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North Lincolnshire Green Energy Park

Volume 8

8.2.9 Draft Statement of Common
Ground with Scunthorpe and
Gainsborough Water Board
Management

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Disclaimer

A Draft SoCG relates to a SoCG that has mainly been agreed between both parties, but there are a number of issues still outstanding, and it is yet to be signed off.

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GLOSSARY

Acronym	Full term / Description
2008 Act	Planning Act 2008
AGI	Above Ground Installations
BNG	Biodiversity Net Gain
CCTV	Closed Circuit Television
CBMF	Concrete Block Manufacturing Facility
CEMP	Construction Environmental Management Plan
CCUS	Carbon Capture, Utilisation and Storage
CO2	Carbon Dioxide
CoCP	Code of Construction Practice
CoPA	Control of Pollution Act
DCO	Development Consent Order
DHPWN	District Heating and Private Wire Network
EA	Environment Agency
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
EV	Electric Vehicle
ERF	Energy Recovery Facility
ES	Environmental Statement
FRA	Flood Risk Assessment
FGTr	Flue Gas Treatment Residue
H2	Hydrogen
ha	Hectares
IAQM	Institute of Air Quality Management

IDB	Internal Drainage Board
LVIA	Landscape and Visual Impact Assessment
LLFA	Lead Local Flood Authority
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
NLC	North Lincolnshire Council
NLGEF	North Lincolnshire Green Energy Park
PRF	Plastic Recycling Facility
PEIR	Preliminary Environmental Information Report
PRoW	Public Rights of Way
RLB	Red Line Boundary
RHTF	Residue Handling and Treatment Facility
SGWMB	Scunthorpe and Gainsborough Water Management Board
SoS	Secretary of State
SoCG	Statement of Common Ground
SoCC	Statement of Community Consultation
SuDS	Sustainable Drainage Systems
TCPA	Town and Country Planning Act
WSI	Written Scheme of Investigation

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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 Proposed Development is an Energy Recovery Facility (ERF) capable of converting up to 760,000 tonnes of non-recyclable waste into 95 MW of electricity and a carbon capture, utilisation and storage (CCUS) facility which will treat a proportion of the excess gasses released from the ERF to remove and store carbon dioxide (CO₂) prior to emission into the atmosphere. It is described in Chapter 3: Project Description and Alternatives of the Environmental Statement (ES).
- 1.1.3 The Proposed Development 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 Proposed Development

- 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 CO₂. 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 (H₂) 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 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 Statement of Common Ground is between the Applicant and Scunthorpe and Gainsborough Water Management Board as the internal drainage board for the area within which the Project is located.

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 key correspondence and engagement between the parties up until the submission of the Application; and,
- Section 3 – sets out the matters agreed and matters outstanding between the parties during the pre-application 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 Scunthorpe and Gainsborough Water Management Board pertinent to this SoCG.

Table 2.1: Summary of Correspondence

Date	Attendance	Topics Covered
21/10/2020	SGWMB, Buro Happold (on behalf of the Applicant)	Introductory meeting with SGWMB regarding the existing surface water drainage for the NLGEP project.
10/5/2021	LLFA, SGWMB, Buro Happold (on behalf of the Applicant)	Proposed surface water drainage strategy
24/05/2021	LLFA, SGWMB, Buro Happold (on behalf of the Applicant)	Impacts of extreme tidal event with the Neap House Drain

3.0 MATTERS

- 3.1.1 The below Table 3.1 contains a list of ‘matters agreed’ correct at the date of the Examination Deadline 1 (1 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

SCUNTHORPE AND GAINSBOROUGH WATER MANAGEMENT BOARD POSITION	APPLICANT POSITION	STATUS
All developments planning work in, on, under or near ordinary watercourses (including piped ordinary watercourses) or discharging surface water into a watercourse within the defined Drainage District require consent from the Board under the Land Drainage Act 1991 (as amended) in addition to, or as part of, any planning permission.	The proposed surface water drainage strategy, set out in the Indicative Drainage Strategy in Annex 5 of the Environmental Statement (Document Reference 6.3.5) (APP-072) and the flood mitigation measures as set out in the Flood Risk Assessment (Document Reference 6.3.3) (APP-070) have been designed to include Scunthorpe & Gainsborough Water Management Board's requirements. Relevant consents will be applied for.	
Consent - Section 23 of the Land Drainage Act 1991 (LDA 1991) prohibits obstructions in watercourses. Section 66 of the LDA 1991 relates to byelaws made by internal drainage boards for particular purposes in relation to watercourses, banks, sluices and flood gates.	Section 23 and 66 consents will be applied for. The current strategy is to discharge to ordinary watercourses across the site. Restricted to 1.4l/s/ha. This is referred to in the Consents and Licences Document (Document Reference 5.8) (APP-042).	
The proposed surface water drainage strategy was presented to SGWMB and discharge rate from the site was agreed.		
In a meeting held on 24th May 2021, SGWMB provided further information relating to the Neap House Drain and the existing B1216 culvert (surveyed drawings were provided post meeting). They also advised that, when developing the flood mitigation strategy, changes to existing drainage ditches and hydraulic structures should be avoided.	The flood mitigation was reassessed following this meeting and alternative flood mitigation has been proposed and described in the submitted Flood Risk Assessment in Annex 3 of the Environmental Statement (Document Reference 6.3.3) (APP-070) that avoids the need to make any alterations to the existing culvert.	
SGWMB stated (meeting held 21st October 2020) that there is a 9m easement for the existing waterbodies from the top of the watercourse bank that could be reduced to 6m after applying for a consent.	Proposed crossings and works within the easement of the existing waterbodies have been identified with letters in the attached indicative surface water drainage plan: A) Crossing between proposed access road and existing drain. To be resolved with a bridge.	

SGWMB further noted (email 07.12.22) that crossings will require Section 23 Consent Applications.

- B) Crossing between access road to the electric vehicle and hydrogen refuelling station and existing drain. To be resolved with a bridge or culvert.
- C) Crossing between proposed access road and Lysaght's drain. To be resolved with a bridge.
- D) Crossing between proposed access road and existing drain. Drain to be diverted as per indicative surface water drainage plan.
- E) Detention basin located in catchment 9 is partially within the 9m easement of a drain. Detention basing to be relocated during detailed design or apply for consent.
- F) Crossing between proposed access road and existing drain. To be resolved with a bridge.
- G) Crossing between proposed Park Ings Farm bund and existing drain. To be resolved during detailed design. Proposed solutions are:
 - a. Use a pipe to cross the proposed bund. This option will require to be modelled to confirm no flood impact in the farm
 - b. Use a pipe and a flap valve to avoid any potential flood in the farm.
 - c. Divert the existing drain to the west of the proposed bund.

4.0 SIGNATURES

4.1.1 This Statement of Common Ground is agreed:

On behalf of Scunthorpe and Gainsborough Water Management Board:

Name: XXXX

Signature: XXXX

Date: XX

On behalf of the Applicant:

Name: XXXXX

Signature: XXXX

Date: XXXXX