

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: 8.7 Schedule of Changes to the Draft DCO – Deadline 3



Applicant: EP Waste Management Ltd
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Author	Sarah Swales		
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THE SOUTH HUMBER BANK ENERGY CENTRE

EXPLANATION OF CHANGES MADE TO THE DRAFT DEVELOPMENT CONSENT ORDER ('DCO') AT DEADLINE 3 (20 JANUARY 2021)

Article / Requirement number in draft DCO	Explanation of Change
Article 2 (Interpretation)	<p>A definition of "framework construction traffic management plan" has been added to reflect the updated document which was submitted at Deadline 1. Previously the term was defined within requirement 16 (Construction traffic management and travel planning) but it has been moved to article 2 because it is also used in article 25 (Certification of plans, etc.).</p> <p>A definition of "key watercourses and flow direction plan" has been added to reflect the updated document submitted at Deadline 3. The term is used in article 25 (Certification of plans, etc.).</p> <p>The definition of "Network Rail" has been moved to article 2 from requirement 16 (Construction traffic management and travel planning) as the term now appears in a number of requirements.</p> <p>A definition of "swept path analysis plan" has been added to reflect the document submitted at Deadline 3. The term is used in article 25 (Certification of plans, etc.), requirement 26 (Visibility splays) and requirement 27 (New highway access).</p>
Article 25 (Certification of plans, etc.)	<p>This article has been amended to include updated documents referenced above – the framework construction traffic management plan, the key watercourses and flow direction plan and the swept path analysis plan – as documents which must be submitted to the Secretary of State for certification.</p>
Schedule 2, Requirement 1 (Interpretation)	<p>A definition of "arboricultural survey report" has been added as this term is now used in requirement 15 (Construction environmental management plan) (see explanation of updates to requirement 15 below).</p>

Article / Requirement number in draft DCO	Explanation of Change
	The definition of "indicative biodiversity mitigation and enhancement plan" has been corrected to refer to part 8 of the biodiversity strategy.
Schedule 2, Requirement 2 (Commencement of the authorised development and notices)	The requirement to notify the relevant planning authority of "the commencement of construction of the new access on South Marsh Road" has been removed. The commencement of construction of the new access on South Marsh Road was the trigger for submission of an ecologist's report under requirement 11 (Biodiversity protection), however this trigger has been updated (see explanation of updates to requirement 11 below) and accordingly the notification provision is no longer needed.
Schedule 2, Requirement 9 (Lighting scheme)	Requirement 9(2) has been updated following discussions with North East Lincolnshire Council ('NELC'), so that the submitted scheme is to be in accordance with "the principles of" the indicative lighting strategy, rather than in strict accordance with the strategy.
Requirement 10 (Soft landscaping)	Requirement 10(1) has been updated following discussions with NELC so that the trigger is the coming into operation of the authorised development rather than the commencement of the authorised development. This is to align the trigger in the requirement with the trigger in the corresponding planning condition.
Schedule 2, Requirement 11 (Biodiversity protection)	<p>Requirement 11(2) has been updated following discussions with NELC to:</p> <ul style="list-style-type: none"> a) update the trigger to 18 months from commencement of the authorised development; and b) stipulate that the report must verify implementation of the relevant parts of the biodiversity protection plan and set out the implementation measures for the remaining parts of the biodiversity protection plan. <p>This is to reflect the likely position in practice that particular measures will have been implemented to a certain extent at the point of reporting, and others will remain to be completed or carried out (as construction continues). The report will act as an interim update to NELC on measures implemented, as well as setting out the implementation required for the remaining measures under the plan, allowing NELC to verify what has been and is still to</p>

Article / Requirement number in draft DCO	Explanation of Change
	be done.
Schedule 2, Requirement 15 (Construction environmental management plan)	Requirement 15(2) has been updated following discussions with NELC to include further details to be incorporated in the construction environmental management plan, being fence installation and retention, and tree protection measures.
Schedule 2, Requirement 16 (Construction traffic management and travel planning)	<p>Requirement 16(1) has been updated following discussions with Network Rail Infrastructure Limited ('Network Rail'), to include Network Rail as a consultee.</p> <p>As set out above, "framework construction traffic management plan" and "Network Rail" have been defined in article 2 (Interpretation) and accordingly these definitions have been removed from requirement 16.</p>
Schedule 2, Requirement 24 (Delivery and servicing plan)	Requirement 24(1) has been updated following discussions with Network Rail, to include Network Rail as a consultee.
Schedule 2, Requirement 29 (Road condition survey)	Requirement 29(6) has been added following discussions with NELC, to set out that the scheme must be implemented as approved. This deals with the query raised by NELC in its response to Q5.0.18 of the ExA's first written questions.
Schedule 2, Requirement 37 (Heavy goods vehicle prohibition)	A new requirement 37 has been added following discussions with Network Rail, to stipulate that the construction traffic management plan, the delivery and servicing plan and the decommissioning plan must not provide for the use of South Marsh Road by heavy goods vehicles.