

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: 8.3 Statement of Commonality of Statements of
Common Ground**

The Planning Act 2008



Applicant: EP Waste Management Ltd
Date: January 2021

DOCUMENT HISTORY

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GLOSSARY

| Abbreviation | Description |
|---------------------|---|
| ACC | Air-cooled Condenser |
| CCGT | Combined Cycle Gas Turbine |
| DCO | Development Consent Order: provides a consent for building and operating an NSIP |
| EfW | Energy from Waste: the combustion of waste material to provide electricity and/ or heat |
| EIA | Environmental Impact Assessment |
| EPUKI | EP UK Investments Ltd |
| EPWM | EP Waste Management Limited ('The Applicant') |
| ES | Environmental Statement |
| ExA | Examining Authority: An inspector or panel of inspectors appointed to examine the application |
| mAOD | Metres Above Ordnance Datum |
| MW | Megawatt: the measure of power produced |
| NELC | North East Lincolnshire Council |
| NSIP | Nationally Significant Infrastructure Project: for which a DCO is required |
| PA 2008 | Planning Act 2008 |
| PINS | Planning Inspectorate |
| RDF | Refuse Derived Fuel |
| SHBEC | South Humber Bank Energy Centre |
| SHBPS | South Humber Bank Power Station |
| SoCG | Statement of Common Ground |
| SoS | Secretary of State |

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1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This 'Statement of Commonality of Statements of Common Ground' document (Document Ref. 8.3), submitted at Deadline 3, has been prepared on behalf of EP Waste Management Limited ('EPWM' or the 'Applicant'). It is submitted to assist in the determination 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 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)).
- 1.1.4 The application was submitted to PINS on 09 April 2020 and accepted for examination by PINS on 04 May 2020.

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 and is a subsidiary of Energetický A Prumyslový 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.
- 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 Combined Cycle Gas Turbine (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 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/ APP-034 to APP-055).

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.
- 1.4.3 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 summarised below:
- a larger air-cooled condenser (ACC), with an additional row of fans and heat exchangers;
 - a greater installed cooling capacity for the generator;
 - an increased transformer capacity; and
 - ancillary works.
- 1.4.4 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/ APP-034 to

APP-055) 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/ APP-010). Three representative construction scenarios (timescales) are described within Chapter 5: Construction Programme and Management in the ES Volume I (Document Ref. 6.2/ APP-034 to APP-055) and assessed in the Environmental Impact Assessment ('EIA').

1.5 Purpose of this Document

- 1.5.1 This document provides the Examining Authority ('ExA') with the current position on the Statements of Common Ground ('SoCG') between the Applicant, prescribed consultees and interested parties in relation to the Proposed Development. It is provided in response to the ExA's procedural decision in paragraph 2 of Annex E to the Rule 6 letter dated 23 September 2020.
- 1.5.2 Section 2 provides an up-to-date list of the SoCG and Section 3 sets out the current status of the SoCG.

2.0 LIST OF SOCG PARTIES

- 2.1.1 The Applicant has prepared SoCG with a number of prescribed consultees and interested parties during the preparation of the Application and during the Examination stage.
- 2.1.2 The SoCG identify matters on which the parties agree and document where matters remain to be resolved.
- 2.1.3 The Applicant has prepared SoCG with the prescribed consultees and interested parties set out in Table 2.1 below.

Table 2.1 - List of SoCG Parties

| Document Ref. | Party |
|----------------------|---------------------------------|
| 7.1 | North East Lincolnshire Council |
| 7.2 | North Lincolnshire Council |
| 7.3 | Environment Agency |
| 7.4 | Natural England |
| 7.5 | Highways England |
| 7.6 | National Grid |
| 7.7 | Network Rail |
| 7.8 | Anglian Water |
| 7.9 | Royal Mail Group |
| 7.10 | Historic England |
| 7.11 | Cadent Gas |

3.0 SUMMARY OF CURRENT STATUS OF SOCG

3.1.1 This section confirms the current status of each SoCG, as at Deadline 3 of the Examination on 20 January 2021.

3.1.2 Table 3.1 below provides the high-level position on/ status of each SoCG and where necessary includes further detail to aid the ExA's understanding. The terms used in Table 3.1(below) are as follows:

- **Signed SoCG** – the final SoCG has been signed by the parties and there are no outstanding matters to resolve.
- **Draft SoCG** – the SoCG has been agreed or largely agreed between the parties, but as there are matters that are yet to be resolved (listed at the end of each document), it has not been signed.
- **Other** – as denoted in the table below.

