

# **South Humber Bank Energy Centre Project**

Planning Inspectorate Reference: EN010107

**South Marsh Road, Stallingborough, DN41 8BZ**

**The South Humber Bank Energy Centre Order**

**Document Reference: 5.4 Other Consents and Licences**



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**Applicant: EP Waste Management Ltd**  
**Date: January 2021**

## DOCUMENT HISTORY

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## GLOSSARY

<b>Abbreviation</b>	<b>Description</b>
AIL	Abnormal Indivisible Load.
BCA	Bilateral Connection Agreement
BEIS	Department for Business, Energy and Industrial Strategy.
CCGT	Combined Cycle Gas Turbine.
Consag	Construction Agreement
DCO	Development Consent Order: provides a consent for building and operating a NSIP.
EfW	Energy from Waste: the combustion of waste material to provide electricity and/ or heat.
EIA	Environmental Impact Assessment.
EPC	Engineering, Procurement and Construction.
EPUKI	EP UK Investments Ltd.
EPWM	EP Waste Management Ltd. ('the Applicant').
ES	Environmental Statement.
ExA	Examining Authority: an inspector or panel of inspectors appointed to examine the application.
HSE	Health and Safety Executive.
IDB	Internal Drainage Board.
MW	Megawatt: the measure of power produced.
NELC	North East Lincolnshire Council.
NGET	National Grid Electricity Transmission plc.
NGG	National Grid Gas plc.
NPS	National Policy Statement.
NSIP	Nationally Significant Infrastructure Project: for which a DCO is required.
OFGEM	Office of Gas and Electricity Markets.
OHL	Overhead Line.
PA 2008	Planning Act 2008.
PEIR	Preliminary Environmental Information Report: summarising the likely environmental impacts of the Proposed Development.
PINS	Planning Inspectorate.
Q1	Quarter 1.
SHBEC	South Humber Bank Energy Centre.
SHBPS	South Humber Bank Power Station.
SoS	Secretary of State.



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## 1.0 Introduction

### 1.1 Overview

- 1.1.1 This 'Other Consents and Licences' document (Document Ref. 5.4), submitted at Deadline 3, has been prepared on behalf of EP Waste Management Limited ('EPWM' or the 'Applicant'). It forms part of the application (the 'Application') for a Development Consent Order (a 'DCO'), that has been submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy, under section 37 of 'The Planning Act 2008' (the 'PA 2008').
- 1.1.2 EPWM is seeking development consent for the construction, operation and maintenance of an energy from waste ('EfW') power station with a gross electrical output of up to 95 megawatts (MW) including an electrical connection, a new site access, and other associated development (together 'the Proposed Development') on land at South Humber Bank Power Station ('SHBPS'), South Marsh Road, near Stallingborough in North East Lincolnshire ('the Site').
- 1.1.3 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under sections 14 and 15(2) of the PA 2008.
- 1.1.4 The DCO, if made by the SoS, would be known as the 'South Humber Bank Energy Centre Order' ('the Order').
- 1.1.5 Full planning permission ('the Planning Permission') was granted by North East Lincolnshire Council ('NELC') for an EfW power station with a gross electrical output of up to 49.9 MW and associated development ('the Consented Development') on land at SHBPS ('the Consented Development Site') under the Town and Country Planning Act 1990 on 12 April 2019. Since the Planning Permission was granted, the Applicant has assessed potential opportunities to improve the efficiency of the EfW power station, notably in relation to its electrical output. As a consequence, the Proposed Development would have a higher electrical output (up to 95 MW) than the Consented Development, although it would have the same maximum building dimensions and fuel throughput (up to 753,500 tonnes per annum (tpa)).

### 1.2 The Applicant

- 1.2.1 The Applicant is a subsidiary of EP UK Investments Limited ('EPUKI'). EPUKI owns and operates a number of other power stations in the UK. These include SHBPS and Langage (Devon) Combined Cycle Gas Turbine ('CCGT') power stations, Lynemouth (Northumberland) biomass-fired power station, and power generation assets in Northern Ireland. EPUKI also owns sites with consent for new power stations in Norfolk (King's Lynn 'B' CCGT) and North Yorkshire (Eggborough CCGT).
- 1.2.2 EPUKI is a subsidiary of Energetický A Průmyslový Holding ('EPH'). EPH owns and operates energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, Hungary, Poland, Ireland, and the United Kingdom.

