



Planning Act 2008

# North Lincolnshire Green Energy Park

Volume 8

8.2.4 Initial Draft Statement of Common Ground with Anglian Water

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## **Disclaimer**

An Initial Draft SoCG is when the initial SoCG has been drafted by the Applicant (using matters identified from meetings with the party alongside responses to Statutory Consultation and Relevant Representations) and is with the party for review, however, this has not had feedback by the party and is not signed off.

## GLOSSARY

Acronym	Full term / Description
2008 Act	Planning Act 2008
AGI	Above ground installations
CBMF	Concrete Block Manufacturing facility
CCTV	Closed Circuit Television
CCUS	Carbon Capture, utilization and storage
CO <sub>2</sub>	Carbon Dioxide
DCO	Development Consent Order
DHPWN	District heating and private wire network
EN-1	Overarching National Policy Statement for Energy
EN-3	National Policy Statement for Renewable Energy Infrastructure
EN-5	National Policy Statement for Electricity Networks Infrastructure
ERF	Energy Recovery Facility
ES	Environmental Statement
EV	Electric vehicle
H <sub>2</sub>	Hydrogen
IDB	Internal Drainage Board
NLC	<a href="#">North Lincolnshire Council</a>
NLGEP	North Lincolnshire Green Energy Park
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Impact Report
PRF	Plastic recycling facility
RHTF	Residue Handling and Treatment Facility
SoCG	Statement of Common Ground

SoS	Secretary of State
SuDS	Sustainable Drainage Systems

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## 1.0 INTRODUCTION

### 1.1 Overview

- 1.1.1 This Statement of Common Ground ('SoCG') has been prepared on behalf of North Lincolnshire Green Energy Park Limited ('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 '2008 Act').
- 1.1.2 The Project meets the criteria to be considered as an NSIP under the 2008 Act as a 'generating station' under section 15(2). Section 15(2) defined an NSIP as a proposed generating station which would be located within England, would not be offshore, and would have a total generating capacity of more than 50MW.

### 1.2 The Project

- 1.2.1 The North Lincolnshire Green Energy Park (NLGEP), located at Flixborough, North Lincolnshire, comprises an ERF capable of converting up to 760,000 tonnes of non-recyclable waste into 95 MW of electricity and a CCUS facility which will treat a proportion of the excess gasses released from the ERF to remove and store CO<sub>2</sub>. Prior to emission into the atmosphere. The design of the ERF and CCUS will also enable future connection to the Zero Carbon Humber pipeline, when this is consented and operational, to enable the possibility of full carbon capture in the future.
- 1.2.2 The NSIP incorporates a switchyard, to ensure that the power created can be exported to the National Grid or to local businesses, and a water treatment facility, to take water from the mains supply or recycled process water to remove impurities and make it suitable for use in the boilers, the CCUS facility, concrete block manufacture, hydrogen production and the maintenance of the water levels in the wetland area.
- 1.2.3 The Project includes the following Associated Development to support the operation of the NSIP:
- a bottom ash and flue gas residue handling and treatment facility (RHTF);
  - a concrete block manufacturing facility (CBMF);
  - a plastic recycling facility (PRF);
  - a hydrogen production and storage facility;
  - an electric vehicle (EV) and hydrogen (H<sub>2</sub>) refuelling station;
  - battery storage;
  - a hydrogen and natural gas above ground installation (AGI);

- a new access road and parking;
- a gatehouse and visitor centre with elevated walkway;
- railway reinstatement works including; sidings at Dragonby, reinstatement and safety improvements to the 6km private railway spur, and the construction of a new railhead with sidings south of Flixborough Wharf;
- a northern and southern district heating and private wire network (DHPWN);
- habitat creation, landscaping and ecological mitigation, including green infrastructure and 65 acre wetland area;
- new public rights of way and cycle ways including footbridges;
- Sustainable Drainage Systems (SuDS) and flood defence; and
- utility constructions and diversions.

1.2.4 The Project will also include development in connection with the above works such as security gates, fencing, boundary treatment, lighting, hard and soft landscaping, surface and foul water treatment and drainage systems and CCTV.

