



Mr J W Wearmouth  
Merz and McLellan  
Amber Court  
William Armstrong Drive  
Newcastle Business Park  
Newcastle Upon Tyne  
NE4 7YQ

23 October 1997

Dear Sir

ELECTRICITY ACT 1989  
TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR CONSENT TO CONSTRUCT AND OPERATE A  
COMBINED CYCLE GAS TURBINE GENERATING STATION AT SOUTH  
DENES, NORFOLK

I. THE APPLICATION

1.1 I am directed by the Secretary of State for Trade and Industry (the Secretary of State) to refer to the application dated 23 April 1996 (the Application) by Merz and McLellan on behalf of Amoco Power Resources (Europe) Limited (the Company), for the consent of the Secretary of State under section 36 of the Electricity Act 1989 (section 36 consent) to the construction and operation of a combined cycle gas turbine generating station at South Denes, Great Yarmouth, Norfolk (the Development) and for a direction under section 90(2) of the Town and Country Planning Act 1990 (section 90 direction) that planning permission for the Development be deemed to be granted.

1.2 In accordance with the Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990 (the 1990 Regulations) the Company also submitted on 23 April 1996 a document, entitled "Environmental

Statement", describing the Development and giving an analysis of its environmental implications. The document is hereafter referred to in this letter as the "Environmental Statement".

1.3 The Great Yarmouth Borough Council and the Norfolk County Council (the relevant planning authorities) entered into discussions with the Company about the terms on which they would be content for the Development to proceed. As a result of these discussions, 51 conditions to be attached to any section 90 direction were agreed between the Company and the relevant planning authorities (the Planning Conditions).

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

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

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

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

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

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

3.3 The Secretary of State received no objections under the Applications Regulations. She did however receive objections from the Confederation of United Kingdom Coal Producers and RJB Mining (UK) Ltd which were made after the period allowed for pursuant to the Applications Regulations. The Secretary of State has nonetheless considered the grounds of the objections.

3.4 The matters advanced by way of objection were; the use of gas as the fuel; that no decision should be made until the outcome of the public inquiry into an application to construct a combined cycle gas turbine generating station at Gartcosh is known; that no decision should be made until the outcome of the complaint to the European Union that long term gas contracts contravene Article 85(1) of the Treaty of Rome is known; the contribution the UK Coal Industry can offer in terms of security, diversity and sustainability should be taken into account in UK energy policy; too many gas fired power stations are not consistent with the Government's policy of secure, diverse and sustainable supplies of energy; the effect of new gas fired stations on coal burn and the Government's policy of diversity and sustainability; that the piecemeal and case by case basis for considering section 36 applications is incompatible with the Government's wider policy objectives; and that there should be a moratorium on the granting of section 36 consents until the Government's wider policy objectives have been agreed and publicly set down.

3.5 The Secretary of State has considered carefully the objections made.

#### Use of gas

3.6 The environment and sustainable development are central concerns. The Secretary of State recognises that gas is a finite fuel but also recognises that the building of gas-fired generating stations can be beneficial to the environment in terms of reduced emissions. She is also aware that the development of gas-fired generating stations has contributed to diversity and hence to security of supply, as well as making a significant contribution to meeting environmental targets. The Secretary of State notes that combined cycle gas turbine generating stations continue to be an economically and environmentally attractive form of new generation capacity. Provided that there is no direct conflict with the wider energy policy objectives referred to in paragraph 3.9 below, it is appropriate to

leave commercial matters, such as the decision on the fuel to be used, as matters for the Company. The Secretary of State believes that is appropriate to do that in the case of the Application.

Await outcome of the Gartcosh public inquiry

3.7 The Secretary of State is aware that the Reporter to the public inquiry into the application to construct and operate a combined cycle gas turbine generating station at Gartcosh is taking evidence in relation to that application. She is of the opinion that it would not be reasonable for her to defer consideration of the Application until the outcome of that application is known because each such application must be considered on its merits.

Gas contracts contravene Treaty of Rome

3.8 The Secretary of State does not believe that awaiting the outcome of the complaint to the European Union is a justifiable reason for deferring her taking a decision on the Application now.

