

## **DELEGATED REPORT**

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**ITEM:** **RECOMMENDATION: Conditions  
Part Complied With**

**APPLICATION NO:** DM/0486/19/CND

**APPLICATION TYPE:** Discharge Condition

**APPLICATION SITE:** South Humber Bank Power Station, South Marsh Road,  
Stallingborough, Grimsby, North East Lincolnshire, DN41 8BZ

**PROPOSAL:** Details in discharge of condition 13, Part 1 (Contamination - investigation) DM/1070/18/FUL (Construction of an energy from waste facility of up to 49.9MWe gross capacity including emissions stack(s), associated infrastructure including parking areas, hard and soft landscaping, the creation of a new access to South Marsh Road, weighbridge facility, and drainage infrastructure, on land at South Humber Bank Power Station)

**APPLICANT:**  
C/O AGENT  
EP SHB Limited  
South Humber Bank Power Station  
South Marsh Road  
Stallingborough  
DN41 8BZ

**AGENT:**  
Mr C Turnbull  
DWD  
6 New Bridge Street  
London  
EC4V 6AB

**DEPOSITED:** 29th May 2019

**ACCEPTED:** 29th May 2019

**TARGET DATE:** 24th July 2019

**PUBLICITY EXPIRY:** 30th June 2019

**AGREED EXTENSION OF TIME DATE:**

**CONSULTATION EXPIRY:** 30th June  
2019

**CASE OFFICER:** Cheryl Jarvis

### **PROPOSAL**

Details in discharge of condition 13, Part 1 (Contamination - investigation)  
DM/1070/18/FUL (Construction of an energy from waste facility of up to 49.9MWe gross capacity including emissions stack(s), associated infrastructure including parking areas, hard and soft landscaping, the creation of a new access to South Marsh Road,

weighbridge facility, and drainage infrastructure, on land at South Humber Bank Power Station).

## **SITE**

The application site sits to the rear of the South Humber Bank Power Station on Hobson Way in Stallingborough. In its entirety the whole site (the land in the applicant's control) is approximately 25ha, while the area comprising the main development is approximately 7ha. The site is irregular in shape and narrows towards the eastern end.

Synthomer sits to the north of the site where there is also an access to Newlinx Development Ltd. To the east is the Humber Estuary. Open land extends beyond the southern boundary and the existing South Humber Bank Power Station sits to the west of the main development area, which would be unaffected by this proposal.

The land housing the main elements of this proposal is largely undeveloped, unused and flat, comprising of rough grassland, two ponds and hard landscaping. Drainage ditches extend along two of the site boundaries.

There are no residential neighbours in close proximity to the site as the area is generally characterised by large scale industrial development and associated infrastructure. Agricultural fields separate a number of these large scaled industrial developments.

The A180 is to the far south and west with a number of smaller classified roads which link it to the site and in the future, the South Humber Bank Link Road (construction commencing 2019).

## **RELEVANT PLANNING HISTORY**

DM/1070/18/FUL - Construction of an energy from waste facility of up to 49.9MWe gross capacity including emissions stack(s), associated infrastructure including parking areas, hard and soft landscaping, the creation of a new access to South Marsh Road, weighbridge facility, and drainage infrastructure, on land at South Humber Bank Power Station. Approved with S106.

## **RELEVANT PLANNING POLICIES AND BACKGROUND PAPERS**

National Planning Policy Framework (February 2019)

North East Lincolnshire Local Plan 2013-2032 (adopted 2018)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material

considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making. The development plan for the area is comprised of the North East Lincolnshire Local Plan 2013-2032 (Adopted 2018).

## **REPRESENTATIONS RECEIVED**

Environment Team - Considers this element of condition 13 has been met.

## **APPRAISAL**

The application seeks to discharge condition 13, Part 1 (Contamination - investigation) of DM/1070/18/FUL (Construction of an energy from waste facility of up to 49.9MWe gross capacity including emissions stack(s), associated infrastructure including parking areas, hard and soft landscaping, the creation of a new access to South Marsh Road, weighbridge facility, and drainage infrastructure, on land at South Humber Bank Power Station).

Part 1 of that condition states:

'Development must not commence, save for the permitted preliminary works, until a scheme for an investigation of the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved in writing by the Local Planning Authority. The investigation must be based on the assessment included in Appendix 12A of the submitted Environmental Statement, and must be undertaken by competent persons'.

The application is accompanied by a Site Investigation Specification by Fichtner Consulting Engineers Ltd and a Ground Investigation Rationale. The Environment Team have reviewed the information and consider is satisfactory to discharge part 1 of condition 13.

## **CONCLUSION**

Pursuant to the Town and Country Planning Act 1990 (as amended), i hereby confirm that the details are sufficient to discharge Part 1 of condition 13 (Contamination - investigation) of DM/1070/18/FUL (Construction of an energy from waste facility of up to 49.9MWe gross capacity including emissions stack(s), associated infrastructure including parking areas, hard and soft landscaping, the creation of a new access to South Marsh Road, weighbridge facility, and drainage infrastructure, on land at South Humber Bank Power Station).

For the avoidance of doubt, Part 1 is defined as the following text from the decision notice:-

'Development must not commence, save for the permitted preliminary works, until a scheme for an investigation of the nature and extent of any contamination on the site, whether or not it originates on the site, has been submitted to and approved in writing by

the Local Planning Authority. The investigation must be based on the assessment included in Appendix 12A of the submitted Environmental Statement, and must be undertaken by competent persons'.

The remaining part of condition 13 must be discharged in line with the timescales and detail set out within the original condition.

## **RECOMMENDATION**

### **Conditions Part Complied With**

**Case Officer: Cheryl Jarvis**

**Supervising officer:**

**Name: Martin Dixon**

**North East Lincolnshire Council Officer with Delegated Powers:**

**Name: Chris Lines**