### 1.3 The Proposed Development Site

- 1.3.1 The Proposed Development Site (the 'Site' or the 'Order limits') is located within the boundary of the SHBPS site, east of the existing SHBPS, along with part of the carriageway within South Marsh Road. The principal access to the site is off South Marsh Road.
- 1.3.2 The Site is located on the South Humber Bank between the towns of Immingham and Grimsby; both over 3 km from the Site. The surrounding area is characterised by industrial uses dispersed between areas of agricultural land with the nearest main settlements being the villages of Stallingborough, Healing and Great Coates. The Site lies within the parish of Stallingborough although Stallingborough village lies over 2 km away.
- 1.3.3 The Site lies within the administrative area of NELC, a unitary authority. The Site is owned by EP SHB Limited, a subsidiary of EPUKI, and is therefore under the control of the Applicant, with the exception of the highway land on South Marsh Road required for the new Site access.
- 1.3.4 The existing SHBPS was constructed in two phases between 1997 and 1999 and consists of two CCGT units fired by natural gas, with a combined gross electrical capacity of approximately 1,400 MW. It is operated by EP SHB Limited.
- 1.3.5 The Site is around 23 hectares ('ha') in area and is generally flat, and typically stands at around 2.0 m Above Ordnance Datum (mAOD).
- 1.3.6 The land surrounding the Site immediately to the south, west and north-west is in agricultural use with a large polymer manufacturing site, Synthomer, and a waste management facility, NEWLINCS, both located to the north of the Site and also accessed from South Marsh Road. The estuary of the River Humber lies around 175 m to the east of the Site.
- 1.3.7 Access to the South Humber Bank is via the A180 trunk road and the A1173. The Barton railway line runs north-west to south-east between Barton-on-Humber and Cleethorpes circa 2.5 km to the south-west of the Site and a freight railway line runs north-west to south-east circa 300 m (at the closest point) to the Site.
- 1.3.8 A more detailed description of the Site is provided at Chapter 3: Description of the Proposed Development Site in the Environmental Statement ('ES') Volume I (Document Ref. 6.2).

### 1.4 The Proposed Development

- 1.4.1 The main components of the Proposed Development are summarised below:
- Work No. 1— an electricity generating station located on land at SHBPS, fuelled by refuse derived fuel ('RDF') with a gross electrical output of up to 95 MW at ISO conditions;
  - Work No. 1A— two emissions stacks and associated emissions monitoring systems;
  - Work No. 1B— administration block, including control room, workshops, stores and welfare facilities;

- Work No. 2— comprising electrical, gas, water, telecommunication, steam and other utility connections for the generating station (Work No. 1);
- Work No. 3— landscaping and biodiversity works;
- Work No. 4— a new site access on to South Marsh Road and works to an existing access on to South Marsh Road; and
- Work No. 5— temporary construction and laydown areas.

1.4.2 Various types of ancillary development further required in connection with and subsidiary to the above works are detailed in Schedule 1 of the DCO. A more detailed description of the Proposed Development is provided at Schedule 1 'Authorised Development' of the Draft DCO and Chapter 4: The Proposed Development in the ES Volume I (Document Ref. 6.2) and the areas within which each of the main components of the Proposed Development are to be built is shown by the coloured and hatched areas on the Works Plans (Document Ref. 4.3).

## **1.5 Relationship with the Consented Development**

1.5.1 The Proposed Development comprises the works contained in the Consented Development, along with additional works not forming part of the Consented Development ('the Additional Works'). The Additional Works are set out below along with an explanation of their purpose.