Contribution of coal should be taken into account in UK Energy Policy

3.9 The Secretary of State's concern in assessing applications made under section 36 is to address local environmental issues and to ensure consistency with the wider objectives of secure, diverse and sustainable supplies of energy at competitive prices and meeting of environmental targets. The Secretary of State sees the need for diversity in electricity generation including the use of renewable sources. Although the share of coal is falling it will continue to be an important part of the country's energy mix.

The effect of new gas-fired power stations on coal burn and consistency with Government policy

3.10 One objector highlighted the impact which new gas fired power stations will have on coal burn at existing power stations and beyond that on employment in the coal industry. The Secretary of State wishes to ensure consistency with the wider objectives of secure, diverse and sustainable supplies of energy at competitive prices and the meeting of environmental targets. She has therefore given particular attention to the growth in the proportion of electricity generated from gas, the related

decline in the use of coal and possible implications for security of supply. She takes the view, after considering developments in the energy sector, that granting consent to this application for a gas fired power station made under section 36 is consistent with her concern to maintain security of supply, and with the other wider objectives.

Government should have a proper policy for handling section 36 applications

3.11 The Secretary of State attaches importance to the development of a competitive market in electricity generation. For that purpose she wishes to ensure that, as far as possible, entry by new generators (as well as existing ones), is not constrained by the planning process so long as any proposals are consistent with the wider policy objectives. That provides a broad framework for considering applications for consent made under section 36 but with the merits of each application being considered in detail.

There should be a moratorium on the granting of section 36 applications until the Government's wider policy objectives have been agreed

3.13 The Secretary of State recognises that there are potential longer term issues surrounding the increasing dependence on gas fired generation and on the possible longer term use of imported gas and will keep matters under review as she considers other applications for her consent under section 36. She is however of the view that, without prejudice to any decision she may make on any other section 36 application, she does not see that over-dependence on gas as the fuel is an immediate issue which needs to be addressed by a moratorium on issuing any further section 36 consents for gas fired power stations.

Conclusion

3.14 The Secretary of State has carefully considered the views of the relevant planning authorities, the comments of the objectors, the matters set out above and all other material considerations. She takes the view that it would not be appropriate to cause a public inquiry to be held into the Application.

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

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

4.2 The Secretary of State is aware that there is a European Site within 3 km of the Development. She has also been informed by English Nature that while they do not wish to raise an objection to the Application they believe that the issue of residual chlorine effects and the resulting formation of organic halogens, which can be bioaccumulated, would have to be looked at again during the operational phase and, in particular, before any Integrated Pollution Control authorisation is granted by the Environment Agency. The Secretary of State is content that the current regulatory processes are sufficient to protect the integrity of the European Site and considers that no assessment pursuant to the 1994 Regulations is therefore necessary. She also concludes that there is therefore no reason for refusing section 36 consent on the grounds of adverse effects on the integrity of a European Site.

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

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

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

5.3 The Secretary of State has considered the environmental information carefully; in addition to the Environmental Statement, she has considered the comments made by the relevant planning authorities, those designated as statutory consultees under regulation 6(4) of the 1990 Regulations and others.

5.4 Taking into account the extent to which any adverse environmental effects will be modified and mitigated by measures the Company will be required to take under the

Planning Conditions or by regulatory authorities, including the Environment Agency, the Secretary of State believes that any remaining adverse environmental effects will not be such that it would be appropriate to refuse section 36 consent to the Development.

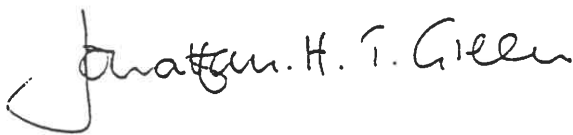
#### VI. SECRETARY OF STATE'S DECISION ON THE APPLICATION

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

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

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

Yours faithfully



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

DEPARTMENT OF TRADE AND INDUSTRY  
ELECTRICITY ACT 1989  
TOWN AND COUNTRY PLANNING ACT 1990  
CONSTRUCTION AND OPERATION OF A GENERATING STATION AT  
SOUTH DENES, NORFOLK

1. Pursuant to section 36 of the Electricity Act 1989 the Secretary of State for Trade and Industry (the Secretary of State) hereby consents to the construction by Amoco Power Resources (Europe) Limited (the Company), on the area coloured red on Figure 1, annexed hereto and duly endorsed on behalf of the Secretary of State, of a combined cycle gas turbine generating station at South Denes, Great Yarmouth in the County of Norfolk (the Development), and to the operation of that generating station.

3. Subject to paragraph 3(1), the Development shall be of about 350 MW capacity and comprise:

- (a) a gas turbine, a heat recovery steam generator and a steam turbine;
- (b) ancillary plant and equipment; and
- (c) the necessary buildings (including administration buildings) and civil engineering works.

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

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



details contained in the Company's application of 23 April 1996.

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

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

#### Definitions

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

"BS 4142" means British Standard 4142: 1990 - Method for rating industrial noise affecting mixed residential and industrial areas;

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

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

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

"the commencement of the Development" means the date on which the Development shall be taken to be initiated in accordance with section 56 of the Town and Country Planning Act 1990, as amended;

"the commissioning of the Development" means the date on which the Development first supplies electricity on a commercial basis to the transmission system of the National

Grid Company or directly to one of the Company's customers;

"the Company" means Amoco Power Resources (Europe) Limited and its assigns and successors;

"the Council" means the Great Yarmouth Borough Council and its assigns and successors;

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

"the Development" means the combined cycle gas turbine generating station at South Denes, Great Yarmouth in the County of Norfolk;

"emergency" means circumstances in which there is reasonable cause for apprehending imminent injury to persons, serious damage to property or danger of serious pollution to the environment;

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

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

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

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

"the Site" means the area of land coloured red on Figure 1, annexed hereto;

### The Site

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

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

### Time Limits

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

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

### Suppression of Dust and Dirt

- (4) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council a scheme for the provision of wheel cleansing facilities for heavy commercial vehicles and any other vehicle which has an operating weight exceeding three tonnes. Such approved facilities shall be installed in accordance with a timescale to be approved in writing by the Council and shall be maintained throughout the period of the construction of the Development.
- (5) The Company shall make provision of a concrete or bituminous macadam road on the Site between the wheel cleansing facilities provided pursuant to Condition (4) and the public highway.
- (6) All heavy commercial vehicles and any other vehicle which has an operating weight exceeding three tonnes associated with the construction of the Development, shall on each occasion prior to leaving the Site pass

through the wheel cleansing facilities provided pursuant to Condition (4).

- (7) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council a scheme employing the best practicable means for the suppression of dust during the period of the construction of the Development. The measures approved in the scheme shall be employed throughout the period of construction unless any variation has been approved in writing by the Council.
- (8) All heavy commercial vehicles carrying bulk materials into and out of the Site shall be sheeted so as fully to contain such material and prevent it being dispersed into the environment during transit.
- (9) The Company shall put in place procedures to monitor all exit points from the Site and shall as soon as reasonably practicable sweep or otherwise clear away any mud or similar matter which may be carried onto the public highway by vehicles leaving the Site during the period of the construction of the Development.

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

#### Layout and Design

- (10) The commencement of the Development shall not take place until there has been submitted to and approved in writing by and deposited with the Council a scheme which shall indicate:
  - (i) the siting, design and external appearance of temporary buildings and structures to be erected and used during the period of the construction of the Development;

- (ii) details of colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
  - (iii) details of any facilities required on the Site for the storage of materials required for the construction of the Development;
  - (iv) details of storage facilities on the Site for the storage of wastes and for the collection and disposal of such wastes;
  - (v) details of any perimeter fencing and gates required during the period of the construction of the Development;
  - (vi) details of artificial lighting required during the period of the construction of the Development; and
  - (vii) phasing of works included in the scheme.
- (11) The commencement of the main Development shall not take place until there has been submitted to and approved in writing by and deposited with the Council a scheme which shall include:
- (i) the siting, design, external appearance and dimensions of all buildings and structures which are to be retained following the commissioning of the Development;
  - (ii) details of the colour, materials and surface finishes in respect of those buildings and structures referred to in (i) above;
  - (iii) details of the ground levels and heights of all permanent buildings and structures together with cross-sections through the Site and adjacent land showing existing and proposed ground levels;