Table 3.1 - Status of SoCG at Deadline 2 of the Examination

| Document Ref. | Party | Position at Deadline 3 |
|---------------|---------------------------------|--|
| 7.1 | North East Lincolnshire Council | Draft SoCG Draft Submitted at Deadline 3 - unsigned, being agreed at officer level and awaiting signature by the head of service. The Applicant aims to submit an agreed SoCG ahead of Deadline 4. |
| 7.2 | North Lincolnshire Council | Signed SoCG Signed 26.08.2020 – Submitted at Deadline A |
| 7.3 | Environment Agency | Signed SoCG Signed 21.10.2020 – Submitted at Deadline 1 |
| 7.4 | Natural England | Signed SoCG Signed 18.12.2020 – Submitted at Deadline 2 |
| 7.5 | Highways England | Signed SoCG Signed 02.09.2020 – Submitted at Deadline A |
| 7.6 | National Grid | Draft SoCG Draft submitted at Deadline 1 – fully agreed between the parties |
| 7.7 | Network Rail | Draft SoCG Draft submitted at Deadline 3 - This is subject to ongoing discussions. |

| | | |
|------|------------------|--|
| 7.8 | Anglian Water | Signed SoCG Signed 08.12.2020 – Submitted at Deadline 1 |
| 7.9 | Royal Mail Group | Signed SoCG Signed 16.12.2020 – Submitted at Deadline 2 |
| 7.10 | Historic England | Signed SoCG Signed 10.11.2020 – Submitted at Deadline 1 |
| 7.11 | Cadent Gas | Signed SoCG Signed 07.12.2020 – Submitted at Deadline 1 |

4.0 COMMONALITY

- 4.1.1 This section provides a summary of main topics covered by the SoCG and identifies where there is commonality in the topics between the SoCG parties.
- 4.1.2 Table 4.1 on the following page has been produced following a request from the ExA within the Rule 8 letter dated 17 November 2020 and relates to the SoCG listed in Table 3.1 in Section 3.
- 4.1.3 Table 4.1 is structured so as to show main topics covered within each of the SoCG (identifying where there is commonality in topics between the parties) and the current position/ status with regard to each topic as follows:

| | |
|--|-----------------------------------|
| | Agreed |
| | Subject to further discussion |
| | Currently subject to disagreement |

- 4.1.4 Table 4.2 provides a summary of the further discussions with parties where matters are not yet agreed. For further information on areas of further discussion and disagreement, please refer to the relevant SoCG.

Table 4.1 - Table of Commonality at Deadline

| SOCG Ref | Party | Topics | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------|---------------------------------|-----------------------|---------------------------|-----------------------------|--------------------------|-----------------------------------|--------------------------|-----------------------------|------------------------|----------------------------------|------------|---------------------------------------|-------------|---------------------|-----------------------|---------|------------------------------|--|-------------------|--|-----------------|------------------|---------------------------------|--------------|-----------------------------------|-----------------------|--------------|
| | | Role of the Consultee | Relevant Planning History | Local Planning Designations | Relevant Planning Policy | Need for the Proposed Development | Principle of Development | Benefits of the Development | Flexibility and Design | Consultations with the Consultee | Management | Construction Programme and Management | Air Quality | Noise and Vibration | Traffic and Transport | Ecology | Landscape and Visual Amenity | Geology, Hydrogeology and Land Contamination | Cultural Heritage | Water Resources, Flood Risk and Drainage | Socio-Economics | Waste Management | Cumulative and Combined Effects | Human Health | Sustainability and Climate Change | Protective Provisions | Requirements |
| 7.1 | North East Lincolnshire Council | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.2 | North Lincolnshire Council | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.3 | Environment Agency | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.4 | Natural England | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.5 | Highways England | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.6 | National Grid | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.7 | Network Rail | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.8 | Anglian Water | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.9 | Royal Mail Group | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.10 | Historic England | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7.11 | Cadent Gas | | | | | | | | | | | | | | | | | | | | | | | | | | |