1.2.5 The Project also includes temporary facilities required during the course of construction including site establishment and preparation works, temporary construction laydown areas, contractor facilities, materials and plant storage, generators, concrete batching facilities, vehicle and cycle parking facilities, offices, staff welfare facilities, security fencing and gates, external lighting, roadways and haul routes, wheel wash facilities, and signage.

1.2.6 The Project is described in more detail in **Chapter 3: Project Description and Alternatives of the Environmental Statement (ES) (APP-051)**.

1.2.7 The overarching aim of the Project is to support the UK's transition to a low carbon economy as outlined in the Sixth Carbon Budget (December 2020), the national Ten Point Plan for a Green Industrial Revolution (November 2020) and the North Lincolnshire prospectus for a Green Future which is currently being developed. It will do this by enabling circular resource strategies and low-carbon infrastructure to be deployed as an integral part of the design (for example by re-processing ash, wastewater and carbon dioxide to manufacture concrete blocks) and capturing waste-heat to supply local homes and businesses with heat via a district heating network.

### 1.3 Parties to this Statement of Common Ground

1.3.1 This SoCG has been prepared by (1) the Applicant and (2) Anglian Water Services Limited ("Anglian Water").

1.3.2 Anglian Water are the statutory water and waste water company which operates in the East of England based in Huntingdon. Anglian Water is the operator and maintainer of potable and sewerage infrastructure within the

extents of the DCO boundary and for the local community and businesses. The supply of water and treatment and management of wastewater is undertaken using Anglian Water pipelines which cross the DCO site and using facilities that are accessed from locations which will be impacted by DCO works.

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

1.4.1 The purpose of this document is to summarise clearly the agreements reached between the parties on matters relevant to the examination of the Application and to assist the Examining Authority in their determination of the Application. It has been prepared with regard to the guidance in 'Planning Act 2008: examination of application for development consent' (Department for Communities and Local Government, March 2015).

1.4.2 The document is structured as follows:

- Section 2 – sets out the correspondence and engagement between the parties up until the submission of the Application;
- Section 3 – sets out the matters agreed and matters outstanding between the parties during the pre-application stage in respect of the Application; and,
- Section 4 – sets out the matters agreed and matters outstanding between the parties during the examination stage in respect of the Application.



## 2.0 SUMMARY OF ENGAGEMENT

2.1.1 The below Table 2.1 contains a record of key correspondence and engagement between the Applicant and Anglian Water pertinent to this SoCG. Correspondence and engagement since the start of examination is not included.

**Table 2.1: Summary of Engagement**

Date	Attendance	Topics Covered
08/02/2021 to 30/04/2021	Katharine Clarke (AW), Burro Happold	Water connection to the project
23/11/2021	Gary Cross (AW); Francisco Rodriguez (Buro Happold)	Water main diversion along Stather Road.
14/10/2022	Jarek Zolnacz (AW); Francisco Rodriguez (Buro Happold)	Diversion estimation adjustment. AW will assess if the existing decommissioned pipe that is crossing the site can be re-used as water supply to the project.
31/10/22	<u>Anglian Water</u> Darl Sweetland (Project Lead) Darrell Crittenden (Solicitor - Anglian Water) Lewis Atton (Savills - Estate manager) Jarek Zolnacz (Contracts Managers)  <u>Applicant</u> Susie Byrne (LDA design) Francisco Rodriguez (Buro Happold) Colin Hammond (NLGEP) Andrew Bradley (NLGEP) Laura Tinker (DWD Planner) Frances Everett (WBD – NLGEP's solicitors) Arooj Amer (WBD – NLGEP's solicitors)	SOCG and protective provisions
28/11/2022	<u>Anglian Water</u> Darl Sweetland (Project Lead) Darrell Crittenden (Solicitor - Anglian Water) Lewis Atton (Savills - Estate manager)	SOCG and protective provisions

Date	Attendance	Topics Covered
	Jarek Zolnacz (Contracts Managers)  <u>Applicant</u> Francisco Rodriguez (Buro Happold) Colin Hammond (NLGEP) Frances Everett (WBD – NLGEP's solicitors) Arooj Amer (WBD – NLGEP's solicitors)	

## 3.0 MATTERS

3.1.1 The below Table 3.1 contains a list of ‘matters agreed’ at the date of the Examination Deadline 1 (01 December 2022) along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