- a larger air-cooled condenser (ACC), with an additional row of fans and heat exchangers – this will allow a higher mass flow of steam to be sent to the steam turbine whilst maintaining the exhaust pressure and thereby increasing the amount of power generated;
- a greater installed cooling capacity for the generator – additional heat exchangers will be installed to the closed-circuit cooling water system to allow the generator to operate at an increased load and generate more power;
- an increased transformer capacity – depending on the adopted grid connection arrangement the capacity will be increased through an additional generator transformer operating in parallel with the Consented Development's proposed generator transformer or a single larger generator transformer. Both arrangements would allow generation up to 95 MW; and
- ancillary works – the above works will require additional ancillary works and operations, such as new cabling or pipes, and commissioning to ensure that the apparatus has been correctly installed and will operate safely and as intended.

1.5.2 The likely construction scenario is for work on the Consented Development (pursuant to the Planning Permission) to commence in Quarter 1 ('Q1') of 2021 and to continue for around three years. Following grant of a DCO for the Proposed Development (approximately halfway through the three-year construction programme), the Applicant would initiate powers to continue development under the Order instead of the Planning Permission. The Order includes appropriate powers and notification requirements for the 'switchover' between consents, to provide clarity for the relevant planning authority

regarding the development authorised and the applicable conditions, requirements, and other obligations. Once the Order has been implemented the additional works would be constructed and the Proposed Development would be built out in full. The Proposed Development would commence operation in 2024.

- 1.5.3 Alternative construction scenarios, involving construction entirely pursuant to the Order, are also possible. Accordingly, three representative scenarios are described within Chapter 5: Construction Programme and Management in the ES Volume I (Document Ref. 6.2) and assessed in the Environmental Impact Assessment ('EIA').

## **1.6 The Purpose and Structure of this Document**

- 1.6.1 The purpose of this document is to provide information on the other consents and licences that are, or may be, required under other legislation for the construction and operation of the Proposed Development, outside of the DCO (Document Ref. 2.1).
- 1.6.2 The document will be updated by EPWM, as required, during the examination of the Application by the SoS.
- 1.6.3 The other consents and licences required are listed in Section 2 (Table 2.1) of this document.



## **2.0 OTHER CONSENTS AND LICENCES**

- 2.1.1 Table 2.1 below lists the type of consent/ licence required, the relevant consenting body, any agreement that has been reached with that body, actions to be undertaken and the status of the relevant application (e.g. whether the consent/ licence has been granted or the anticipated application submission date).
- 2.1.2 In terms of timings, the Planning Permission has not been implemented, and construction of the Consented Development (pursuant to the Planning Permission) is now likely to commence in Quarter 1 ('Q1') of 2021 and to continue for around three years. Construction commencement corresponds to the date a contract will be signed with the Contractor and the start of works on site will occur sometime after that once detailed design has progressed.