- (iv) details of vehicular circulation roads, parking, hardstandings, turning facilities and loading and unloading facilities on the Site;
  - (v) details of any additional facilities required on the Site for the storage of materials required for the operation of the Development;
  - (vi) details of artificial lighting required during the operation of the Development; and
  - (vii) phasing of works included in the scheme.
- (12) The Development shall proceed only in accordance with the schemes referred to in Conditions (10) and (11) subject to any variation as may be approved in writing by the Council.
- (13) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Council a scheme for the removal of all temporary buildings, structures and ancillary works connected with the construction of the Development. Such scheme shall include details of the land to be reinstated and the timing and phasing of removal. The measures approved in the scheme shall be employed throughout the period of removal unless any variation has been approved in writing by the Council.
- (14) Notwithstanding the terms of Condition (13) the Company shall, subject to the prior written approval of the Council, be permitted to retain those buildings which may be required for future use by the Company.
- (15) All permanent roads and/or junctions provided pursuant to Condition (12) (iii) shall be surfaced to a specification to be approved in writing by the Council and shall

be constructed prior to the commissioning of the Development. Such approved roads and/or junctions shall be maintained to the satisfaction of the Council for the duration of the operation of the Development.

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

#### Construction

- (16) All activities associated with the construction of the Development shall be carried out in accordance with British Standard 5228, Parts 1 and 2: 1984 and Part 4: 1992; Noise Control on Construction and Open Sites.
- (17) No construction work associated with the Development shall take place on the Site on any Sunday or Bank Holiday nor on any other day except between the following times;
- |                  |                   |
|------------------|-------------------|
| Monday to Friday | 0700 - 1900 hours |
| Saturday         | 0800 - 1700 hours |
- unless such work -
- (a) is associated with an emergency; or
  - (b) is carried out with the prior written approval of the Council; or
  - (c) does not cause existing ambient noise levels to be exceeded.
- (18) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council a scheme detailing the method to be used for pile driving. The approved scheme shall be adhered to throughout the period of the construction of the Development, unless any variation has been approved in writing by the Council.

(19) No pile driving approved pursuant to Condition (18) shall take place on the Site on any Sunday or Bank Holiday nor on any other day except between the following times:

Monday to Friday	0800 - 1800 hours
Saturday	0800 - 1300 hours

unless such pile driving is -

- (a) associated with an emergency; or
- (b) carried out with the prior written approval of the Council.

(20) In any instance where a time limitation referred to in Conditions (17) and (19) is exceeded because of an emergency the Company shall within 2 working days provide the Council with a written statement detailing the nature of the emergency and the reason why the time limitation could not be observed.

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

#### Construction Noise and Vibration

(21) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council a programme for the monitoring of noise and vibration generated during the construction of the Development. The programme shall specify the measurement locations from which noise and vibration will be monitored and the maximum permissible levels at each such monitoring locations. The programme shall make provision for such noise and vibration measurements to be undertaken as soon as possible following requests by the Council and such measurements shall be given to the Council as soon as they are available. At each measurement location, noise levels



during construction operations shall not exceed the levels specified in the approved programme unless otherwise approved in writing by the Council or in an emergency.

- (22) In any instance where the noise limitation referred to in Condition (21) is exceeded because of an emergency the Company shall within 2 working days provide the Council with a written statement detailing the nature of the emergency and the reason why the noise level could not be observed.

