (GIS). PPL considers that the substation with AIS technology is appropriate and acceptable in the location of the Electrical Connection Compound. The substation with AIS technology would be 150 m X 150 m. In the event that it is considered that the substation should be of a GIS design, then the substation would be 80m x 100 m. Both technology choices would be sited within the parameters of Work No. 5 (see Schedule 1 to the draft

Order and Sheet 2 of 2 of Figure 1, Works Plan (Document References 3.1 and 2.7 respectively).

- 4.7 The Electrical Connection Compound would be constructed, owned and operated by NGET.
- 4.8 Permanent access to both the Cable and the Electrical Connection Compound would be required for construction and subsequent maintenance of the Electrical Connection Compound. This would be provided via a new permanent Access Road to be constructed along the route of the Cable between the A140 and the Electrical Connection Compound. The A140 Junction would comprise a new three way highway junction (T-Junction) with 'Give Way' signals onto the A140. The track itself would be a single lane surfaced road with passing places. The Access Road and the A140 Junction are shown on Sheets 1 and 2 of Figure 1, Works Plans (Document Reference 2.7) as Work No. 7.
- 4.9 A key part of the Power Generation Plant is its fuel. The Gas Connection would be a new underground gas pipeline connection to bring natural gas to the Power Generation Plant from the existing high pressure gas NTS located off Potash Lane. The Gas Connection would be composed of an AGI comprising of a PIG Trap Facility alongside a MOC, and an approximate 1.7km (taken from the indicative centreline of Work No. 4) gas pipeline laid to the gas receiving installation in the Power Generation Plant (as shown on Sheet 1 of Figure 1, Works Plans, Document Reference 2.7).
- 4.10 The MOC would be constructed, owned and operated by National Grid Gas while the PIG Trap Facility would be constructed, owned and operated by PPL.
- 4.11 The proposed Power Generation Plant, Gas Connection and Electrical Connection are referred to as the Project. The Project comprises works that are classed as the nationally significant infrastructure project and works that are classed as associated development under the Act.
- 4.12 The Power Generation Plant, Gas Connection and Cable constitute the nationally significant infrastructure project elements of the Project.
- 4.13 The Electrical Connection Compound, Access Road and the A140 Junction constitute the associated development elements of the Project.

5. LOCATION AND DESCRIPTION OF THE ORDER LAND

5.1 Description of the Order Limits

- 5.1.1 The site required to facilitate the Project is located on land at the former Eye Airfield located in Eye, Mid Suffolk. This section

describes the Order Limits together with key features and characteristics of the surrounding landscape.

- 5.1.2 The entire Project lies within the administrative boundaries of:
- (a) in respect of the lower-tier district council, Mid Suffolk District Council;
 - (b) in respect of the upper-tier county council, Suffolk County Council.
- 5.1.3 The MSDC area includes Stowmarket Urban District, Gipping Rural District, Hartismere Rural District and Thedwastre Rural District. These areas comprise a mixture of urban, semi-urban and rural communities, with the nearest population centre being Eye 1km to the south of the Power Generation Plant Site (population approximately 1,800).
- 5.1.4 Discussions and consultations on a range of matters have been held with both Councils since May 2013 as documented in the Consultation Report (Document Reference 5.1).
- 5.1.5 The Order Limits covers an area of approximately 28.96ha and comprises part of agricultural land forming parts of White House Farm, Red House Farm and Vine Farm; parts of disused runway complex at Eye Airfield, private road known as Potash Lane, private access track serving Yaxley Lake and part of public adopted highways known as the A140, Old Norwich Road and Leys Lane. The Order Limits comprises the Power Generation Plant Site, the Gas Connection Site and the Electrical Connection Site.

Power Generation Plant Site

- 5.1.6 The area required by the Power Generation Plant extends to 8.67ha and is part of agricultural land forming part of White House Farm. This comprises of Plot 1_MS as shown on the Power Generation Land Plan (Sheet 1, Document Reference 2.6).
- 5.1.7 The approximate Grid Reference of the Power Generation Plant Site is 613239 275109 and the elevation is approximately 48m AOD.
- 5.1.8 The Power Generation Plant Site is a 8.67ha plot of land located within the former Eye Airfield. The former Eye Airfield accommodates several industrial parks, including: Brome Industrial Estate (to the north), Eye Airfield Industrial Estate (to the north-east), Mid Suffolk Business Park (to the east) and Oaksmere Business Park (to the west). The Power Generation

Plant Site is located within a larger triangular area directly to the east of the former 'main runway' and north of the former SW-NE runway.

- 5.1.9 The Power Generation Plant Site and immediate surrounding area is characterised by the remnants of the airfield, including the runway and the access roads. Buildings that once formed part of the airfield have been replaced by units accommodating various industrial activities including a power generation facility (the 12.7 MW Eye Chicken Litter Power Plant) and a National Grid Gas Compressor Station. Additionally, there are four large (130m high) wind turbines located on the former airfield. Two turbines to the west of Potash Lane operated by Triodos Renewables and two more to the south of the Power Generation Plant Site at Baldwin Farm.
- 5.1.10 The Power Generation Plant Site is comprised of agricultural land surrounded by a belt of trees and earth bund to the east, over which lies the National Grid Compressor Station. The Power Generation Plant Site is classed as Previously Developed Land within policy FC3 of the adopted Core Strategy (Mid Suffolk Local Development Framework, adopted 2008, reviewed in 2012).
- 5.1.11 The Power Generation Plant Site is accessed from a private road to the south, Potash Lane, which in turn connects to Castleton Way, via the former main runway. Castleton Way provides connectivity to either the B1077 to the east and the A140 to the west. The A140 is the main road between Norwich and Ipswich (each some 30km away) and provides onward connectivity to the A14, about 20km to the south. The A140 runs approximately 360m north from the site boundary at its closest point. The closest point of the B1077 to the site is approximately 460m east.
- 5.1.12 The Power Generation Plant Site is in Flood Zone one and therefore has a low probability of flooding.

Gas Connection Site

- 5.1.13 The Gas Connection would extend to 8.23ha in total (part of the Gas Connection is included within the Power Generation Plant Site). The Gas Connection Route Corridor would begin at the MOC within the AGI located to the south of the airfield, north of Castleton Way and east of Potash Lane. The Gas Connection Route Corridor would cross Potash Lane heading west and around the perimeter of the agricultural field. To the north of White House Farm, the Gas Connection Route Corridor traverses east, south of the Speed Deck Factory, then turning

north up Potash Lane before crossing the runway and continuing north into the south west corner of the Power Generation Plant Site.

- 5.1.14 The Gas Connection Route Corridor would connect to the AGI, to be located off Potash Lane at Grid Ref. TM 129 742.
- 5.1.15 Access to the AGI for maintenance / repair would be via a new access created off Potash Lane.
- 5.1.16 No new access points would be created to access the gas pipeline. In the unlikely event that there were issues with the operation of the gas pipeline, the route would be accessed on foot through existing open fields / alongside Potash Lane.
- 5.1.17 The Gas Connection Route Corridor is in Flood Zone one and therefore has a low probability of flooding.
- 5.1.18 The AGI is in Flood Zone one and therefore has a low probability of flooding.

Electrical Connection

- 5.1.19 The Electrical Connection comprises the Cable, which would extend to 5.89ha (part of the Cable is included in the Power Generation Plant Site) and is approximately 1.6km in length.
- 5.1.20 The Cable would exit the south western edge of the Power Generation Plant Site and head south down Potash Lane (the former Eye Airfield Main Runway) before turning west, to the south of the Speed Deck factory and crossing the northern edge of the agricultural field towards the A140. At the A140, the Cable would pass under the A140 and Old Norwich Road before heading in a westerly direction across the agricultural land towards the 400 kV line.
- 5.1.21 On the west of Old Norwich Road, the Cable would cross the agricultural fields in a near perfect east – west orientation. To the west of these fields, the Cable would pass under Leys Lane and continue west, running parallel to an existing hedge line until it meets the Electrical Connection Compound Site.
- 5.1.22 The Electrical Connection Route Corridor is in Flood Zone one and therefore has a low probability of flooding.
- 5.1.23 The Electrical Connection also comprises the Electrical Connection Compound, which would extend to 7.08ha (being the extent of Work No. 5 on the Works Plan (Sheet 2 of Figure 1, Document Reference 2.7).

- 5.1.24 The approximate Grid Reference of the Electrical Connection Compound Site is TM 116 748 and the elevation is approximately 45m AOD
- 5.1.25 The Electrical Connection Compound would consist of a substation and a sealing end compound on agricultural land to the south of 'The Leys', north of Mellis Road. The sealing end compound would be approximately 45m X 22m located on the west side of the existing overhead line. The substation would be located on the east side of the existing overhead line. A substation can either be an air insulated substation (AIS) or a gas insulated substation (GIS). PPL considers that the substation with AIS technology is appropriate and acceptable in the location of the Electrical Connection Compound. The substation with AIS technology would be 150m X 150m. In the event that it is considered that the substation should be of a GIS design, then the Substation would be 80m x 100m. Both technology choices would be sited within the parameters of Work No. 5 (see Schedule 1 to the draft Order and Sheet 2 of Figure 1, Works Plans (Document References 3.1 and 2.7 respectively).
- 5.1.26 The Electrical Connection Compound is in Flood Zone one and therefore has a low probability of flooding.
- 5.1.27 The Electrical Connection Compound would be located adjacent to an existing pylon and overhead high voltage transmission line to the south of The Leys, near Yaxley. It would be set within agricultural land in a diagonal arrangement to the small-scale rectangular field pattern. Topsoil stripped from the site would be used to raise ground levels in the surrounding planting areas.
- 5.1.28 Extensive mitigation planting containing the same locally native species of trees and shrubs as hedgerows nearby, would reduce views of the Electrical Connection Compound from nearby residential properties and Private Right of Ways.
- 5.1.29 The Electrical Connection also comprises the Access Road and the A140 Junction. Permanent access to both the Cable and the Electrical Connection Compound would be required for construction and subsequent maintenance of the Electrical Connection Compound. This would be provided via a new permanent Access Road to be constructed along the route of the Cable between the A140 and the Electrical Connection Compound. The A140 Junction would comprise a new three way highway junction (T-Junction) with 'Give Way' signals onto the A140. The Access Road itself would be a single lane road with passing places. The Access Road and the A140 Junction

are shown on the Works Plan (Figure 1) (Document Reference 2.7) as Work No. 7.

5.2 Description of the Order Land

- 5.2.1 PPL is seeking compulsory purchase powers to secure certain lands, new rights and interests within the Order Limits to facilitate the Project.
- 5.2.2 The land over which compulsory purchase powers are sought in respect of the freehold is shown edged red and shaded pink on the Land Plans (Sheets 1, 2, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the acquisition, in Table 1, at paragraph 6.3.1. Article 17 of the draft Order is relied upon in respect of this land.
- 5.2.3 The land over which rights are being compulsorily sought is shown edged red and shaded blue on the Land Plans (Sheets 2, 3, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the acquisition of the rights, in Table 2, at paragraph 6.4.2. Article 20 of the draft Order is relied upon in respect of these rights.
- 5.2.4 The land over which temporary use is sought is shown (for ease of understanding) edged red and shaded yellow on the Land Plans (Sheets 2, 3, 4 and 5, Document Reference 2.6). This land is described in more detail, together with the reason for the use being sought, in Table 3, at paragraph 6.5.2. Articles 15, 26 and 27 of the draft Order are relied upon in respect of this land and as such no compulsory acquisition of rights is sought.
- 5.2.5 It can be seen from the Electrical Connection Land Plan (Sheet 4, Document Reference 2.6) and the A140 Junction Land Plan (Sheet 5, Document Reference 2.6) that the new rights being compulsorily acquired in respect of Plot 9_ER and the temporary use of land in respect of Plot 3_JW overlap. This is because the new right is in respect of the construction, installation, use and maintenance of an underground cable, whilst the temporary use is in respect of the above ground as a construction compound.