**Table 2.1: Other Consents and Licences**

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
1.	Bilateral Connection Agreement for connection to the National Grid 400 kV substation within SHBPS site.	National Grid Electricity Transmission Plc ('NGET').	Potentially required; an alternative is a connection to the 132kV network - see (2).  Comprises a Bilateral Connection Agreement (BCA) and a Construction Agreement (Consag).	Connection offer (incorporating BCA and Consag) received.	The Applicant is likely to decide whether to accept this offer or the offer under (2) in Q2 2020.	The Applicant accepted a BCA and a Consag from NGET in Q2 2020 for a connection to the National Grid 400 kV substation within the SHBPS site.
2.	Connection Agreement for connection to the 132kV electricity distribution network.	Northern Powergrid.	Potentially required; alternative is the National Grid 400kV connection - see (1).  This will be a cable connection and the works off site will be carried out by Northern Powergrid, who will use their regulatory powers or obtain planning approval to undertake the works as necessary.	Connection offer received.	The Applicant is likely to decide whether to accept this offer or the offer under (1) in Q2 2020.	The Applicant rejected an offer for the Connection Agreement to the 132kV electricity distribution network, as the alternative offer above (1) was accepted. This item is therefore not currently required but could be required under alternative construction scenarios.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
3.	Connection Agreement for connection to Cadent local gas distribution network.	Cadent.	Required for 'Option C' gas connection (as described in the Gas Connection and Pipeline Statement (Document Ref. 5.3)). This will be an underground pipeline connection and the works will be carried out by Cadent, who will use their regulatory powers or obtain planning approval to undertake the works as necessary.	Feasibility study proposal received from Cadent.	Feasibility study will take up to 6 months. The subsequent timescales through to completion of construction would be around 15-39 months.	Connection Agreement for connection to Cadent local gas distribution network is unlikely following receipt of the feasibility study.
4.	Inter-company (private) agreement for connection to SHBPS gas network	EP SHB Limited.	Required in the event that the 'Option B' gas connection described in the Gas Connection and Pipeline Statement (Document Ref. 5.3) (Work No. 2) is selected.	No issues foreseen with obtaining this agreement if it should be required.	No significant timescale implications.	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
5.	Application to Offer for physical connection to gas National Transmission System ('NTS') network	NGG.	Required in connection with 'Option A' gas connection as described in the Gas Connection and Pipeline Statement (Document Ref. 5.3) (Work No. 2).	Preliminary discussions held on the scope of an application.	Once an application is prepared, 6 months determination, then 15-27 months through to completion of construction.	Preliminary discussions held on the scope of an application. Potentially, albeit unlikely, to be progressed following detailed design of the Proposed Development.
6.	Planning and Advanced Reservation of Capacity Agreement ('PARCA') for reservation of gas capacity from the NTS	NGG.	Required in connection with 'Option A' gas connection as described in the Gas Connection and Pipeline Statement (Document Ref. 5.3) (Work No. 2).	A PARCA may be required dependent on commercial arrangement between EPWM and NGG.	Subject to discussions with NGG.	A PARCA may be required dependent on commercial arrangement between EPWM and NGG. Potentially, albeit unlikely, to be progressed following detailed design of the Proposed Development.
7.	Pipeline Safety Notification - The Pipeline Safety	The Health and Safety	Required in connection with the Proposed Gas	No action required at present.	HSE will be notified a minimum of 6	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
	Regulations 1996 (Regulation 20)	Executive ('HSE').	Connection (Work No. 2).  HSE must be notified a minimum of 6 months prior to commencement of construction of the Proposed Gas Connection.		months prior to commencement of construction of the Proposed Gas Connection.	
8.	Gas Safety Case - The Gas Safety (Management) Regulations 1996 (Regulation 3)	HSE.	Required in connection with the Proposed Gas Connection (Work No. 2).  A safety case must be prepared and submitted to the HSE for approval prior to gas being conveyed. An exemption may apply.	No action required at present.	Safety case will be submitted prior to commencement of the start of construction of the Proposed Gas Connection.	No update.
9.	Environmental Permit - The Environmental Permitting (England	Environment Agency ('EA').	Required for the operation of the plant. Includes fire prevention plan.	Variation to existing SHBPS permit obtained in 2020 for the	Permit Granted for Consented Development; transfer to	Permit Granted for the Consented Development; transfer to

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
	and Wales) Regulations 2016			Consented Development; this will be partially transferred to a standalone permit to be issued to the Applicant.	standalone permit on going.	standalone permit submitted and Duly Made by the Environment Agency on 23 <sup>rd</sup> December 2020.
10.	Electricity Generation Licence - Section 6 of The Electricity Act 1989 (licences authorising supply, etc.).	Office of Gas and Electricity Markets (OFGEM).	Either a licence is required for the generation of electricity by the EfW power station (Work No. 1) or an exemption may be obtained.	Not yet progressed.	Licence or exemption to be applied for prior to commissioning of the Proposed Development.	No update.
11.	Class Licence under Wildlife and Countryside Act 1981 (as amended) Section 10(3)(c)	Natural England ('NE').	Required to trim ditch vegetation pre-construction which may displace water voles. A 'water vole class licence' would be held by the ecologist under form WML-CL31 rather than a full development licence.	The ditch vegetation within the channel and on the banks is likely to be trimmed back to ground level under the supervision of the Class Licensed Ecologist to displace water voles from the	n/a	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
				affected section of habitat between 15th February and 15th April 2021.		
12.	Building Regulations Approval - The Building Regulations 2010 (as amended)	NELC.	Required in respect of buildings and structures forming part of the Proposed Development.	No action required at present.	Buildings Regulations Approval would be sought prior to and during the construction phase.	No update.
13.	Bespoke permit for discharge to surface water - The Environmental Permitting (England and Wales) Regulations 2016 for dewatering during excavations	EA.	If foundations are being excavated to replace with engineering fill, then due to the high-water table, dewatering could be required. This will only require a bespoke permit from EA if the method does not comply with their regulatory position statement and lasts for more than 3 months.	No action required at present. This would be sought prior to construction if required by the contractor.	The EA specify that the application should not be earlier than 3 months prior to when it is required during construction.	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
14.	Land Drainage Consent from the IDB to discharge into their controlled network (IDB byelaws) Sections 23 and 66 of The Land Drainage Act 1991	Internal Drainage Board ('IDB') - North East Lindsey	The prior written consent of the Board is required for the introduction of any water into the District drainage system whether directly or indirectly.	Discussions have taken place with the IDB and agreement has been reached on the required runoff rate.	Application submission prior to start of construction.	No update.
15.	Agreement under Section 278 Highways Act for the carrying out of works to the public highway	NELC	Required to allow EPWM to carry out the works to the public highway necessary to create a new access (i.e. crossing the highway verge and tying in, any changes to or new signals/ priorities) if the works are progressed as part of the Consented Development (and therefore not under the highway works powers included in the DCO).	Technical approval has been granted by NELC.	None.	No update.



NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
16.	Temporary Traffic Regulation Order	NELC	<p>May be required to allow traffic management e.g. in respect of creating new access or to minimise queueing / prevent certain turns during the construction period.</p> <p>The need will be determined by the EPC contractor.</p>	No action required at present.	TTRO would be sought once the number and nature of TTROs is established following appointment of the EPC contractor.	No update.
17.	Permit for Transport of Abnormal Loads - The Road Vehicles (Authorisation of Special Types) (General) Order 2003 or The Road Traffic Act 1988	VCA (the Executive Agency of the Department for Transport), Highways England and local highway authority (NELC).	The need will be determined by the EPC contractor. Details for the management of Abnormal Loads and Abnormal Indivisible Loads ('AILs') are secured within the 'Construction traffic management and travel planning' requirement in Schedule 2 of the DCO.	No action required at present.	A permit(s) would be sought once the number and type of Abnormal Loads and AILs has been established following appointment of the EPC contractor.	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
18.	Notification of Construction Works - The Construction (Design and Management) Regulations 2015	The Health and Safety Executive ('HSE').	HSE should be notified in writing prior to the start of construction work using the HSE F10 Form.	Submitted prior to appointment of contractor by the Applicant.	HSE will be notified prior to the commencement of the start of construction.	No update.
19.	Construction Noise Consent - Section 61 of The Control of Pollution Act 1974	NELC.	May be required during construction of the plant for certain activities.	No action required at present.	Would be applied for prior to the start of construction, or prior to specific construction activities, if required.	No update.
20.	Fire Notice - The Regulatory Reform (Fire Safety) Order 2005.	Local fire and rescue authority.	Required in respect of work on construction sites.	No action required at present.	Would be applied for prior to the start of construction, if required.	No update.
21.	Greenhouse Gas Permit - Greenhouse Gas Emissions	EA.	Required for the emission of carbon dioxide from the plant.	New permit required.	Application submission prior to	No update.

NO.	CONSENT/LICENCE	RELEVANT BODY	COMMENTS/ AGREEMENTS	STATUS/ACTION	ANTICIPATED ONWARD TIMESCALES	DEADLINE 3 UPDATE (IF ANY)
	Trading Scheme Regulations 2012				commissioning of the plant.	
22.	Hazardous Substances Consent - Sections 4 and 6 of The Planning (Hazardous Substances) Act 1990 & Schedule 1 of The Planning (Hazardous Substances) Regulations 2015	NELC.	Unlikely to be required due to the nature, amounts and concentrations of substances stored on site. A comparison of the substances on Site with the thresholds in the regulations is provided in Table 4.1 in the Planning, Design and Access Statement (Document Ref. 5.5).	Hazardous Substances Consent application to be prepared for submission to NELC in the unlikely event it is required.	n/a	No update.
23.	Licence as a waste carrier, broker or dealer.	EA.	Upper tier registration likely to be required.	No action required at present.	Registration would be sought prior to the carrying, brokering or dealing of waste.	No update.