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

#### Operational Noise

- (23) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Council a programme for the monitoring of noise generated by the operation of the Development. The programme shall specify the locations from which noise will be monitored, the method of noise measurement (which shall be in accordance with BS 4142) and the maximum permissible levels of noise at each such location. The programme shall make provision for such noise measurements to be taken by the Company as soon as possible following requests by the Council and such measurements shall be given to the Council as soon as they are available. At such measurement locations noise levels shall not exceed the levels specified in the approved programme, except in an emergency.
- (24) Notwithstanding any noise measurement and noise measurement location approved by the Council pursuant to Condition (23) the noise generated by the operation of the Development shall not exceed  $LA_{eq} - 39$  dBA (5 minutes) when assessed in accordance with BS 4142 at residential positions 1 (Riverside Road/Rear of High Street) and 2 (Riverside Road/South Icehouse Hill) on Figure 7, annexed hereto. The noise shall exhibit no

tonal or impulse content at these locations in any weather conditions. The above noise level limitation shall be adhered to at all times except in an emergency.

(25) In any instance where a noise level approved pursuant to Condition (23) or a noise limitation referred to in Condition (24) is exceeded because of an emergency the Company shall within 2 working days provide the Council with a written statement detailing the nature of the emergency and the reason why the noise level and/or limitation could not be observed. If the emergency period is expected to be for more than twenty four hours then the Company shall inform those residents affected by the effects of the emergency of the reasons for the emergency and the expected duration.

(26) Except in an emergency, the Company shall give at least 2 working days prior notice in writing to the Council of any proposed operation of emergency pressure valves or similar equipment.

So far as is reasonably practicable, any such operation

- (a) shall take place between the hours of 09.00 and 17.00; and
- (b) shall not take place on any Saturday, Sunday or Bank Holiday.

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

#### Noise Complaints Procedure

(27) In any instance where a local resident has cause to make a complaint about noise generated by the construction and/or operation of the Development the Company shall carry out investigations to establish the justification, or otherwise, for the

complaint, the likely cause and possible remedial measures. A written report to the complainant shall be made as soon as reasonably practicable following the investigation/remedial work. The Company shall keep all such reports in an appropriate file and such file shall be made available to the Council on request.

Reason: To ensure that any complaints on the grounds of noise are properly dealt with so as to reduce the impact of the Development on local residents.

### Landscaping

- (28) The commencement of the main Development shall not take place until a scheme of landscaping and creative conservation has been submitted to and approved in writing by the Council.
- (29) The scheme referred to in Condition (28) shall include details of the following matters:
- (i) planting;
  - (ii) management of existing and new planted areas;
  - (iii) restoration of areas affected by construction works;
  - (iv) details of grass seed mix for areas of the Site to be restored to grassland;
  - (v) details of the height, type, size and species of the shrubs and trees to be planted;
  - (vi) details of the measures to be taken to create new flora and fauna habitats and of the management of such new habitats; and
  - (vii) phasing of works included in the scheme.

(30) The landscaping and planting, including grass sowing, shall take place in accordance with the phasing of works specified in Condition (29) (vii) and no later than the appropriate planting or sowing season following the completion of the construction of the Development and shall be carried out in accordance with the scheme approved under Condition (29). Any trees or shrubs, including hedges, which die, become seriously damaged or diseased or are removed within five years from the date of planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise approved in writing by the Council.

Reason: To ensure proper landscaping for the Development and so as not to prejudice the future planning of the riverside.

#### Prevention of Contamination of Watercourses

(31) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council, in consultation with the Environment Agency, a scheme showing the method and working of drainage facilities on the Site. Such facilities shall be put in place in accordance with the approved scheme.

(32) The scheme referred to in Condition (31) shall include:

- (i) measures to ensure that no leachate or any contaminated surface water from the Site shall be allowed at any time to enter directly or indirectly into any watercourse or underground strata or onto adjoining land;
- (ii) provision for trapped gullies in car parks, hardstandings and roadways;

(iii) measures to ensure that all foul sewage must drain to an approved foul sewerage and/or sewage disposal system; and

(iv) phasing of works.

(33) Any surface water contaminated by hydrocarbons which are used during the construction of the Development shall be passed through oil/grit interceptor(s) prior to being discharged to any on-Site foul drainage system or public sewer or watercourse or to any other surface water disposal system which has been approved by the Environment Agency.

(34) All facilities required for the storage of hydrocarbons, process chemicals or similar liquids must be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund and there must be no drain through the bund floor or walls.