5.3 Private rights, interests, other rights and restrictive covenants affecting the Order Land

- 5.3.1 Pursuant to Article 21 of the draft Order:
 - (a) all private rights over land subject to compulsory acquisition under the draft Order are to be extinguished;

- (b) all private rights over land subject to the compulsory acquisition of rights under the draft Order are to be suspended and unenforceable or, where so notified by PPL, extinguished in so far as in either case their continuance would be inconsistent with the exercise of that right;
 - (c) all private rights over land of which PPL takes temporary possession under the draft Order are to be suspended and unenforceable for so long as PPL remains in possession of the land and so far their continuance would be inconsistent with the exercise of the temporary possession of that land.
- 5.3.2 Article 18 of the draft Order is based on Section 237 of the Town and Country Planning Act 1990 and gives PPL the authority to carry out or use the authorised development and do anything else authorised by the draft Order notwithstanding that it involves the interference with an interest or right (meaning any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land including any natural right to support) or a breach of a restrictive covenant. In this case, the interest, right or restrictive covenant would be overridden.
- 5.3.3 Table 4, at paragraph 6.6.2, identifies those plots where rights may be suspended or extinguished under Article 22 and where interests, rights and restrictive covenants may need to be overridden under Article 18, together with the reason for such suspension, extinguishment or overriding.

Private rights to be extinguished (under Articles 21(1) and 28 the draft Order) and interests, other rights and restrictive covenants to be overridden under Article 18 the draft Order

- 5.3.4 **Plot 1_MS (as shown on the Power Generation Plant Land Plan (Sheet 1, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of UK Power Networks (Operations) Limited, which PPL has requested protective provisions regarding) detailed in the fourth column of the table at section 1.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Power Generation Plant (Document Reference 4.3)) are to be overridden or extinguished as provided for in Articles 18, 21(1) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.

- 5.3.5 **Plot 7_GR (as shown on the Gas Connection Land Plan (Sheet 2, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Gas plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection (Document Reference 4.3)) are to be overridden or extinguished as provided for in Articles 18, 21(1) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.
- 5.3.6 **Plots 14_ER, 17_ER and 19_ER (as shown on the Electrical Connection Land Plan (Sheet 4, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Electricity Transmission plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection (Document Reference 4.3)) are to be overridden or extinguished as provided for in Articles 18, 21(1) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.
- 5.3.7 **Plot 16_ER (as shown on the Electrical Connection Land Plan (Sheet 4, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection (Document Reference 4.3)) are to be overridden or extinguished as provided for in Articles 18, 21(1) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.
- 5.3.8 **Plots 1_JW and 2_JW (as shown on the A140 Junction Land Plan (Sheet 5, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 4.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect

of the A140 Junction (Document Reference 4.3)) are to be overridden or extinguished as provided for in Articles 18, 21(1) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.

Private rights to be suspended or extinguished (under Articles 21(2) and (4) and Article 28) and interests, other rights and restrictive covenants to be overridden under Article 18 the draft Order)

- 5.3.9 **Plots 1a_GR, 2_GR and 2a_GR (as shown on the Gas Connection Land Plan (Sheet 2, Document Reference 2.6)) and Plots 1a_ER, 2_ER and 2a_ER (as shown on the Electrical Connection Land Plan (Sheet 3, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of UK Power Networks (Operations) Limited which PPL has requested protective provisions regarding) as detailed in the fourth column of the table at section 2.3 and the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection and the Electrical Connection respectively (Document Reference 4.3)) are to be overridden, suspended or extinguished as provided for in Articles 18, 21(2), 21(4) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.

- 5.3.10 **Plots 3_GR, 3a_GR, 6_GR and 6a_GR (as shown on the Gas Connection Land Plan (Sheet 2, Document Reference 2.6)) and Plots 3_ER and 3a_ER (as shown on the Electrical Connection Land Plan (Sheet 3, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except in the case of plots 6_GR and 6a_GR the right to pass and repass with or without vehicles over a 6m strip located at the western edge of the disused runway complex (Potash Lane) from Castleton Way for the benefit of units within Oaksmere Business Park, the freeholder of Eye Industrial Estate and units adjoining Plot 1_MS) as detailed in the fourth column of the table at section 2.3 and the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection and the Electrical Connection respectively (Document Reference 4.3)) are to be overridden, suspended or extinguished as provided for in Articles 18, 21(2), 21(4) and 28 of the draft Order. In this respect, as stated in

paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.

- 5.3.11 **Plots 1_GR, 2b_GR, 4_GR, 4a_GR, and 7a_GR (as shown on the Gas Connection Land Plan (Sheet 2, Document Reference 2.6)) and Plots 1_ER, 2b_ER, 4_ER, 4a_ER, 4b_ER, 4c_ER, 5_ER and 6_ER (as shown on the Electrical Connection Land Plan (Sheet 3, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Gas plc which PPL is in the process of agreeing protective provisions regarding) as detailed in the fourth column of the table at section 2.3 and the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection and the Electrical Connection respectively (Document Reference 4.3)) are to be overridden, suspended or extinguished as provided for in Articles 18, 21(2), 21(4) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.
- 5.3.12 **Plot 18_ER (as shown on the Electrical Connection Land Plan (Sheet 3, Document Reference 2.6)):** the covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Electricity Transmission plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection (Document Reference 4.3)) are to be overridden, suspended or extinguished as provided for in Articles 18, 21(2), 21(4) and 28 of the draft Order. In this respect, as stated in paragraphs 5.3.17 and 5.3.18 below, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.

MATTERS AFFECTING THE ORDER LAND AND BEING INTERFERED WITH BY THE PROJECT

Public Highways

- 5.3.13 Within the Order Land, there are the following publically adopted highways which will be affected the Project:

- (a) A140 affected by the Cable and A140 Junction works as shown on the Electrical Connection Land Plan and the A140 Junction Land Plan (Sheets 3 and 5 respectively, Document Reference 2.6);
- (b) Old Norwich Road affected by the Cable and A140 Junction works as shown on the Electrical Connection Land Plan and the A140 Junction Land Plan (Sheets 3 and 5 respectively, Document Reference 2.6); and
- (c) Leys Lane affected by the Cable as shown on the Electrical Connection Land Plan (Sheet 3 and 4, Document Reference 2.6).

5.3.14 In respect of these public highways, PPL is not seeking formal rights of acquisition or new rights over the highways but is relying on Articles 8, 9, 10, 11, 25 and 26 of the draft Order (any interference with rights, restrictions etc over the Order land arising from the exercise of any articles in the Order which provide statutory to access and/or use land within the Order limits are captured in Part 3 of the Book of Reference) in relation to street works to enter onto them and to lay and maintain apparatus in them, to construct means of access and to create temporary prohibitions and restrictions of the use of such streets to carry out such works. The reference on the Electrical Connection Land Plan (Sheets 3 and 4, Document Reference 2.6) to new rights being acquired across these public highways is to new rights being acquired below the public highway should there be a need to install the Cable below the publically adopted layer of the highway.

5.3.15 Access to all premises adjoining public highways affected by the Project will be maintained at all times during the execution and operation of the works and will not be materially affected by the operation of the Project.

Private rights of way

5.3.16 Save in respect of plots 3_GR, 3_ER, 3a_GR and 3a_ER, PPL is not seeking to suspend or extinguish any rights of access to units within Oaksmere Business Park, the freeholder of Eye Industrial Estate and the units adjoining Plot 1_MS. In this respect, access to all premises from private rights of way will be maintained at all times during the execution and operation of the works and will not be materially affected by the operation of the Project. With regard to plots 3_GR, 3_ER, 3a_GR and 3a_ER, PPL may need to suspend access across these plots during construction but is seeking rights to allow vehicles to pass and re-pass across plots 2_GR, 2_ER, 2b_GR and 2b_ER

in order to ensure uninterrupted access to the users of this private road.

Utility Rights

5.3.17 Where the rights of utilities, in relation to their apparatus, are interfered with steps will be taken to remove or reposition their apparatus so that utility services can be reinstated, maintained and operated. Articles 28 and 29 of the draft Order will be relied upon in this respect.

5.3.18 Where private rights of utilities are interfered with, steps will be taken either to ensure that the utility continues to function or the apparatus is removed or repositioned so that the utility can be reinstated, maintained and operated.

5.3.19 PPL has contacted National Grid, UK Power Networks and Anglian Water to discuss protective provisions and is actively negotiating the same with National Grid.

6. NEED FOR THE COMPULSORY ACQUISITION OF LAND AND RIGHTS

6.1 The matters to which the Secretary of State must have regard

6.1.1 Under Section 122 of the Act, a DCO which includes compulsory acquisition powers may be granted only if the conditions in Sections 122(2) and 122(3) of the Act are met. The conditions to be met are:

(a) at Section 122(2), that the land is required for the development to which the DCO relates or is required to facilitate or is incidental to the development (see paragraphs 6.2, 6.3, 6.4, 6.5 and 6.6 below); and

(b) at Section 122(3), there is a compelling case in the public interest for inclusion of powers of compulsory acquisition in the DCO. The Secretary of State must be persuaded that the public benefits from the compulsory acquisitions will outweigh the private loss suffered by those whose land is to be acquired (see paragraphs 6.2, 6.3, 6.4, 6.5 and 6.6 and Section 7 below).

6.1.2 In respect of the Section 122(2) condition, the Guidance (at paragraph 11) states that applicants should be able to demonstrate to the satisfaction of the Secretary of State that the land in question is needed for the development for which consent is sought. The Guidance goes on to say that the Secretary of State will need to be satisfied that the land to be

acquired is no more than is reasonably required for the purposes of the development.

- 6.1.3 In respect of the Section 122(3) condition, the Guidance (at paragraph 13) states that the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired. At paragraph 14, the Guidance states that in determining where the balance of public interest lies, the Secretary of State will weigh up the public benefits that a scheme will bring against any private loss to those affected by compulsory acquisition.
- 6.1.4 Further, paragraphs 8 to 10 of the Guidance also sets out a number of general considerations that the applicant must demonstrate to the satisfaction of the Secretary of State when justifying an order authorising compulsory acquisition. These are as follows:
- (a) that all reasonable alternatives to compulsory acquisition (including modifications to the Project) have been explored (see paragraph 6.7 below);
 - (b) that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose and is necessary and proportionate (see paragraphs 6.3, 6.4, 6.5 and 6.6 below);
 - (c) that PPL has a clear idea of how it intends to use the land which it is proposed to acquire (see paragraphs 6.3, 6.4, 6.5 and 6.6 below);
 - (d) that there is a reasonable prospect of the requisite funds for the acquisition becoming available (see the Funding Statement (Document Reference 4.2); and
 - (e) that the purposes for which compulsory acquisition of land powers are included in the DCO are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected (see paragraphs 6.3, 6.4, 6.5 and 6.6 and Section 7 below).
- 6.1.5 This statement sets out the factors that PPL considers demonstrate that the conditions in Section 122 of the Act, and the considerations set out in the Guidance, are satisfied.

6.2 **Need for Compulsory Acquisition of Land and Rights (Sections 122(2) and (3) of the Act)**

6.2.1 As stated above at paragraph 3.2.3, PPL completed an option agreement for that part of the Order Limits on which:

- (a) the Power Generation Plant is to be located (Plot 1_MS shown on the Power Generation Plant Land Plan, Sheet 1, Document Reference 2.6);
- (b) part of the Gas Connection is to be located (Plots 1_GR, 2_GR, 3_GR and 4_GR shown on the Gas Connection Land Plan, Sheet 2, Document Reference 2.6); and
- (c) part of the Electrical Connection Route Corridor is to be located (Plots 1_ER, 2_ER, 3_ER and part of 4_ER shown on the Electrical Connection Land Plans, Sheet 3, Document Reference 2.6).

However, PPL is including this land within the Order Land in order to ensure that certain easements and other private rights identified as affecting that land are extinguished so as to facilitate the construction and operation of the Project without hindrance (see sections 1.2, 1.3, 2.2, 2.3, 3.2 and 3.3 of the Book of Reference (Document Reference 4.3)). In addition, there may be unknown rights, restrictions, easements or servitudes affecting that land which also need to be overridden, removed and/or extinguished in order to facilitate the construction and operation of the Project without hindrance.

6.2.2 In addition, to ensure that the Project can be facilitated, and the Government's policy in relation to the timely provision of new generating capacity is met within a reasonable timescale, PPL requires the acquisition of a number of property interests in third party ownership and the grant of powers to facilitate acquisition and/or creation of new rights and interests and to suspend or extinguish rights and other interests in or over land.

6.2.3 PPL has been seeking to acquire the remaining land, temporary use of land and rights (shown edged red and shaded pink, yellow and blue respectively on the Gas Connection Land Plan, Electrical Connection Land Plans, and the A140 Junction Land Plan (Sheets 2, 3, 4 and 5, Document Reference 2.6) by private treaty, in order to ensure implementation of the Project. However, it has not yet been possible to acquire all of the land, the temporary use of land and the rights required by private treaty. In addition, PPL requires certain matters to be suspended, overridden or extinguished within the Order Land

so as to ensure there are no impediments to the construction, operation and maintenance of the Project.

- 6.2.4 In the absence of powers of compulsory acquisition, the Order Land may not be assembled, uncertainty will continue to prevail and PPL considers that its objectives and Government policy objectives would not be achieved.
- 6.2.5 Whilst seeking compulsory purchase powers, PPL will also endeavour to purchase the land, the temporary use of land, the rights and other interests, as well as secure the removal of matters affecting the Order Land that may impede the Project, by agreement wherever possible. This approach of making the application for powers of compulsory acquisition in the Application for the DCO and, in parallel, conducting negotiations to acquire land by agreement, accords with paragraph 26 of the Guidance.
- 6.2.6 PPL's justification for seeking compulsory purchase powers, in accordance with the provisions of the Act, is to secure land, the temporary use of land, the rights and other interests required to enable PPL to construct, operate and maintain the Project within a reasonable commercial timeframe. The inclusion of powers of compulsory acquisition in the draft Order is sought in order to ensure that this can be achieved. The land and rights together with the land required for temporary use is no more than that is required to facilitate the Project, its construction and future maintenance. The necessary powers, together with powers to suspend, override and extinguish rights and other interests in or over land, are contained in Part 3 and Part 5 of the draft Order which accompanies the Application.

6.3 **Compulsory Acquisition of freehold**

- 6.3.1 The intended purpose for which land is subject to proposed powers of compulsory acquisition in Article 17 of the draft Order is summarised in Table 1. This is described by reference to the Work Nos. set out in Schedule 1 to the draft Order and shown on the Works Plans (Document Reference 2.7) and by plot number as referenced in the Book of Reference and Land Plans (Sheets 1, 2, 4 and 5, Document References 4.3 and 2.6 respectively). Table 1 should be read together with those documents.

Table 1²

² With reference to Tables 1 - 4, the purpose of the 'Reasons for Acquisitions' column is not to identify the right(s) to be acquired. These rights are already listed in the Book of Reference (Document Reference 4.3). The intended purpose of this column is to provide the reasoning behind the acquisition of those rights, as well as referencing the relevant works packages relating to each numbered plot. For a full description of the rights, please refer to the Book of Reference.

Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
1_MS	1A	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. up to 5 Gas Turbine Generators with a combined nominal gross electrical output of 50 - 299 MWe; and 2. up to 5 exhaust gas emission flue stacks. 	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.</p>
1_MS	1B	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. an administration building; 2. a store; 3. a control room/office/workshop; 4. telemetry apparatus; 5. black start diesel generator; 6. a raw/ fire water tank and demineralised water storage tank; and 7. a natural gas receiving station and gas treatment compound 	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.</p>

³ Reference to a Work Number means either the Work is within the Plot or the Plot is required in order to construct, operate and/or maintain the Work. This applies to Tables 1, 2, 3 and 4.

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		containing a PIG receiving facility; isolation valves, metering, heating, filtering, compression, pressure regulation equipment; electricity supply kiosk; and control and instrumentation kiosks.	
1_MS	1C	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. a switchyard / banking compound containing up to seven transformers, switchgear building and other plant required to manage the transmission of electricity. 	An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.
1_MS	1D	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. security infrastructure, including cameras, perimeter fencing and a gatehouse; 2. site lighting infrastructure, including 	An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		<p>perimeter lighting columns;</p> <p>3. internal roadways, car parking, pedestrian network, cycle parking, hardstanding and water treatment trailers;</p> <p>4. site drainage, attenuation pond and waste management infrastructure;</p> <p>5. electricity, water, wastewater and telecommunications and other services;</p> <p>6. landscaping including tree planting, fencing and other boundary treatments and ecological mitigation;</p> <p>7. high voltage and low voltage cabling, equipment and controls and associated telemetry and electrical protection auxiliary cabling;</p> <p>8. underground gas pipeline connection, associated telemetry and cathodic protection test / transformer rectifier unit;</p> <p>9. other ancillary equipment; and</p> <p>10. new means of accesses from Potash Lane</p>	

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		including permanent road surface, gates and fencing.	
1_MS	2	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. a maintenance compound including new hardstanding; 2. landscaping including tree planting, fencing and other boundary treatments; and 3. site drainage. 	An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.
1_MS	4	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; 2. pipeline field marker posts and cathodic protection test/ 	An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		<p>transformer rectifier unit;</p> <p>3. below ground drainage works;</p> <p>4. tree and hedge removal; and</p> <p>5. landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p>	
1_MS	6	<p>Agricultural land forming part of White House Farm situated to the east of Eye Industrial Park and west of the National Grid Gas compound, Eye for the purpose of:</p> <p>1. an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length; and</p> <p>2. joint bays in relation to Work No. 6a.</p>	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of plot 1_MS.</p>
7_GR	3A	<p>Part of agricultural land forming part of White House Farm situated north of Castleton Way and to the east of the access road leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for the purpose of:</p> <p>1. an above ground</p>	<p>A fully termed offer to acquire the land was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		<p>installation (consisting of a minimum offtake connection compound) containing a minimum offtake connection comprising remotely operable valves, control and instrumentation kiosks and electrical supply kiosks; and a PIG facility, comprising a PIG launching facility, emergency control valves, isolation valves, control and instrumentation kiosks, and electricity supply kiosks;</p> <p>2. security infrastructure, including cameras, lighting (including perimeter lighting columns) and perimeter fencing;</p> <p>3. site drainage and waste management infrastructure;</p> <p>4. electricity and telecommunications connections and other services;</p> <p>5. below ground sacrificial anode pit;</p> <p>6. landscaping including tree planting, fencing and other boundary treatments and ecological mitigation; and</p>	<p>terms will be reached early this summer.</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		7. other ancillary equipment.	
7_GR	3B	<p>Part of agricultural land forming part of White House Farm situated north of Castleton Way and to the east of the access road leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. a new means of access between Potash Lane and numbered work 3A, including permanent road surface, gates, fencing, drainage and landscaping. 	<p>A fully termed offer to acquire the land was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
7_GR	4	<p>Part of agricultural land forming part of White House Farm situated north of Castleton Way and to the east of the access road leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; 2. pipeline field marker posts and cathodic 	<p>A fully termed offer to acquire the land was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		<p>protection test/transformer rectifier unit;</p> <p>3. below ground drainage works;</p> <p>4. tree and hedge removal; and</p> <p>5. landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p>	
14_ER	5a, 5c, 5d, 5e and 5f	<p>Part of agricultural land forming part of Vine Farm situated to the north of Vine Farm, west of Leys Lane and south of The Leys, Eye for the purpose of:</p> <p>1. 400kV substation;</p> <p>2. underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling;</p> <p>3. security infrastructure including perimeter fencing with gates, security cameras and site lighting;</p> <p>4. landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; and</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer was made on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		5. internal roadways, car parking, pedestrian network and hardstanding for planned maintenance.	
15_ER	5a, 5c, 5d, 5e and 5f	<p>Part of agricultural land forming part of Red House Farm situated to the north of Vine Farm, west of Leys Lane and south of The Leys, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. 400kV substation; underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling; 3. security infrastructure including perimeter fencing with gates, security cameras and site lighting; 4. landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; and 5. internal roadways, car parking, pedestrian network and hardstanding for planned maintenance. 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer was made on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
16_ER	5a, 5c, 5d,	Part of agricultural land forming part of Vine Farm situated to the north of Vine	Discussions and a meeting with the owners took place in March 2014 and a fully termed offer

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
	5e and 5f	<p>Farm, west of Leys Lane and south of The Leys, Eye for the purpose of:</p> <ol style="list-style-type: none"> 400kV substation; underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling; security infrastructure including perimeter fencing with gates, security cameras and site lighting; landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; and internal roadways, car parking, pedestrian network and hardstanding for planned maintenance. 	<p>was made on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>
17_ER	5a, 5c, 5d, 5e and 5f	<p>Part of agricultural land forming part of Vine Farm situated to the north of Vine Farm, west of Leys Lane and south of The Leys, Eye for the purpose of:</p> <ol style="list-style-type: none"> 400kV substation; underground high voltage electrical cables and associated telemetry and electrical 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer was made on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		<p>protection auxiliary cabling;</p> <p>3. security infrastructure including perimeter fencing with gates, security cameras and site lighting;</p> <p>4. landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation; and</p> <p>5. internal roadways, car parking, pedestrian network and hardstanding for planned maintenance.</p>	<p>set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>
19_ER	5b, 5c, 5d and 5e	<p>Part of agricultural land forming part of Vine Farm situated north of Vine Farm, west of Leys Lane and south west of The Leys, Eye for the purpose of:</p> <p>1. 400kV cable sealing end compound;</p> <p>2. underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling;</p> <p>3. security infrastructure including perimeter fencing with gates, security cameras and site lighting; and</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer was made on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly</p> <p>Discussions are ongoing.</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		4. landscaping including bunds, tree planting, fencing and other boundary treatments and ecological mitigation.	
1_JW	7	<p>Land forming part of White House Farm between the A140 and Old Norwich Road situated to the north of White House Farm, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works. 	<p>A fully termed offer to acquire the land was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer</p>
2_JW	7	<p>Land forming part of White House Farm between the A140 and Old Norwich Road situated to the north of White House Farm, Eye for the purpose of:</p> <ol style="list-style-type: none"> 1. new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, 	<p>A fully termed offer to acquire the land was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

Table 1 ²			
Plot No.	Work No. ³	Reason for Acquisition	Status of Negotiation
		landscaping and tree and hedge removal and other incidental works.	

6.4 Compulsory Acquisition of / Creation of New Rights

6.4.1 A number of rights are sought to facilitate PPL and all persons authorised on its behalf to construct, use and maintain at all times both, during and post construction periods, the Gas Connection and Electrical Connection (such rights are described in the Book of Reference in Sections 2 and 3 (Document Reference 4.3). Routes have been chosen to avoid adverse impacts on land not owned by PPL.

6.4.2 The intended purpose for which new rights are sought under Article 20 of the draft Order, is summarised in Table 2 (the table also highlights where a temporary use of the land may be required to facilitate the works associated with the new right being acquired). This is described by reference to the Work Nos. set out in Schedule 1 to the draft Order and shown on the Works Plan (Document Reference 2.7) and by plot number as referenced in the Book of Reference and Land Plans (Sheets 2, 3, 4 and 5, Document References 4.3 and 2.6 respectively) Table 2 should be read together with those documents.

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
1_GR	4	Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park, Eye for: 1. the right to: a. construct, install, use and maintain a new underground gas pipeline connection and	An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 1_GR.

TABLE 2

Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A;</p> <p>b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>c. construct, install, use and maintain below ground drainage works;</p> <p>d. carry out tree and hedge removal; and</p> <p>e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
2_GR	4	Land forming part of the disused runway complex at Eye Airfield situated to the	An option agreement to purchase the land was signed on 19 April 2013 giving rights to

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>east of Oaksmere Business Park, Eye for:</p> <ol style="list-style-type: none"> 1. the right to: <ol style="list-style-type: none"> a. construct, install, use and maintain a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/transformer rectifier unit; c. construct, install, use and maintain below ground drainage works; d. carry out tree and hedge removal; and e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological 	PPL to acquire inter alia the right to an easement over 2_GR.

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>mitigation.</p> <p>2. the temporary use (including the passing and re-passing of vehicles) for the purpose of constructing and installing the above.</p>	
3_GR	4	<p>Land forming part of the private access road known as Potash Lane situated to the east of Oaksmere Business Park, Eye for:</p> <p>1. the right to:</p> <p>a. construct, install, use and maintain a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A;</p> <p>b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>c. construct, install, use and maintain below ground</p>	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 3_GR.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>drainage works;</p> <p>d. carry out tree and hedge removal; and</p> <p>e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p> <p>2. the temporary use (including the passing and re-passing of vehicles) for the purpose of constructing and installing the above.</p>	
4_GR	4	<p>Part of agricultural land, part of wooded area and part of an access track forming part of White House Farm situated to the south of Oaksmere Business Park, east of the A140 and north of Castleton Way, Eye for:</p> <p>1. the right to:</p> <p>a. construct, install, use and maintain a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment</p>	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 4_GR.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>compound in Work No. 1B to Work No. 3A;</p> <p>b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>c. construct, install, use and maintain below ground drainage works;</p> <p>d. carry out tree and hedge removal; and</p> <p>e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
5_GR	4	Part of agricultural land, part of wooded area and part of an access track forming part of White House Farm situated to the south of Oaksmere Business Park, east of the A140 and north of Castleton Way, Eye for:	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>1. the right to:</p> <ul style="list-style-type: none"> a. construct, install, use and maintain a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/ transformer rectifier unit; c. construct, install, use and maintain below ground drainage works; d. carry out tree and hedge removal; and e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological mitigation. <p>2. the temporary use for</p>	<p>proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 2

Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		the purpose of constructing and installing the above.	
6_GR	3B	<p>Land forming part of the private access road known as Potash Lane leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for:</p> <ol style="list-style-type: none"> 1. the right to a new means of access between Potash Lane and numbered work 3A, including permanent road surface, gates, fencing, drainage and landscaping; and 2. the temporary use for the purpose of constructing and installing the above. 	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
6_GR	4	<p>Land forming part of the private access road known as Potash Lane leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for:</p> <ol style="list-style-type: none"> 1. the right to: <ol style="list-style-type: none"> a. construct, install, use and maintain a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station 	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>and gas treatment compound in Work No. 1B to Work No. 3A; and</p> <p>b. construct, install, use and maintain pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>c. construct, install, use and maintain below ground drainage works;</p> <p>d. carry out tree and hedge removal; and</p> <p>e. carry out and maintain landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
1_ER	6	<p>Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye for:</p> <p>1. the right to construct,</p>	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 1_ER.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a;</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
2_ER	6	<p>Land forming part of the disused runway complex at Eye Airfield situated to the east of Oaksmeare Business Park and to the south west of the National Grid Gas compound, Eye for the purpose of:</p> <p>1. the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and</p> <p>2. the temporary use (including the passing and re-passing of vehicles) for the purpose of constructing and installing the above.</p>	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 2_ER..</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
3_ER	6	<p>Land forming part of the private access road known as Potash Lane situated to the east of Oaksmere Business Park, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of constructing and installing the above. 	<p>An option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire inter alia the right to an easement over 3_ER.</p>
4_ER	6	<p>Part of agricultural land and part of access track situated to the south of Oaksmere Business Park and south of White House Farm buildings, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of 	<p>In respect of part of this plot, an option agreement to purchase the land was signed on 19 April 2013 giving rights to PPL to acquire the freehold of the Power Generation Plant Site.</p> <p>In respect of the remaining part of this plot, a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014. Discussions are ongoing.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		constructing and installing the above.	terms will be reached early this summer.
5_ER	6	<p>Land forming part of public adopted highway known as the A140 situated to the north of White House Farm, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of constructing and installing the above. 	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
6_ER	6	<p>Land forming part of White House Farm situated between the A140 and Old Norwich Road and north of White House Farm, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for 	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014..</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		the purpose of constructing and installing the above.	
7_ER	6	<p>Land forming part of the eastern half width of public adopted highway known as Old Norwich Road situated to the north of White House Farm, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of constructing and installing the above. 	<p>A fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
8_ER	6	<p>Land forming part of the western half width of public adopted highway known as Old Norwich Road situated to the north of White House Farm, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>bays in relation to Work No. 6a; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
9_ER	6	<p>Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south west of Yaxley Lake, Eye for:</p> <p>1. the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
10_ER	6	<p>Part of agricultural land forming part of Red House Farm situated to the west of Yaxley Lake and east of Leys Lane, Eye for:</p> <p>1. the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	shortly.
10_ER	7	<p>Part of agricultural land forming part of Red House Farm situated to the west of Yaxley Lake and east of Leys Lane, Eye for:</p> <p>1. the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
11_ER	6	<p>Land forming part of the eastern half width of public adopted highway known as Leys Lane, Eye for:</p> <p>1. the right to construct,</p>	Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
11_ER	7	<p>Land forming part of the eastern half width of public adopted highway known as Leys Lane, Eye for:</p> <p>1. the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
12_ER	6	<p>Land forming part of the western half width of public</p>	<p>Discussions and a meeting with the owners took place in March</p>

TABLE 2

Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>adopted highway known as Leys Lane, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of constructing and installing the above. 	<p>2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>
12_ER	7	<p>Land forming part of the western half width of public adopted highway known as Leys Lane, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and the temporary use for the purpose of constructing and 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		installing the above.	
13_ER	6	<p>Part of agricultural land forming part of Vine Farm situated to the north of Vine Farm and west of Leys Lane, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length joint bays in relation to Work No. 6a; and the temporary use for the purpose of constructing and installing the above. 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>
13_ER	7	<p>Part of agricultural land forming part of Vine Farm situated to the north of Vine Farm and west of Leys Lane, Eye for:</p> <ol style="list-style-type: none"> the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly.</p> <p>Discussions are ongoing.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>other incidental works; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
18_ER	5c	<p>Part of agricultural land and overhead transmission lines forming part of Vine Farm situated north of Vine Farm, west of Leys Lane and south west of The Leys, Eye for:</p> <p>1. the right to construct, install, use and maintain underground high voltage electrical cables and associated telemetry and electrical protection auxiliary cabling; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An initial and increased undertaking to owner's solicitor's costs has been given most recently on 9th June 2014. Initial questions were sent from the owner's solicitors on 22nd May 2014 and a full response made on 9th June 2014. A full set of comments on the terms of the offer is expected shortly</p> <p>Discussions are ongoing.</p>
4_JW	7	<p>Part of agricultural land and pond forming part of Red House Farm situated to the south of the access road from Old Norwich Road to Yaxley Lake, Eye for:</p> <p>1. the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	
5_JW	7	<p>Part of land, access road and car park entrance serving Yaxley Lake situated to the south of the access road from Old Norwich Road to Yaxley Lake, Eye for:</p> <p>1. the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and</p> <p>2. the temporary use for the purpose of constructing and installing the above.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
6_JW	7	Part of agricultural land forming part of Red House	Discussions and a meeting with the owners took place in March

TABLE 2			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye for:</p> <ol style="list-style-type: none"> 1. the right to construct, install, use and maintain a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works; and 2. the temporary use for the purpose of constructing and installing the above. 	<p>2014 and a fully termed offer to acquire the necessary rights in the subsoil was made by PPL to the owner on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly</p>

6.5 Temporary possession of land pursuant to the draft Order

6.5.1 Temporary use of land is required in order to facilitate PPL and all persons authorised on its behalf during the construction period of the Project (Table 2 above also contains references to temporary use of land where this is being secured by way of compulsory acquisition of rights).

6.5.2 The intended purpose for which temporary use is sought in particular under Articles 26 and 27 of the draft Order, is set out in Table 3 in respect of the "yellow" land shown on the Land Plans (Sheets 2, 3, 4 and 5 of Document Reference 2.6). This is described by reference to the Work Nos. set out in Schedule 1 to the draft Order and shown on the Works Plan (Document Reference 2.7) and by plot number as referenced in the Book of Reference and Land Plans (Sheets 2, 3, 4 and 5, Document

References 4.3 and 2.6 respectively). Table 3 should be read together with those documents.

- 6.5.3 In addition to the "yellow" land shown in Table 3 (which aligns with Schedule 8 of the draft Order), temporary use of other Order Land may be required prior to any compulsory acquisition of that land or rights in that land. This is reflected in article 26(1)(a)(ii) of the draft Order.

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
1a_GR	4	<p>Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> 1. construct and install a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; 2. construct and install pipeline field marker posts and cathodic protection test/ transformer rectifier unit; 3. construct and install below ground drainage works; 4. carry out tree and hedge removal; and 5. carry out landscaping including tree planting, 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014. Discussions are ongoing.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		fencing and other boundary treatments and ecological mitigation.	
2a_GR	4	<p>Land forming part of the disused runway complex at Eye Airfield situated to the east of Oaksmere Business Park, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> 1. construct and install a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; 2. construct and install pipeline field marker posts and cathodic protection test/transformer rectifier unit; 3. construct and install below ground drainage works; 4. carry out tree and hedge removal; and 5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation. 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
2b_GR	4	Land forming part of the disused runway complex at Eye Airfield situated to the	A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>south east of Oaksmere Business Park, Eye for the temporary use (including the passing and re-passing of vehicles) of land to:</p> <ol style="list-style-type: none"> 1. construct and install a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A; 2. construct and install pipeline field marker posts and cathodic protection test/ transformer rectifier unit; 3. construct and install below ground drainage works; 4. carry out tree and hedge removal; and 5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation. 	<p>March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
3a_GR	4	<p>Land forming part of the private access road known as Potash Lane situated to the south east of Oaksmere Business Park, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> 1. construct and install a 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A;</p> <ol style="list-style-type: none"> 2. construct and install pipeline field marker posts and cathodic protection test/ transformer rectifier unit; 3. construct and install below ground drainage works; 4. carry out tree and hedge removal; and 5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation. 	<p>responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
4a_GR	4	<p>Part of agricultural land, part of wooded area and part of an access track forming part of White House Farm situated to the south of Oaksmere Business Park, east of the A140 and north of Castleton Way, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> 1. construct and install a new underground gas pipeline connection and telemetry cabling, 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A;</p> <p>2. construct and install pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>3. construct and install below ground drainage works;</p> <p>4. carry out tree and hedge removal; and</p> <p>5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p>	
6a_GR	4	<p>Land forming part of the private access road known as Potash Lane leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for the temporary use of land to:</p> <p>1. construct and install a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work</p>	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>No. 3A;</p> <p>2. construct and install pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>3. construct and install below ground drainage works;</p> <p>4. carry out tree and hedge removal; and</p> <p>5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p>	
7a_GR	4	<p>Part of agricultural land forming part of White House Farm situated north of Castleton Way and to the east of the access road leading from Castleton Way to the disused runway complex at Eye Airfield, Eye for the temporary use of land to:</p> <p>1. construct and install a new underground gas pipeline connection and telemetry cabling, approximately 1.7km in length connecting the natural gas receiving station and gas treatment compound in Work No. 1B to Work No. 3A;</p> <p>2. construct and install</p>	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>pipeline field marker posts and cathodic protection test/ transformer rectifier unit;</p> <p>3. construct and install below ground drainage works;</p> <p>4. carry out tree and hedge removal; and</p> <p>5. carry out landscaping including tree planting, fencing and other boundary treatments and ecological mitigation.</p>	
1a_ER	6	<p>Part of public footpath numbered W-583/009/0 situated to the east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye for the temporary use of land to:</p> <p>1. construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a.</p>	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
2a_ER	6	<p>Land forming part of the disused runway complex at Eye Airfield situated to the east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye for the</p>	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		<p>temporary use of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a. 	<p>responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
2b_ER	6	<p>Land forming part of the disused runway complex at Eye Airfield situated to the south east of Oaksmere Business Park and to the south west of the National Grid Gas compound, Eye for the temporary use (including the passing and re-passing of vehicles) of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a. 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
3a_ER	6	<p>Land forming part of the private access road known as Potash Lane situated to the south east of Oaksmere Business Park, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a.	proposal has been sought it is expected that agreement to the terms will be reached early this summer.
4a_ER	6	<p>Part of agricultural land and access track situated to the south of Oaksmere Business Park and White House Farm buildings, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a. 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
4b_ER	6	<p>Part of agricultural land, part of access track and hard standing to White House Farm buildings situated to the south and west of Oaksmere Business Park and White House Farm buildings, Eye for the temporary use of land to;</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>

TABLE 3

Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		relation to Work No. 6a.	
4c_ER	6	<p>Part of agricultural land situated to the east of the A140 and south west of White House Farm buildings, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a. 	<p>A fully termed offer to acquire the necessary rights was made by PPL to the owner on 21 March 2014.</p> <p>The landowner's agent responded in detailed terms on 11th June 2014 and PPL responded on 2nd July 2014. Where clarification to the PPL proposal has been sought it is expected that agreement to the terms will be reached early this summer.</p>
9a_ER	6	<p>Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye for the temporary use of land to:</p> <ol style="list-style-type: none"> construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a. 	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights made on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>
9b_ER	6	<p>Part of agricultural land forming part of Red House Farm situated to the west of Old Norwich Road and south and south west of Yaxley Lake, Eye for the temporary use of land to:</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights made on 21 March 2014.</p> <p>An undertaking for the costs of the owner's agents and</p>

TABLE 3			
Plot No.	Work No.	Reason for Acquisition	Status of Negotiation
		1. construct and install an underground 400kV electrical cable circuit and associated telemetry and electrical protection auxiliary cabling, approximately 1.6km in length and joint bays in relation to Work No. 6a.	solicitors was given in March and initial comments on behalf of the owners are expected shortly.
3_JW	7	<p>Part of agricultural land forming part of Red House Farm situated to the south of the access road from Old Norwich Road to Yaxley Lake, Eye for the temporary use of land to:</p> <p>1. to construct and install a new means of access between Work No. 5 and the A140 including road widening, new turning lane, signing and road markings works, permanent road surface, gates, fencing, drainage, infilling, landscaping and tree and hedge removal and other incidental works.</p>	<p>Discussions and a meeting with the owners took place in March 2014 and a fully termed offer to acquire the necessary rights made on 21 March 2014..</p> <p>An undertaking for the costs of the owner's agents and solicitors was given in March and initial comments on behalf of the owners are expected shortly.</p>

6.6 Need for power to override interests, other rights and restrictive covenants (Article 18) and need for power to suspend or extinguish private rights⁴ (Articles 21 and 28)

6.6.1 As set out in paragraph 5.3 above, there is a need to override interests, rights (meaning any easement, liberty, privilege, right or advantage annexed to land and adversely affecting other land including any natural right to support) and any breaches of

⁴ Any interference with rights, restrictions etc over the Order land arising from the exercise of any articles in the Order which provide statutory to access and/or use land within the Order limits are captured in Part 3 of the Book of Reference

restrictive covenants as well as suspend or extinguish certain private rights.

- 6.6.2 The reason for such overriding, suspension or extinguishment is summarised in Table 4. This is described by reference to the Work Nos. set out in Schedule 1 to the draft Order and shown on the Works Plan (Document Reference 2.7) and by plot number as referenced in the Book of Reference and Land Plans (Sheets 1 to 5, Document References 4.3 and 2.6 respectively). Table 4 should be read together with those documents. Articles 18, 21 and 28 of the draft Order are relied upon.

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
Extinguishment or Overriding			

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1_MS	1A, 1B, 1C, 1D, 2, 4 and 6	The covenants, restrictions, easements and all other rights (except those for the benefit of UK Power Networks (Operations) Limited which PPL has requested protective provisions regarding) detailed in the fourth column of the table at section 1.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Power Generation Plant) have the potential to interfere with and hinder the construction, operation and maintenance of the Power Generation Plant, the Cable and the Gas Connection.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1_MS.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
7_GR	3A, 3B and 4	The covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Gas plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Gas Connection.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 7_GR.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
14_ER and 17_ER	5a, 5c, 5d, 5e and 5f	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Electricity Transmission plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Electrical Connection Compound.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 14_ER and 17_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
19_ER	5b, 5c, 5d and 5e	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Electricity Transmission plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Electrical Connection Compound.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 19_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
16_ER	5a, 5c, 5d, 5e and 5f	The covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 3.3 of the Book of Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Electrical Connection Compound.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 15_ER and 16_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1_JW and 2_JW	7	The covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 4.3 of the Book of Reference (being Part 3 of the Book of Reference in respect of the A140 Junction) have the potential to interfere with and hinder the construction, operation and maintenance of the Access Road and A140 Junction.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1_JW and 2_JW.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>
Suspension or Extinguishment or overriding⁵			

⁵ PPL does not intend to suspend or extinguish sub-surface rights for any plot ending in a or b ER or GR (i.e the "yellow" land shown on the Land Plans (Document Reference 2.6)). However, these parcels still appear in Part 3 of the Book of Reference due to various of the draft Order articles representing an interference with these rights. The powers taken to suspend or extinguish rights etc in the draft Order have been amended to ensure that rights etc are only suspended or extinguished to the extent that they are incompatible with those rights etc taken by PPL.

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1a_GR, 2_GR and 2a_GR	4	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of UK Power Networks (Operations) Limited which PPL has requested protective provisions regarding) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Gas Connection.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1a_GR, 2_GR and 2a_GR.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1a_ER, 2_ER and 2a_ER	6	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of UK Power Networks (Operations) Limited which PPL has requested protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Cable.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1a_ER, 2_ER and 2a_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
3_GR, 3a_GR and 6a_GR	4	<p>The covenants, restrictions, easements and all other rights (except, in the case of 6a_GR, the right to pass and repass with or without vehicles over a 6m strip located at the western edge of the disused runway complex (Potash Lane) from Castleton Way for the benefit of units within Oaksmere Business Park, the freeholder of Eye Industrial Estate and units adjoining Plot 1_MS) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Gas Connection.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 3_GR, 3a_GR and 6a_GR.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated and PPL is seeking rights to allow vehicles to pass and re-pass across plots 2_GR, 2_ER, 2b_GR and 2b_ER in order to ensure uninterrupted access to the users of this private road.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
6_GR	3B and 4	<p>The covenants, restrictions, easements and all other rights (except the right to pass and repass with or without vehicles over a 6m strip located at the western edge of the disused runway complex (Potash Lane) from Castleton Way for the benefit of units within Oaksmere Business Park, the freeholder of Eye Industrial Estate and units adjoining Plot 1_MS) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Gas Connection.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 6_GR.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
3_ER and 3a_ER	6	The covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 3.3 of the Book of Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Cable.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 3_ER and 3a_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated and PPL is seeking rights to allow vehicles to pass and re-pass across plots 2_GR, 2_ER, 2b_GR and 2b_ER in order to ensure uninterrupted access to the users of this private road.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1_GR, 2b_GR, 4_GR, 4a_GR, and 7a_GR	4	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Gas plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 2.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Gas Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Gas Connection.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1_GR, 2b_GR, 4_GR, 4a_GR, 5_GR and 7a_GR.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
1_ER, 2b_ER, 4_ER, 4a_ER, 4b_ER 4c_ER, 5_ER and 6_ER	6	The covenants, restrictions, easements and all other rights detailed in the fourth column of the table at section 3.3 of the Book of Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the Cable.	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 1_ER, 2b_ER, 4_ER, 4a_ER, 4c_ER, 5_ER and 6_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

TABLE 4			
Plot No.	Work No.	Reason for suspension or extinguishment or overriding	Status of Negotiation
18_ER	5c	<p>The covenants, restrictions, easements and all other rights (except those for the benefit of National Grid Electricity Transmission plc which PPL is in the process of agreeing protective provisions regarding) detailed in the fourth column of the table at section 3.3 of the Book of the Reference (being Part 3 of the Book of Reference in respect of the Electrical Connection) have the potential to interfere with and hinder the construction, operation and maintenance of the development comprising the Electrical Connection Compound.</p>	<p>PPL has engaged by letter dated and posted by recorded delivery on 23rd June 2014 with those listed in the Book of Reference who are considered to enjoy the covenants, restrictions, easements and all other rights identified in respect of 18_ER.</p> <p>PPL has offered to enter in to an agreement relating to the affected rights and to pay the professional fees of the affected parties incurred in such process.</p> <p>As stated in paragraphs 5.3.17 and 5.3.18 above, steps will be taken to remove or reposition the apparatus of utilities where the services affected require reinstatement so that the applicable utility services can be reinstated, maintained and operated.</p>

6.7 Alternatives to Compulsory Acquisition

6.7.1 The Project requires the acquisition of land and the acquisition of / creation of rights to secure the land and rights (together with

the areas of land to be used by PPL in relation to the Project) needed to provide the Power Generation Plant, the Gas Connection and the Electrical Connection. Accordingly, there is no alternative but to seek to acquire land, the temporary use of land and the acquisition of / creation of rights to allow the Project to be constructed, operated and maintained.

6.7.2 As part of a detailed feasibility assessment, PPL looked at a range of sites around the UK to support power generation plants of this nature. This search for potential power generation plant sites across the UK was focused on areas that were capable of meeting PPL's strategic project development criteria:

- (a) acceptable proximity to national gas and the national electricity transmission system or local distribution networks;
- (b) located within areas that are net importers of electricity; and
- (c) compatible land use designation/s.

6.7.3 In terms of technical constraints, the size of the site (i.e. large enough to support a power generation plant of up to 299 MW and integral infrastructure) and the proximity of a site to appropriate gas and electrical connection points were both key considerations.

6.7.4 From an environmental perspective, the site must have due regard to close sensitive receptors (to avoid unacceptable impacts from noise and visual disturbance), the current make up of the surrounding area (to limit impacts on the landscape character of the area), previous site uses and land quality (to avoid sterilisation of the best and most versatile agricultural land or mineral assets) and proximity to sensitive ecological habitats.

6.7.5 Based on these factors, the Project Site was considered suitable for the siting of the Power Generation Plant for the following reasons:

- (a) its close proximity (<1 km) to the gas NTS;
- (b) its close proximity (<1.5 km) to the National Electricity Transmission System;
- (c) the Power Generation Plant Site is within an existing industrial estate;

- (d) the Power Generation Plant Site is surrounded by similar industrial developments including Eye Power Station and National Grid Compressor Station;
 - (e) the area is identified in the emerging Eye Airfield Development Framework as an area that MSDC has aspirations to safeguard for an energy park which may include (NSIP) gas fired power station and / or an energy from waste site; and
 - (f) there is adequate space on site to develop the Power Generation Plant and integral infrastructure.
- 6.7.6 The Scoping Report prepared by the Applicant to scope the contents of the Environmental Statement (Appendix 3A to Document Reference 6.2), identified seven potential Gas Connection options to connect the Power Generation Plant to Feeder 5 on the NTS.
- 6.7.7 Further analysis from additional studies has determined that five of these route corridor options were not feasible. The reasons for this include:
- (a) Options known as Options 2, 2a and 2b would pass within close proximity to the recently constructed wind turbines located to the south of the proposed Power Generation Plant Site. This would breach National Grid safety guidelines for the positioning of gas pipes and wind turbines. Options 2 and 2b would also cross the centre of an agricultural field meaning that a large area of the field would be rendered unusable.
 - (b) An option known as Option 3 has been discounted as this could produce a barrier between the agricultural field to the west and the rest of the Airfield Industrial Estate, thus potentially reducing its development value in the future.
 - (c) An option known as Option 5 has been discounted as this would require passing through a currently busy and operational part of the business park. The construction of this option could cause significant disruption to these businesses which would not be acceptable.
- 6.7.8 Therefore, the route corridor options known as Options 1 and 4 were taken forward for consultation.
- 6.7.9 Following consultation, Option 1, which is the shortest, was considered favourable due to its most direct and therefore less

disruptive route. This option was found to be technically unachievable due to its close proximity to the gas compressor station. Further studies and consultation with National Grid found that no safe route or connection point could be found within the compression station site. As such, this option had to be dropped on technical grounds.

- 6.7.10 Following these additional studies, the preferred option for the Gas Connection Route Corridor was Option 4 which connects to the NTS at the south of the former Eye Airfield.
- 6.7.11 An Electrical Connection Siting Report undertaken by PPL (Document Reference 10.3) considered the potential connection options to the National Electricity Transmission System and the local distribution system. This found that the area to the west of the A140 between Mellis Road and Goswold Hall would be suitable for a new electrical connection compound. Two preliminary areas for the siting of the Electrical Connection Compound, north (Option 1) and south (Option 2) of Goswold Hall, were identified and the Siting Report identified that both options present technically feasible options for the siting of the Electrical Connection Compound. It considered that both options had the potential to give rise to adverse effects on visual amenity and landscape character. It considered on balance that Option 2 had the greater potential for adverse visual impacts (it is closer to residential receptors and potentially more exposed) and landscape impact (due to existing field boundary structure). However, it also recognised that mitigation in the form of landscaping would be available and effective.
- 6.7.12 It also considered that Option 1 had the potential to give rise to adverse effects on: an established watercourse which would require diversion and have consequences on the wider drainage network; a public right of way which is an ancient Green Lane and would require diversion; mature trees and hedgerows and associated habitat (including biodiversity adjacent to the Green Lane) which would require removal; and buried archaeology. As well as the environmental implications, it considered that the potential adverse impacts associated with Option 1 (in particular the watercourse and drainage effects) had the potential to increase technical difficulty and development costs.
- 6.7.13 In view of the availability of mitigation for landscape and visual impacts, and the greater number of potentially adverse effects associated with Option 1, and the absence of other differentiating factors, Option 2 was taken forward. The

Electrical Connection Siting Report (Document Reference 10.3) contains more detail on the assessment undertaken by PPL.

6.8 Availability of Funds for Compensation

6.8.1 The Funding Statement (Document Reference 4.2) confirms that PPL has the ability to procure the financial resources required for the Project, including the cost of acquiring any land and rights and the payment of compensation, as applicable.

6.8.2 PPL therefore considers that the Secretary of State can be satisfied that the requisite funds for payment of compensation will be available at the appropriate time.

7. JUSTIFICATION FOR THE USE OF POWERS OF COMPULSORY ACQUISITION

7.1 Compelling Case

7.1.1 A Planning Statement (Document Reference 10.1) accompanies the Application. In addition to the information set out above, the Planning Statement explains how the Project:-

- (a) meets an urgent need for new energy infrastructure;
- (b) is a form of economic development that is suitable in its local context;
- (c) minimises or mitigates adverse landscape and amenity impacts to an acceptable degree;
- (d) minimises or mitigates adverse environmental impacts to an acceptable degree;
- (e) is compliant with NPS EN-1, NPS EN-2, NPS EN-4 and NPS EN-5 and in accordance with the other decision-making factors specified in Section 104 of the Act.

7.1.2 The Planning Statement provides an extensive review of these matters, which is summarised in the subsequent paragraphs of this section.

7.2 The Urgent Need for New Gas Fired Power Station Infrastructure

7.2.1 The urgent need for flexible gas fired power generating stations is acknowledged in recent policy of government at all levels, such as within NPS EN-1, the National Infrastructure Plan 2013 (HM Treasury, 2013), and the Gas Generation Strategy (DECC, 2012).

- 7.2.2 The National Policy Statements acknowledge the substantial national need for gas generation infrastructure to respond to changes in supply and demand and to replace the capacity that will be lost through the closure of existing large coal plants, to which the Project will directly contribute.
- 7.2.3 Gas-fired generating stations are very well suited to meeting 'peak' load demands as they can be specified with very reliable, flexible technology. Peaking plants help to 'balance out' the grid at times of peak electricity demand and also help to support the grid at times when intermittent renewable sources cannot generate electricity. The chosen technology for a peaking plant should maximise reliability for an intermittent pattern of usage, and short start-up time.
- 7.2.4 With the substantial recent and forecast increases in intermittent sources on the grid, 'peaking' plants have a valuable role in 'evening out' the power supply to the grid and thus complementing renewable sources. Paragraph 1.40 of the National Infrastructure Plan 2013 states that new unabated gas plants are needed and will be "vital in supplying a backup for less flexible renewable generation and ensuring that the system can meet peak electricity demand".
- 7.2.5 Accordingly it can be seen that the Project, being a gas fired SCGT generating station, can contribute to the immediate and medium term needs for flexible, reliable, peak load power generation and facilitate the transition to a low carbon economy. It therefore makes a material contribution to attaining UK energy policy objectives.

7.3 **Economic development considerations**

- 7.3.1 NPS EN-2 notes that "Fossil fuel generating stations have large land footprints and will therefore only be possible where the applicant is able to acquire a suitably-sized site" (NPS EN-2, paragraph 2.2.2). It also notes that "Applicants should locate new fossil fuel generating stations in the vicinity of existing transport routes wherever possible." These factors have been taken into account in selecting the Project Site (see the alternatives section at paragraph 6.7 above).
- 7.3.2 Chapter 15 of the Environmental Statement (Document Reference 6.1) deals with socio economics and finds that, inter alia, the Project would deliver positive socio-economic impacts through: employment creation; in the construction, operation and decommissioning stages; supply chain linkages for goods and services; and workers spending in the local economy.

- 7.3.3 These effects, with the exception of decommissioning employment (which is considered negligible), have been assessed to be of minor positive significance. No adverse socio-economic impacts or effects are identified.
- 7.3.4 The construction period is estimated to last 22 months from December 2016 to September 2018. The number of construction workers onsite per month ranges from 25 to 127 during the peak construction period.
- 7.3.5 Gross value added (GVA) is a measure of the value of goods and services produced in an area, industry or sector of an economy. Construction GVA per head in Suffolk is £65,099. It is calculated that the construction phase of the Project would deliver £8.8 million GVA to the national economy.
- 7.3.6 The construction impact is assessed as a minor beneficial impact.
- 7.3.7 The operational phase of the Project would provide an estimated 15 full time direct jobs. The net effect, taking account of leakage, displacement and the multiplier effect, would be 14 additional regional full time jobs and 11 national full time jobs. Average GVA per employee in Suffolk is £44,691. The Project would provide approximately £0.6m GVA and £0.5m GVA per annum to the local economy and national economy respectively.
- 7.3.8 In addition, PPL is in discussions with SCC and MSDC over an education and employment scheme; the aim being to provide the local community the opportunity to benefit from job creation as a result of the Project and to use the Project as a means of educating people, particularly schoolchildren, on energy provision in the UK.
- 7.3.9 PPL is also in discussions with SCC and MSDC over how local businesses can be provided with opportunities to bid for contracts during the construction and operation periods of the Project.
- 7.3.10 It is envisaged that these education and employment opportunities for the local community would be secured in a Section 106 legal agreement.
- 7.3.11 In relation to tourism and recreation, the Environmental Statement (Document Reference 6.1) shows that no tourism or recreation receptors will be significantly impacted during either the temporary construction or operational phase of the Project.

7.4 Amenity and visual impacts

- 7.4.1 In accordance with NPS EN-1, NPS EN-2 and NPS EN-5 an assessment of the likely landscape and visual impacts associated with the Project has been undertaken. The landscape and visual impacts have been considered at the construction and operation stages in compliance with the requirements of paragraph 5.9.6 of NPS EN-1.
- 7.4.2 Section 2.6 of NPS EN-2 recognises that it is not possible to eliminate the visual impacts associated with a fossil fuel generation station. However, mitigation is required to reduce the visual intrusion and impact on visual amenity, as far as reasonably practicable. Section 5.9 of NPS EN-1 states that adverse landscape and visual effects may be minimised through appropriate siting of infrastructure, materials and design and landscaping schemes.
- 7.4.3 Whenever possible, the Project's impact has been mitigated through design. Commencing with the Project Site and its context, the design of the Power Generation Plant, Electrical Connection and Gas Connection has been subject to detailed consideration and assessment in order to minimise the landscape and visual impact.
- 7.4.4 During operation of the Power Generation Plant, Gas Connection and Electrical Connection, a number of additional mitigation measures would be implemented, in accordance with section 5.9 of NPS EN-1 and section 2.6 of NPS EN-2. Mitigation measures would include hedgerow planting on the perimeter of the site, amenity planting of large trees, and designing external lighting to reduce trespass, glare and spillage.
- 7.4.5 In order to minimise the impacts of the Project during construction, a Construction Environmental Management Plan (CEMP) would be implemented. The CEMP would include a number of measures to mitigate the landscape and visual impact in accordance with section 5.9 of NPS EN-1 and section 2.6 of NPS EN-2, including: tree retention and protection, temporary storage of topsoil to screen construction works, agreed site access points, maintenance of site compound, lighting provision in accordance with the principles contained in the outline lighting strategy, and reseeded and planting within the Project Site.
- 7.4.6 Section 5.9 of NPS EN-1 recognises that all proposed energy infrastructure is likely to have visual effects for receptors around proposed sites. However, in determining proposals, a

judgement is to be made as to whether the visual effects on sensitive receptors outweigh the benefits of a project.

7.4.7 The visual element of the assessment identified a moderate significant visual impact would be likely to occur at four properties lying approximately 600m from the proposed Electrical Connection Compound. In the longer term, visual effects would be mitigated by screen planting which would take approximately 15 years with an air insulated substation. It is concluded that the potential impact on living conditions from views of the proposed Electrical Connection Compound during construction and operation would be acceptable with mitigation, and would not be overbearing or oppressive. The conclusion was based on the intervening distance, the extent of screening from existing and proposed vegetation, and the orientation of views from the properties.

7.4.8 In terms of Air Quality, the risk of a loss of amenity during construction at residential properties would be low due to on the site mitigation measures inbuilt into the Project, and the distance from residential areas. Gas combustion does not produce any odorous compounds or particulate matter that would be visible.

7.4.9 The predicted noise levels from the Power Generation Plant would be significantly below the World Health Organisation guideline limit for minimal and moderate annoyance. As such, predicted noise levels from the Project to external amenity areas of residential dwellings are considered unlikely to cause annoyance.

7.4.10 The design of the Power Generation Plant, Electrical Connection and Gas Connection has been subject to detailed consideration and assessment in order to minimise the landscape and visual impact. There are no significant effects anticipated such that this proposal should not be consented on amenity and visual Impact grounds.

7.5 Environmental Impacts

7.5.1 In accordance with NPS EN-1, NPS EN-2, NPS EN-4 and NPS EN-5 assessments have been carried out of the likely significant environmental effects, and are reported in the Environmental Statement (Document Reference 6.1). Significant adverse effects on the environment, including any long-term and cumulative significant adverse effects, as well as any measures to prevent, reduce or offset any significant adverse effects on the environment, are considered in that document and are summarised here.

Air Quality and Emissions

- 7.5.2 In accordance with NPS EN-1 and NPS EN-2, an assessment of the likely impacts, in respect of air quality and emissions, has been undertaken and the findings are presented in the Environmental Statement (Document Number 6.1).
- 7.5.3 The impacts of the Project in respect of air quality and emissions have been examined at the construction, operational and decommissioning phases, in compliance with the requirements of NPS EN-1. The Environmental Statement (Document Number 6.1) states that the direct impact of operational traffic has been scoped out of the assessment due to the low number of daily vehicle movements.
- 7.5.4 In order to minimise impacts during construction, a specific dust management plan would be developed as part of the CEMP for the Project. Whilst the risk of dust effects is considered high during earthworks, the low sensitivity of the nearest receptors (light industrial areas and agricultural land) means that there is no requirement for additional monitoring using non-automatic or automatic methods.
- 7.5.5 The predicted significance of the impact of the operation of the Power Generation Plant is negligible to slight adverse and does not warrant further mitigation; however, embedded mitigation of the impacts is implicit in the project design, including the specification of an appropriate stack height and the use of emissions control. The Project would also require a permit to operate which would be monitored by the Environment Agency.
- 7.5.6 As set out above, and presented in the Environmental Statement (Document Ref 6.1), there is no expectation of any significant adverse impacts in respect of air quality and emissions. Accordingly, the Project meets the aims and requirements of relevant national and local planning policies and air quality legislation, and thus the Project is considered acceptable in respect of air quality and emissions.

Noise and Vibration

- 7.5.7 In accordance with section 2.7 of NPS EN-2, an assessment of the likely noise and vibration impacts associated with the Project has been undertaken and the findings are presented in Chapter 7 of the Environmental Statement (Document Number 6.1). The noise and vibration effects have been considered at the construction, operation and decommissioning stages, in compliance with the requirements of section 5.11 of NPS EN-1.

- 7.5.8 It has been assessed that there would be a minor adverse noise impact from activities relating to the construction and decommissioning of the Power Generation Plant, Gas Connection and Electrical Connection. There would be a minor adverse noise impact resulting from the operation of the Power Generation Plant and Above Ground Installation, and no noise impact from the operation of the Gas Connection (excluding the Above Ground Installation) and the Electrical Connection.
- 7.5.9 Section 5.11 of NPS EN-1 and section 2.7 of NPS EN-2 state that the primary mitigation for noise from fossil fuel generating stations is through good design, including enclosure of plant and machinery to minimise the potential for operations to create noise. Paragraph 2.3.16 of NPS EN-2 states that 'good design' should include mitigation of impacts such as noise and vibration. Accordingly, the design of the Power Generation Plant, Electrical Connection and Gas Connection has been subject to detailed consideration and assessment in order to minimise the noise and vibration impact.
- 7.5.10 Mitigation measures would be implemented throughout the construction, operation and decommissioning stages in order to minimise and effectively manage the potential noise and vibration effects from the Project. In this regard, the Project meets the aims and requirements of relevant planning policy, and thus the Project is considered acceptable in respect of noise and vibration.