**Table 3.1: List of Matters agreed**

<b>MATTER</b>	<b>ANGLIAN WATER'S POSITION</b>	<b>APPLICANT POSITION</b>	<b>STATUS</b>
<b>Matters raised in the ExA's Rule 6 Letter dated 18 October 2022</b>			
Draft Development Consent Order and any relevant Protective Provisions	Discharges or work nearby requires consent from the Water Management Board.	The scheme has been designed to include the Water Management Board requirements.	Agreed.
<b>Matters raised by Anglian Water in discussions/correspondence</b>			
Compulsory acquisition of land	Anglian Water requested confirmation that the Applicant was not seeking to compulsorily acquire any operational land held by Anglian Water.	The Applicant is not seeking to compulsorily acquire any land owned or occupied by Anglian Water. However, the Applicant is seeking land on a temporary basis on which AW does have some rights in respect of apparatus.	Agreed.

3.1.2 The below Table 3.2 contains a list of ‘matters outstanding’ at the date of the Examination Deadline 1 (01 December 2022) along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

**Table 3.2: List of Matters outstanding**

<b>MATTER</b>	<b>ANGLIAN WATER'S POSITION</b>	<b>APPLICANT POSITION</b>	<b>STATUS</b>
<b>Matters raised in the ExA's Rule 6 Letter dated 18 October 2022</b>			
The effect on existing apparatus and infrastructure, including the capacity of the sewerage network and any mitigation required to ensure adequate capacity			
Whether there is a need to divert any existing water infrastructure or provide protection to existing water infrastructure			
Water environment effects including flooding effects and risks to drainage matters			
Water quality			
<b>Matters raised by Anglian Water in Relevant Representation</b>			
Draft DCO as submitted does not sufficiently protect Anglian Water's assets.	Anglian Water requires protective provisions specific to them rather than generic.	Noted and the Applicant agrees in principle to the inclusion of specific protective provisions for the benefit of Anglian Water.	Discussions in respect of the protective provisions are ongoing.
There are existing water mains located in the boundary of the site which could be adversely affected by the proposed development. These assets are critical to enable Anglian Water to carry out its statutory duties as a statutory water undertaker.	A specific risk assessment for the water mains supply network should be undertaken by the applicant with the assistance of Anglian Water as water undertaker.	The Applicant is reviewing the position and will respond accordingly.	Ongoing.
Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems.	Anglian Water notes that the Flood Risk Assessment submitted with the application includes all forms of flooding, including surface water and sewer flooding. This document was prepared following consultation with various bodies but Anglian Water was not one of them.	Based on the existing utility records, the only water mains in the area are Anglian Water's assets and as there are no Anglian Water sewers, it was considered that no consultation with Anglian Water regarding flooding of surface water, foul water or combined water sewer was required.	Ongoing.
Surface water drainage and SuDs	Anglian Water is pleased to see that	Noted.	Ongoing.

MATTER	ANGLIAN WATER'S POSITION	APPLICANT POSITION	STATUS
	surface water drainage will be managed through a system of SuDSs rather than being discharged to the sewerage system.		
Protection of Anglian Water assets	It is unclear at this stage the impact of this project on Anglian Water's assets or how they can be properly managed should the proposed development proceed.	The Applicant is reviewing the position and will respond accordingly. The Applicant is agreeable to the principle of protective provisions in the draft DCO in order to protect Anglian Water's position.	Ongoing.
<b>Matters raised by Anglian Water in discussions/correspondence</b>			
The availability of water in the water resource zone to supply the facility. Whilst the network connection to the facility is likely to not be problematic Anglian Water would need to assess the volume required against the planned headroom in the area given climate change, growth and abstraction reduction.	Anglian Water requests information detailing the Water Resources report which sets out that volume, how the facility has been engineered to minimise water loss through recirculation and the other water supply options open to the project other than potable water.	The Applicant is gathering together this information and will supply this to Anglian Water in due course.	Ongoing

## 4.0 SIGNATURES

4.1.1 This Statement of Common Ground is agreed:

**On behalf of Anglian Water:**

Name:

Signature:

Date:

**On behalf of the Applicant:**

Name:

Signature:

Date: