

Meeting note

Project name South Humber Bank Energy Centre
File reference EN010107
Status **Final**
Author The Planning Inspectorate
Date 1 August 2019
Meeting with **The Planning Inspectorate**
South Humber Bank Energy Centre

Venue Temple Quay House, Bristol
Meeting objectives Inception meeting
Circulation All attendees

Summary of key points discussed and advice given

The Applicant and the Planning Inspectorate (the Inspectorate) case team introduced themselves and their respective roles. The Inspectorate advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely. The Inspectorate explained that the publication of the meeting note could be delayed up to six months (if requested by the Applicant for commercial reasons), or until a formal scoping request had been submitted.

Project background

The project is an extension of an Energy from Waste (EfW) facility, which has not yet been constructed, with a consented output increase from 49.9 MW to 95 MW. The site is located near Immingham in North East Lincolnshire. Within the redline boundary there is already a Combined Cycle Gas Turbine generating station located (South Humber Bank Power Station). The Applicant confirmed that it owned all land within the redline boundary and as such no Compulsory Acquisition is involved.

The Applicant considers that the proposal constitutes an extension to the consented scheme as it consists of:

- An additional row of Air Cooler Condensers (ACC) which are external works and an extension to the consented row of ACC (with an increased building size from that previously permitted);
- Additional Fin Fan Coolers which constitute internal works and;
- An additional Generator Transformer which is an external work.

The Applicant confirmed that North East Lincolnshire Council granted permission for the 49.9MW project on 12 April 2019 under the Town and Country Planning Act 1990 (TCPA 1990) under delegated officer powers. The Applicant is currently in the process of discharging conditions attached to the permission with a view to commencing works in Quarter 1 2020, expecting construction to last around 3 years.

The Applicant informed the Inspectorate that there had been little community interest in the permitted planning application and therefore envisioned that community interest in the Statutory Consultation for the extension application would be low.

Project timescales

The Applicant confirmed that the following timescales were relevant to the project:

- EIA Scoping in August 2019;
- One round of Statutory Consultation in Q4 2020;
- Submission of the DCO application in March/April 2020.

Extension of the consented EfW facility

The Inspectorate explained that they were unable to confirm at this stage whether the proposal constitutes an NSIP; that decision can only be made once an application is submitted for examination. The Inspectorate advised the Applicant to fully explain why it considered that an extension to a consented scheme, which has not been built, falls to be considered under the PA2008 regime. The Inspectorate advised the Applicant to consider recent advice issued to the Applicant for the Wheelabrator Kemsley Generating Station (K3) and Wheelabrator Kemsley North (WKN) Waste to Energy Facility.

The Applicant stated that it didn't consider it necessary to apply under the PA2008 for the whole of a 95MW generating station as a DCO is only required for the increase in output (over 50MW) and associated works to achieve that. The Inspectorate highlighted that this approach could make determining the environmental baselines complicated. The Applicant clarified that it would draft the Environmental Statement (ES) in such a way that it was clear what was based on the TCPA 1990 application and what was covered by PA2008. The DCO would also make it clear what aspects of the proposal were enforceable under PA2008 and TCPA 1990. The Inspectorate noted that the Applicant is intending to submit a request for a scoping opinion from the Secretary of State for an ES and queried the purpose of doing this. The Applicant indicated that they were seeking to 'scope out' a number of topics from the ES which they felt would not be relevant to the DCO application. The Inspectorate advised that evidence would be required to support any request to scope out topics and referred the Applicant to the Inspectorate's Advice Note 7.

In response to a query from the Inspectorate about potential effects on European sites, the Applicant noted that these were unlikely as a result of factors inherent to the scheme and the strategic mitigation measures promoted by the local authority.

Any other business

It was agreed that the Applicant would submit draft documents for review by the Inspectorate prior to the application being submitted.

Follow ups

- The Applicant will send its shapefile to the Inspectorate as soon as possible;
- The Applicant will send the Inspectorate the necessary project information to create a project page on the Inspectorate's website.