Ecology

- 7.5.11 In accordance with NPS EN-1, an assessment of the likely effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species, and on habitats and other species of principal importance has been undertaken and the findings are presented in the Environmental Statement (Document Number 6.1). The impacts of the Project, in respect of biodiversity and geological conservation, have been considered at the construction, operation and decommissioning stage, in compliance with the requirements of section 5.3 of NPS EN-1.
- 7.5.12 Paragraph 5.3.18 of NPS EN-1 states that, during construction, appropriate mitigation measures should be included to ensure that activities are confined to the minimum areas required for the works, and to ensure that the risk of disturbance or damage to species is minimised. Accordingly, a number of designed-in mitigation and avoidance measures would be detailed within the CEMP to minimise any potential impacts and to ensure a permanent, positive residual effect of low magnitude. These

measures would include demarking of root protection zones, using Horizontal Directional Drilling, and providing a net gain in habitat quantity and quality.

- 7.5.13 In order to mitigate the impacts during operation and to ensure the residual effect would not be significant, a number of mitigation measures are proposed. These measures include mitigation of stack height to provide sufficient dispersion rate, drainage design to avoid pollution of water bodies, and implementation of a lighting scheme to ensure minimal light spillage and directional lighting.
- 7.5.14 It is considered that the majority of decommissioning impacts would be eliminated through the implementation of an approved decommissioning scheme which would avoid/minimise generation of excessive litter, dust, noise and vibration and would prevent accidental pollution of adjacent habitats. These measures would be in line with latest guidance and legislative requirements in force at the time of decommissioning.
- 7.5.15 The implementation of the mitigation measures set out above ensures no significant net loss of Valued Ecological Receptor habitats and no significant detrimental effects to any of the Valued Ecological Receptor protected species populations.
- 7.5.16 It is concluded that there would not be any likely significant effects on any European protected site. A no likely significant effects report is therefore submitted with the Application (Document Reference 5.7).
- 7.5.17 Accordingly, the Project meets the overall objectives of relevant planning policy and is considered acceptable in respect of biodiversity and geological conservation.

Water Quality and Resources

- 7.5.18 An assessment of the likely effects on water quality and resources associated with the Project has been undertaken. The impact of the Project on the existing water quality and resources has been considered at the construction, operation and decommissioning stage, in compliance with the requirements of section 5.15 of NPS EN-1.
- 7.5.19 It has been assessed that the impacts on water resources from the construction of the Power Generation Plant and Gas Connection would be negligible. The construction of the Electrical Connection may have a number of slight and moderate changes which would not result in any significant effects. During operation, it is anticipated that the Power

Generation Plant would not have any significant effects on water quality or resources. The Gas Connection and Electrical Connection Cable would be buried and would therefore have no impact on water quality or resources. Water usage at the Electrical Connection Compound is expected to be minimal.

- 7.5.20 During decommissioning of the Power Generation Plant and Electrical Connection, similar impacts to those predicted during construction may be experienced. It is anticipated that the Pipeline would remain in-situ following decommissioning (as its removal would cause more environmental disruption than leaving it in place), and thus the impacts would be negligible.
- 7.5.21 The main potential impacts that may result from construction of the Power Generation Plant are disposal of water from the Project Site. Accordingly, to minimise the potential impacts, all construction contractors would be required to reach an agreement with the Environment Agency regarding methods of disposal. In addition, embedded mitigation measures would be implemented such as working to best practice and in line with a detailed CEMP. There are not anticipated to be any effects on water bodies as they are all a sufficient distance from the Power Generation Plant Site.
- 7.5.22 The Gas Connection is located within close proximity of two water bodies, and above a highly sensitive aquifer. However, given the depth of the aquifer and protection afforded by overlying low permeability deposits, there are not anticipated to be any construction activities that could impact on the aquifer. To minimise potential impacts, the Pipeline would be hydrostatically tested prior to operation, and the same embedded mitigation measures would be implemented as for the construction of the Power Generation Plant.
- 7.5.23 The Electrical Connection Compound is located in an area that is free from surface water bodies. However, the Cable requires the crossing of two surface water bodies and the Access Road would cross one water body while passing within close proximity to another. Furthermore much of the Electrical Connection is located above a principal aquifer. To minimise potential impacts, water bodies would be crossed using Horizontal Directional Drilling in order to ensure that there is no interaction between the connection works. Given the depth of the aquifer and protection afforded by overlying low permeability deposits along the majority of the route, there are not anticipated to be any impacts on the aquifer arising from the development of the Cable in the Electrical Connection Route Corridor or the construction and operation of the Electrical Connection Compound.

- 7.5.24 Following the implementation of the proposed mitigation measures, the Project would not have any significant residual effects on water quality and resources. On this basis, the Project meets the aims and requirements of relevant planning policy and no important and relevant considerations arise to the contrary, thus the Project is considered acceptable in respect of water quality and resources.

Historic Environment

- 7.5.25 Within NPS EN 1, the Applicant's Assessment is discussed at paragraph 5.8.8. and this reads as follows: "As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset..."
- 7.5.26 In this case the significance of the heritage assets has been assessed in line with the appropriate guidelines.
- 7.5.27 A detailed geophysical survey of the Electrical Connection Compound option areas has been carried out. The findings of this geophysical survey, which was designed to detect potential buried archaeological remains, suggest that buried archaeological remains may be present within the area of Electrical Connection Compound Option 1. No such findings have been identified by the geophysical survey within the area of Electrical Connection Compound Option 2. Electrical Connection Compound Option 1 is also much closer to the Grade II listed Goswold Hall (approx 300m North East). Therefore avoiding potential damage to archaeological remains and minimising any potential impact upon the setting of a listed building have been considerations in site choice (Option 2 being taken forward).
- 7.5.28 Issues relating to the Historic Environment have been addressed in the Mitigation Schedule and a Written Scheme of Investigation (WSI) has been agreed with the County Archaeologist. (Table 13.10 of the Environmental Statement, Section 13, Document Reference 6.1). This sets out investigative measures such as evaluation trenching prior to construction, and monitoring of ground disturbance during construction and topsoil stripping activities.
- 7.5.29 There are no significant effects anticipated on the historic environment or on the setting of heritage assets such that this

proposal should not be consented on Historic Environment Grounds.

Waste

- 7.5.30 NPS EN-1 sets out assessment principles that are particularly likely to be relevant to energy nationally significant infrastructure projects. In particular, section 5.14 sets out the 'waste hierarchy' and explains the relationship with the environmental permitting regime, and sets assessment principles to be used by the Secretary of State in determining an application for an energy NSIP.
- 7.5.31 A CEMP will be produced, which provides for the submission of construction method statements and a Site Waste Management Plan for approval by the local authority prior to commencement of construction, secured by a requirement attached to the Order. Measures would include, amongst others, the stockpiling of excavated spoil and testing for Waste Acceptance Criteria, to determine whether it can be re-used on- or off-site, and the testing and removal, as appropriate, of any water from de-watering activities which would be handled by a suitably licensed waste contractor. Any water that has to be removed for example from de watering foundation works or trenches would also be tested and removed as required by legislation.
- 7.5.32 There are no significant waste management effects expected and no reason why the Project should not be consented on waste management grounds.

Combined Heat and Power

- 7.5.33 The Energy Efficiency Directive 2012 (2012/27/EU) was adopted on 15 October 2012 and is to be implemented in Member States on 5 June 2014. Member States are expected, therefore, to have in force national legislation which will implement the Directive by 5 June 2014 although it is also directly effective. The Directive supports cogeneration in the form of CHP but sets out clear and specific suggested exemptions. One of these is for peak load and back-up electricity generating installations planned to operate under 1,500 operating hours per year (as a rolling average over a period of 5 years).
- 7.5.34 It is considered that the absence of CHP in the above context is not a significant consideration and that the need to deliver flexible gas generation in an immediate timescale, including peaking plants which are recognised at EU and UK levels of law

and policy as a necessary type of energy generation, is of significance.

- 7.5.35 It is therefore considered that the due regard has been paid to relevant guidance as required by NPS EN-1, both past and current, and that the general requirement to provide for CHP should be set aside due to the particular operating mode of the proposed Power Generation Plant, which will serve a recognised need for flexible gas generation.

7.6 Conclusion on the case for the Project

- 7.6.1 The urgent need for electricity generation, including gas fired generating stations and unabated flexible gas and peaking plants, is provided in NPS EN-1, the Gas Generation Strategy (DECC, 2012) and the National Infrastructure Plan (HM Treasury, 2013). The Project would contribute materially to meeting this need.
- 7.6.2 Due regard has been paid to all relevant and important considerations. These include the findings of community and statutory consultation processes which, as documented in the Consultation Report (Document Reference 5.1), have influenced considerations as to the design and siting of the various components of the Project. Local economic development and environmental policy designations have been considered in the design, siting and mitigation proposals within the Project.
- 7.6.3 The Project is in line with the relevant National Policy Statements, being NPS EN-1, NPS EN-2, NPS EN-4, and NPS EN-5. Considerations as to siting, Habitats and Species Regulations, alternatives, good design, consideration of Combined Heat and Power, grid connection, safety, health, nuisance and security have been given due regard as demonstrated in the Environmental Statement (Document Reference 6.1) and its appendices (Document Reference 6.2), the Design and Access Statement and its appended Design Principles Statement (Document Reference 10.2), the Planning Statement (Document Reference 10.1) and the Grid Connection Statement (Document Reference 9.1). The Environmental Statement has also assessed all relevant likely significant environmental effects and has proposed appropriate mitigation wherever feasible. This is to be secured through compliance with various submitted documents and further approvals such as under the proposed requirements attached to the draft Order (see Schedule 2 to the draft Order, Document Reference 3.1).

- 7.6.4 It is considered that there are no relevant adverse impacts or disbenefits sufficient to outweigh the likely benefits of the Project including the improvements to the appearance and condition of the Power Generation Plant Site, the local and regional economic benefits, and the considerable public benefit to meeting the national need for flexible gas generation.
- 7.6.5 PPL has maintained dialogue throughout the pre-application period with local authorities, political representatives, the Environment Agency and other consultees and regulators, and will continue to do so at all relevant stages prior to the operation of the Project, if the Order is made.
- 7.6.6 It is considered that there are no international obligations that would be breached if the Order were made in the terms proposed. There are considered to be no likely significant effects in respect of sites designated under the Habitats Directive nor species protected thereunder as set out in the no likely significant effects report submitted with the Application (Document Reference 5.7)
- 7.6.7 In conclusion and in line with the factors set out in Section 104 of the Act there is a compelling case in the public interest for the Order to be made in the terms proposed and in the absence of sufficient indications to the contrary.

8. **SPECIAL CONSIDERATIONS**

8.1 **Special Category Land – Crown Land**

- 8.1.1 There are no Crown interests included in or affected by the Order Land.

8.2 **Special Category Land – Open Space**

- 8.2.1 No open space, common land or field garden allotment is included in or affected by the Order Land.

8.3 **Statutory Undertakers Land**

- 8.3.1 The Order Land includes an overhead electricity line (owned and operated by NGET). Whilst the Project would eventually connect into this line, PPL, in constructing the Project, would not affect the overhead line (PPL is in discussions with NGET over any Protective Provisions NGET may require to be included in the Order).
- 8.3.2 The Order Land also contains equipment and apparatus owned by UK Power Networks (Operations) Limited. The Project would not affect this equipment and apparatus.

8.3.3 Schedule 5 (Statutory Undertakers) of the Book of Reference has been included in order to allow for the compulsory acquisition of the rights of the statutory undertakers, pursuant to article 28 of the draft Order. This article will not take effect if a statutory undertaker is not listed within the Book of Reference (via, in this case, Schedule 5). PPL has taken the following approach when dealing with responses from statutory undertakers:

- (a) where PPL has received satisfactory response from a statutory undertaker stating that it has apparatus within the Order Limits, this has been recorded in the Book of Reference within the relevant plot number(s) and that statutory undertaker has been omitted from Schedule 5;
- (b) where PPL has received a response from a statutory undertaker confirming that it does not have any apparatus within the Order Limits, that statutory undertaker has been omitted from the Book of Reference entirely;
- (c) where PPL has received a response from a statutory undertaker stating that it is unsure whether it has assets within the Order Limits; or, where no response has been received at all, the statutory undertaker is listed in Schedule 5.

8.4 **Other consents**

8.4.1 Other consents are required in order for the Project to be constructed and subsequently operate. The Consents Management Document (Document Reference 5.6) sets out the additional consents required and when they will be applied for. Some of these additional consents are identified below:

Generation Licence

8.4.2 As required under Section 6 of the Electricity Act 1989, PPL will submit an application for a Generation Licence to the Gas and Electricity Markets Authority prior to any operational activities taking place.