(35) All containers in the bunded area referred to in Condition (34) containing acids, alkalis or sulphides in addition to being contained in suitable facilities will have appropriate protective lining applied to the inner walls of the bund.

(36) The facilities required for the purposes specified in Condition (34) shall be built prior to the commencement of the main Development.

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

#### Atmospheric Emissions

(37) All data relating to emissions into the air from the Development which are supplied by the Company to the Environment Agency

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

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

#### Air Pollution Monitoring

- (38) The commissioning of the Development shall not take place until there has been submitted to and approved in writing by the Council a scheme for the monitoring of air pollution in its area. The scheme shall specify the pollutants to be monitored and include the measurement location or locations within the Council's area from which air pollution will be monitored, the equipment and methods to be used and the frequency of measurement. The scheme shall provide for the first measurement to be taken not less than 12 months prior to the commissioning of the Development and for the final measurement to be taken not more than 24 months after the commissioning of the Development. The Company shall supply full details of the measurements obtained in accordance with the scheme to the Council as soon as possible after they become available.
- (39) Should the Council require continued monitoring of air pollution the Company shall extend the scheme approved pursuant to Condition (38) for a period of up to 60 months from the date of the last measurement taken pursuant to Condition (38). The Company shall supply full details of the measurements obtained during the extended period to the Council as soon as possible after they become available.

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

#### Fuel

- (41) All natural gas for use in the operation of the Development shall be conveyed to the Site only by pipeline.
- (42) All condensate for use in the operation of the Development shall be conveyed to the Site only by pipeline
- (43) Condensate storage on the Site shall not exceed 3,900 tonnes.

Reason: To ensure that gas and condensate are not delivered to the Development by road and to prevent a large area of the Borough coming within the notifiable area required by the Health and Safety Executive.

#### Contaminated Waste

- (44) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Council, in consultation with the Environment Agency, a scheme for the treatment of any contaminated material found on the Site.
- (45) Contaminated material arising from the construction of the Development shall be treated on the Site in accordance with the scheme approved pursuant to Condition (44) or shall be disposed of to licensed disposal facilities.

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

### Archaeology

- (46) The commencement of the Development shall not take place until there has been submitted to and approved in writing by the Borough Council a scheme of archaeological investigation and an associated implementation programme.
- (47) The scheme approved pursuant to Condition (46) shall provide for:
- (i) any person nominated by the Council to be permitted safe access to the part of the Site where the find is made;
  - (ii) finds of national importance to be evaluated and, where practicable, preserved in situ; and
  - (iii) phasing of works.
- (48) The further investigations and recording of such finds as are considered necessary by the Council shall be undertaken prior to the construction of any part of the Development on that part of the Site where such finds are identified, and in the case of finds of national importance in accordance with the phasing of works approved pursuant to Condition (47) (iii), unless any variation has been approved in writing by the Council.

Reason: To allow the surveying of the Site for archaeological artefacts and the recovery of any important archaeological discovery before construction of the main Development begins.

### TV, Microwave and Radio Interference

- (49) Prior to the commencement of the main Development the Company shall carry out an investigation of the likely impact, if any, of the construction and operation of the Development on television, microwave or radio communications. Details of the



investigation shall be presented to the Council. Should the investigation predict adverse effects, the Company shall take steps to provide such equipment as may be necessary to ensure interference is eliminated.

Reason: To ensure that existing TV, microwave and radio communications are not adversely affected by the Development.

Use of Waste Heat

(50) The commissioning of the Development shall not take place until the Company has installed the necessary plant and pipework to supply waste heat to the Site boundary.

Reason: To ensure that waste heat be available for use to the benefit of the local community.

