

**From:** [REDACTED]  
**To:** [Immingham OCGI](#)  
**Subject:** EN010097 - VPI Immingham B Ltd: Deadline 3 submission  
**Date:** 04 October 2019 12:20:26  
**Attachments:** [REDACTED]

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Dear Ewa,

Please find attached summary of oral representations made by Environment Agency representatives at the Issue Specific Hearings for the above project.

Kind regards,  
Annette

**Annette Hewitson** | Principal Planning Adviser  
**Lincolnshire & Northamptonshire Area**  
**Environment Agency** | Ceres House, Searby Road, Lincoln LN2 4DW

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: 02030 254924



We have recently published new webpages for [LPAs, developers](#) and [Neighbourhood Planning Groups](#) giving clarification on our planning consultation role. Please refer to this to check if we can provide you with advice on your development proposals. For developments in areas at risk of flooding, please refer to our new [Flood Risk Assessment checklist](#).

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**VPI Immingham B Ltd**

Land to the West of Rosper Road,  
South Killingholme, Lincolnshire

**Planning Inspectorate Reference: EN010097**

**Summary of Oral Representations made by  
the Environment Agency at the Issue Specific Hearings on  
2<sup>nd</sup> and 3<sup>rd</sup> October 2019  
Unique Reference Number: 20022372**

**4<sup>th</sup> October 2019**

At the Issue Specific Hearing (ISH1) on the draft Development Consent Order (DCO), held on 2 October 2019, Ms Annette Hewitson made the following submissions on behalf of the Environment Agency (EA).

**Agenda Item 4 – proposed revisions to the draft DCO**

The EA has observed that the new Requirement 25, which is now included in Version 2 of the DCO, for a scheme to be submitted in respect of foul water drainage, includes slightly different wording in sub paragraph 3 from that agreed in its Statement of Common Ground with the Applicant. The EA has no objection to the alternative wording. Neither would we have any objection if the Applicant wishes to amend the wording to that previously agreed.

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At the Issue Specific Hearing (ISH2) on environmental matters, held on 3 October 2019, Ms Annette Hewitson and Mr Kevin Burton made the following submissions on behalf of the EA.

**Agenda Item 2 ii) Noise (Operational Noise Restriction)**

The EA has a role in regulating operational noise and has reviewed the Applicant's assessment submitted in connection with their Environmental Permit application. Whilst accepting that the Applicant's impact assessment is satisfactory, we are suggesting that additional measures should be assessed and evaluated so that they can be included within the final design. The noise assessment does identify a receptor and we will evaluate whether there are additional mitigation measures that could be put in place to minimise noise from the proposed installation.

Consequently, we have included a condition in the draft Permit (which is currently undergoing internal peer review), which reads:

*At least two months prior to the commencement of commissioning, the Operator shall carry out a feasibility study on the provision of additional mitigation of noise emissions from the installation.*

*The assessment of mitigation measures shall focus on but not be limited to predicted noise from the following*

- *Gas Turbine buildings;*
- *Exhaust Stack, Fin Fan Coolers;*
- *Gas Turbine Air Inlet Housing; and*
- *Generator Transformers.*

*A written report summarising the assessment and any additional mitigation proposed as a result of the study shall be submitted to the Environment Agency for approval. The Agency approval shall include timescales for the Operator to implement the improvements.*

When discharging such a condition, the EA's approach is to apply Best Available Techniques (BAT) for controlling operational noise. BAT looks to balance the costs of mitigation measures against the benefits; it has to be proportionate and reasonable.

### **Agenda Item 3 - Matters for Clarification**

#### **Foul and surface water drainage**

The EA confirmed that all issues relating to foul and surface water drainage are now resolved and appropriate Requirements relating to these topics are included in the DCO.

#### **Update on Environmental Permit**

The EA confirmed that the Environmental Permit application has now been assessed and all supporting documents are considered satisfactory. Public and statutory consultation on the application has also been undertaken; the consultation period ended on 19 September 2019. We have produced a draft Permit and draft Decision Document, which are currently undergoing an internal peer review. We hope to release the Permit decision by the end of October.