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Colin Turnbull
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Your Ref:

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(By e-mail only)

Date: 4 May 2020

Dear Mr Turnbull

Planning Act 2008 – Section 51

Application by EP Waste Management Limited for an Order Granting Development Consent for the South Humber Bank Energy Centre Project

Advice following issue of decision to accept the application for Examination

On 4 May 2020 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's section 55 Acceptance of Applications Checklist (the Checklist) has been published and made available on the project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/south-humber-bank-energy-centre/>.

In undertaking checks at the acceptance stage, the Planning Inspectorate made some observations in relation to the application. This letter comprises advice to the Applicant, provided under section 51 of the PA2008, in respect of those observations. The Applicant should pay attention to its content and consider the appropriate action to be taken.

1. Consultees identified on a precautionary basis

As detailed in the Checklist there are several potentially relevant bodies which, on the basis of the information provided by the Applicant do not appear to have been consulted at the pre-application stage. These are:

- Forestry Commission;
- Energetics Gas Limited;
- Energetics Electricity Limited.

Given the individual circumstances of this case, and taking a precautionary approach to ensure that all persons potentially affected by, or potentially likely to have an interest in, the application are given the opportunity to participate fully in the

examination of the application, the Planning Inspectorate suggests that the Applicant may wish to include the bodies listed above amongst those on whom they serve notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

2. Discrepancies between list of people consulted under s42 (1)(d) in the Consultation Report and those with an interest in the land identified in the Book of Reference

There are discrepancies between the persons/bodies consulted under s42(1)(d) of the Consultation Report and the Book of Reference:

- 'Altalto Immingham Limited'; 'Cadent Gas Limited'; 'Vodafone Limited'; 'British Telecommunications plc'; 'Openreach Limited'; and 'Anglian Water Services Limited' are included in Appendix 6.4 of the Consultation Report as consulted landowners but are not identified within the Book of Reference;
- 'Lloyds Bank PLC' has been identified as a Category 2 owner (as a mortgagee) with regards to Plots 1 and 2 within the Book of Reference but is not included in Appendix 6.4 of the Consultation Report as a consulted landowner.

No explanation for these discrepancies appears to have been provided within the Consultation Report. The Applicant should carry out a review of the Book of Reference to ensure that all persons/bodies with an interest are included within it and if necessary, an updated version provided to the Planning Inspectorate. The Applicant should also ensure that Lloyds Bank PLC are notified of the accepted application, under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

3. Land Plans

It would be helpful, to assist the examination, if the black line denoting Plot 1 could be drawn to exclude the AGI and substation, which are not within the Order Limits.

Yours sincerely

Hefin Jones

Hefin Jones
Case Manager

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