Default of Agreement

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

*Jonathan H. T. Green*

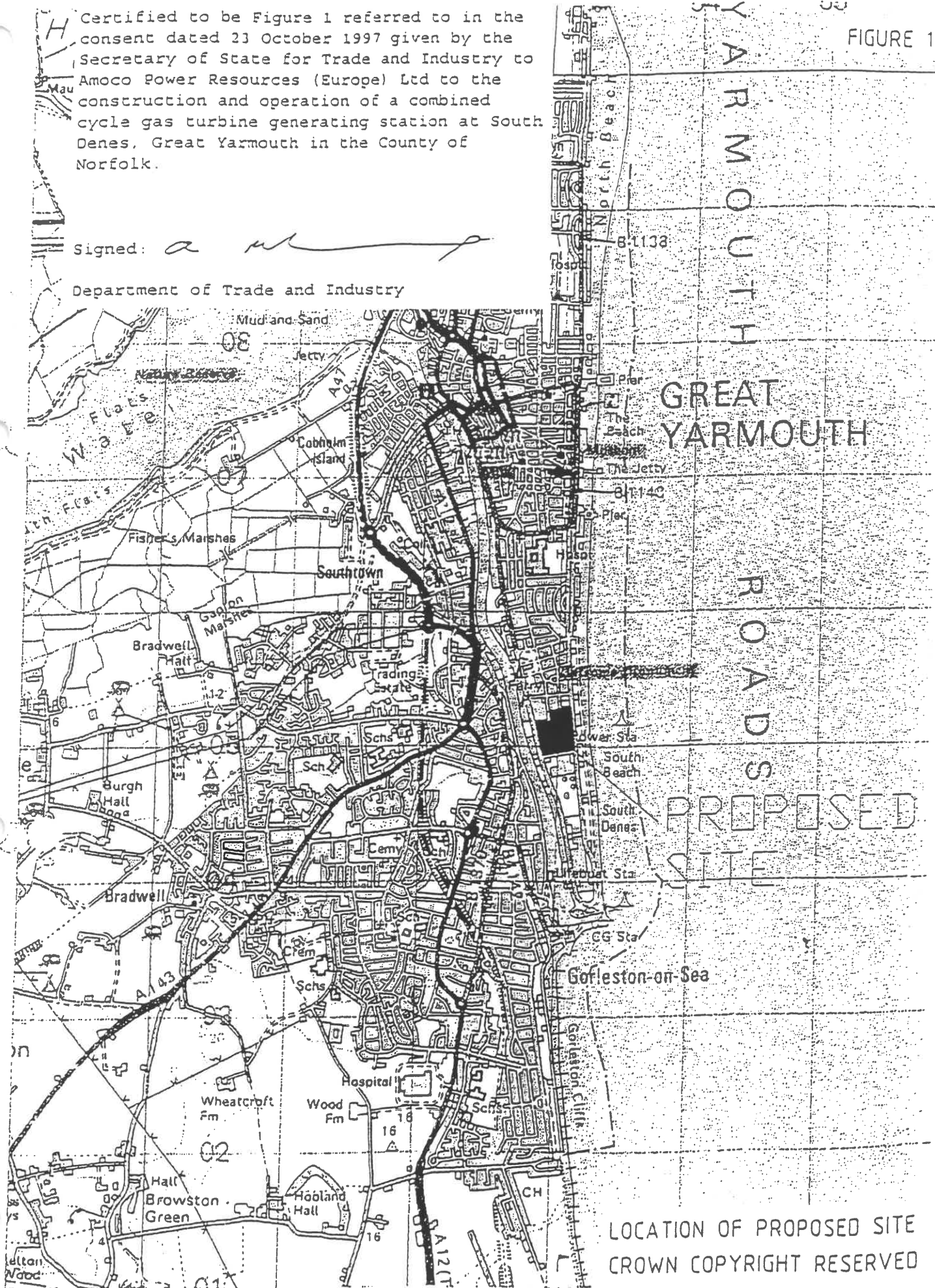
Date: 23 October 1997 J H T Green  
Director  
Electricity Directorate  
Department of Trade and Industry

FIGURE 1

Certified to be Figure 1 referred to in the consent dated 23 October 1997 given by the Secretary of State for Trade and Industry to Amoco Power Resources (Europe) Ltd to the construction and operation of a combined cycle gas turbine generating station at South Denes, Great Yarmouth in the County of Norfolk.