Connection Agreement with NGET

8.4.3 PPL entered into a Bilateral Connection Agreement and Construction Agreement with NGET on 12 November 2013 to connect the Power Generation Plant to the National Electricity Transmission System.

Environmental Permit

8.4.4 As required by the Environmental Permitting (England and Wales) Regulations 2010 as amended, PPL will submit an application for an Environmental Permit, required to operate the Project, to the Environment Agency. PPL has been in discussions with the Environment Agency about an Environmental Permit and supplied the Environment Agency with detailed information in relation to the same. PPL is seeking to produce a Statement of Common Ground with the Environment Agency before any examination of the Order.

European Protected Species Licence

8.4.5 No European Protected Species have been identified to date. Discussions with Natural England will be commenced in the event that any European Protected Species are identified in further protected species surveys.

Ordinary Water Course Consent

8.4.6 A consent under the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010 (ordinary water course consent), will be required in relation to the Project. An application for an Ordinary Watercourse Consent will be submitted two months prior to commencement of the works.

Permit to emit CO₂

8.4.7 The Greenhouse Gas Emissions Trading Scheme Regulations 2005 require any operator that carries out a 'regulated activity' to have a permit. Regulated activities include combustion that uses large amounts of energy or generate large amounts of CO₂, perfluorocarbons or nitrous oxide (NO₂) (under Annex 1 of Directive 2009/29/EC) and so will capture the Project unless an exemption applies.

9. HUMAN RIGHTS

9.1 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (the "**Convention**"). The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.

9.2 The following Articles of the Convention are relevant to the Secretary of State's decision as to whether the Order should be made so as to include powers of compulsory acquisition:

9.2.1 Article 1 of the First Protocol to the Convention

- (a) this protects the right of everyone to a peaceful enjoyment of possessions and provides that no one can be deprived of their possessions except in the public interest and subject to the relevant national and international laws and principles.

9.2.2 Article 6

- (a) this entitles those affected by the powers sought in the draft Order to a fair and public hearing of any relevant objections they may have to the granting of those powers. This includes property rights and can include opportunities to be heard in the decision making process.

9.2.3 Article 8

- (a) this protects private and family life, home and correspondence. No public authority can interfere with these rights except such as in accordance with the law and is necessary in the interest of national security, public safety or the economic well-being of the country.

9.2.4 The Secretary of State, as the decision maker, is under a duty to consider whether the exercise of powers interacts with the rights protected by the Convention.

9.2.5 The draft Order has the potential to infringe the rights of persons who hold interests in land within the Order Limits under Article 1 of the First Protocol. Such an infringement is authorised by law so long as:

- (a) the statutory procedures for making the Order are followed and there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the Order; and
- (b) the interference with the convention right is proportionate.

9.2.6 In preparing the Application, PPL has considered the potential infringement of the Convention rights in consequence of the inclusion of compulsory acquisition powers within the draft Order. PPL considers that there would be a very significant public benefit arising from the grant of the Order. The benefit is only realised if the Order is accompanied by the grant of powers of compulsory acquisition. PPL has concluded on balance that the significant public benefits outweigh the effects upon persons

who own property within the Order Land. For those affected by expropriation or dispossession, compensation is payable in accordance with the statutory compensation code.

- 9.2.7 In relation to Article 6, there has been opportunity to make representations regarding the preparation of the Application. In accordance with Part 5 of the Act, PPL has consulted with persons set out in the categories contained in Section 44 of the Act, which includes owners of land within the Order Limits and those who may be able to make claims either under Sections 7 and 10 of the Compulsory Purchase Act 1965 in respect of injurious affection or under Part 1 of the Land Compensation Act 1973. Also, the beneficiaries of rights overridden by the exercise of powers in the draft Order would be capable of making claims under Section 10 of the Compulsory Purchase Act 1965.
- 9.2.8 Furthermore, representations can also be made in response to any notice given under Section 56 of the Act for consideration at examination of the Application by the examining authority and in any written representations procedure which the examining authority decides to uphold or at any compulsory purchase hearing held under Section 92 of the Act.
- 9.2.9 Should the Order be made, any person aggrieved may challenge the Order in the High Court if they consider that the grounds for doing so are made out pursuant to Section 118 of the Act.
- 9.2.10 In relation to matters of compensation for land to be acquired, affected persons have the right to apply to the Upper Tribunal (Lands Chamber), which is an independent judicial body to determine the compensation payable.
- 9.2.11 For the above reasons, any infringement of the Convention rights of those whose interests are affected by the inclusion in the draft Order of powers of compulsory acquisition, is proportionate and legitimate and is in accordance with national and European law. For the reasons set out in Sections 6 and 7 of this Statement, PPL considers that there is a compelling case in the public interest for the exercise of such powers of compulsory acquisition. PPL considers that it would, therefore, be appropriate and proportionate for the Secretary of State to make the Order, including the grant of compulsory acquisition powers.

10. FURTHER INFORMATION

10.1 Negotiation of Sale

10.1.1 Owners and occupiers of property affected by the draft Order who wish to negotiate a sale or discuss matters of compensation should contact Susannah Harvey of Progress Power Limited (Tel - 0131 550 3380, email - sharvey@stagenergy.com)

10.2 Compensation

10.2.1 Provision is made by statute with regard to compensation for the compulsory acquisition of land and the depreciation value of properties. Helpful information is given in the series of booklets published by the Department for Communities and Local Government entitled "Compulsory Purchase and Compensation" listed below:-

- (a) Booklet No. 1 - Compulsory Purchase Procedure;
- (b) Booklet No. 2 - Compensation to Business Owners and Occupiers;
- (c) Booklet No. 3 - Compensation to Agricultural Owners and Occupiers;
- (d) Booklet No.4 - Compensation for Residential Owners and Occupiers; and
- (e) Booklet No.5 – Reducing the Adverse Effects of Public Development: Mitigation Works.

10.2.2 Copies of these booklets are obtainable, free of charge, from:

<https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

11. CONCLUSIONS

11.1 PPL submits, for the reasons explained in this Statement, that the inclusion of powers of compulsory acquisition in the draft Order for the purposes of the Project meets the conditions of Section 122 of the Act as well as the considerations in the Guidance.

11.2 The acquisition of land and rights and the temporary use of land, together with the overriding of interests, rights and restrictive covenants and the suspension or extinguishment of private rights, is no more than is reasonably required to facilitate or is incidental to the Project. Furthermore, the land identified to be subject to compulsory acquisition is no more than is reasonably necessary for that purpose and is proportionate, as is shown in the draft Order (Document Reference 3.1), the Works Plan (Document Reference 2.7) and other information both in this Statement and in other document accompanying the Application.

- 11.3 The need for the Project, suitability of the Order Limits and the support for such projects is in NPS EN-1, NPS EN-2 and NPS EN-4, which demonstrates that there is a compelling case in the public interest for the land to be acquired compulsorily.
- 11.4 All reasonable alternatives to compulsory acquisition have been explored. Given the national and local need for the Project and the support for it found in policy, as well as the suitability of the Order Land (for the reasons outlined above), compulsory acquisition of the land and rights and the temporary use of land, together with the overriding of interests, rights and restrictive covenants and the suspension or extinguishment of private rights is justified.
- 11.5 The proposed interference with the rights of those with an interest in the Order Land is for a legitimate purpose, namely the Project, and is necessary and proportionate to that purpose. PPL considers that the very substantial public benefits to be derived from the proposed compulsory acquisition of the Order Land would decisively outweigh the private loss that would be suffered by those whose land is to be acquired.
- 11.6 PPL has set out clear and specific proposals regarding how the Order Land will be used.
- 11.7 The requisite funds are available to meet any costs of land acquisition and compensation payable as a result of the use of powers of compulsory acquisition.
- 11.8 The purpose of the powers of compulsory purchase for the Project in the DCO are entirely legitimate and justifies interfering with the rights of those persons with an interest in the land proposed to be acquired.

SCHEDULE 1

LIST OF APPLICATION DOCUMENTS

Application Document Reference	Application Document Name	Statutory Requirement / Other for Document
Category 1	Application Form	
1.1	Introduction to the Applicant and the Application (<i>this document</i>)	Reg. 5(2)(q)
1.2	Application form	S.37(3)(b) and Reg. 5(1)
1.3	Copies of newspaper notices	Reg. 5(2)(q) and PINS Advice Note 6
Category 2	Plans / Drawings / Sections	
2.1	Location Plan	Reg. 5(2)(o)
2.2	Existing Site Layout Plan	Reg. 5(2)(o)
2.3	Not Used	Not Used
2.4	Indicative Site Layout Plans	Reg. 5(2)(o)
2.5	Indicative Elevation Drawings	Reg. 5(2)(o)
2.6	Land Plans	Reg. 5(2)(i)
2.7	Works Plans	Reg. 5(2)(j)
2.8	Rights of Way, Streets and Access Plan	Reg. 5(2)(k)
2.9	Outline Landscaping Plans	Reg. 5(2)(o)
2.10	Outline Lighting Layout	Reg. 5(2)(o)
Category 3	Draft Development Consent Order	
3.1	Draft Development Consent Order	Reg. 5(2)(b)

Application Document Reference	Application Document Name	Statutory Requirement / Other for Document
3.2	Explanatory Memorandum	Reg. 5(2)(c)
Category 4	Compulsory Acquisition Information	
4.1	Statement of Reasons	Reg. 5(2)(h)
4.2	Funding Statement	Reg. 5(2)(h)
4.3	Book of Reference	Reg. 5(2)(d) and Reg. 7
Category 5	Reports / Statements	
5.1	Consultation Report	S.37(3)(c)
5.2	Consultation Report Appendices	S.37(3)(c)
5.3	Consultation Report NTS	S.37(3)(c)
5.4	Flood Risk Assessment	Reg. 5(2)(e)
5.5	Statement of Engagement of Section 79(1) of the Environmental Protection Act 1990	Reg. 5(2)(f)
5.6	Details of Other Consents and Licences	Reg. 5(2)(q) and PINS Advice Note 6
5.7	No Significant Effects Report	Reg.5(2)(g)
Category 6	Environmental impact assessment and habitats regulations information	
6.1	Environmental Statement	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. Document 6.1 includes

Application Document Reference	Application Name Document	Statutory / Other Requirement for Document
		<p>within it the following:</p> <p>(i) Assessment of any effects on sites or features of nature conservation (etc), at ES Section 8, Ecology and Nature Conservation, subsection 8.15 (Reg.5(2)(l)); and</p> <p>(ii) Assessment of any effects on sites or features of the historic environment, at ES Section 13, Cultural Heritage and Archaeology, subsection 13.12 (Reg.(5)(2)(m)).</p>
6.2	Environmental Statement Appendices	<p>Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.</p> <p>Document 6.2 includes within it the following:</p> <p>(i) Environmental impact scoping report and scoping opinion at ES Volume A, Appendix 3.A and 3.B (Reg.5(2)(a));</p> <p>(ii) Plans showing sites or features of nature conservation (etc) at Figures 8.1 and 8.2 (Reg.5(2)(l)); and</p> <p>(iii) Plans showing sites or features of the historic environment at Figures</p>

Application Document Reference	Application Name	Document	Statutory Requirement / Other for Document
			13.1 (Reg.5(2)(m)).
6.3	Environmental Statement Figures	Statement	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
6.4	Environmental Statement Non-Technical Summary	Statement	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.
Category 7	Photographs		
7.1	Photographs and Photomontages	and	Reg.5(2)(q)
7.2	Plans Identifying Locations of Photographs		Reg. 5(2)(q)
7.3	Index of Photographs		Reg. 5(2)(q)
Category 8	Not Used		
-	Documents were removed from category 8 and redistributed within the other categories.		-
Category 9	Additional Information for Specific Types of Infrastructure		
9.1	Grid Connection Statement		Reg.5(2)(p) and Reg.6(1)(a)
9.2	Gas Connection Statement		Reg.5(2)(p) and Reg.6(1)(a)
Category 10	Other Documents		
10.1	Planning Statement		Reg. 5(2)(q)
10.2	Design and Access		Reg. 5(2)(q)

Application Document Reference	Application Document Name	Statutory Requirement / Document	Other for
	Statement		
10.3	Electrical Connection Siting Report	Reg. 5(2)(q)	
10.4	Statement of Proposed Heads of Terms for an Agreement Pursuant to s106 of the TCPA 1990	Reg. 5(2)(q)	
10.5	Ecological Management Strategy	Reg. 5(2)(q)	
10.6	Landscape Mitigation Strategy	Reg. 5(2)(q)	