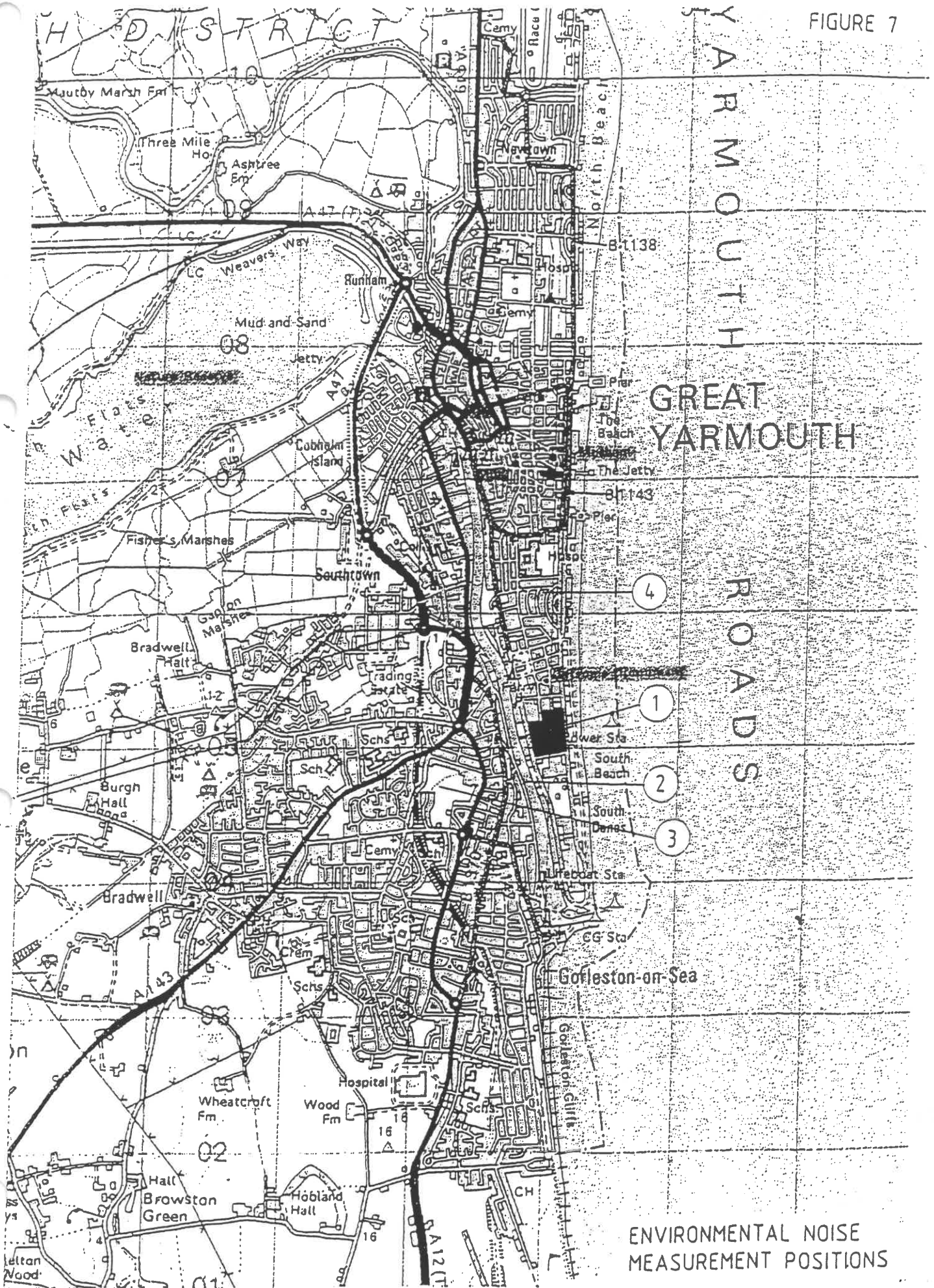
Signed: *[Signature]*

Department of Trade and Industry



LOCATION OF PROPOSED SITE  
CROWN COPYRIGHT RESERVED

FIGURE 7



ENVIRONMENTAL NOISE  
MEASUREMENT POSITIONS  
CROWN COPYRIGHT RESERVED