

EN010116

North Lincolnshire Green Energy Park

NLC Actions following ISH3

1. Action 1 – Confirm relevant guidance for assessing potential impact on setting of heritage assets (including listed buildings)
 - 1.1 As set out in NLC's Local Impact Report [REP1-019] at para. 9.52 the local authority have used guidance contained in the Historic Environment Good Practice Advice in Planning Note 3 – The Setting of Heritage Assets (second Edition) to inform it's view that the assessment of potential impacts upon the settings of nearby listed buildings presented in the application is inadequate. NLC are of the view that this is the most relevant and up to date guidance available. A copy of this guidance will be submitted alongside this response.

2. Action 2 – Provide an update on NLC's position with regards to the robustness of the Landscape Character Assessment
 - 2.1 NLC maintain the view expressed in response to Q9.0.13 of the ExA's First Written Questions [REP2-042]. No further justification was presented during ISH3 to explain why the applicant chose not to use the available datasets to carry out their assessment at the more local level. NLC still believe that the assessment is inadequate for the reasons outlined in the response to Q9.0.13.

3. Action 3 – Provide a copy of the 1996 planning permission referred to by an Interested Party at ISH3 in respect of a noise condition
 - 3.1 NLC carried out a history search to locate the 1996 planning permission referred to in ISH3. After being unable to locate the planning permission Mr Oliver was contacted to confirm the details and aid the LPA in finding the correct decision. It transpires that 1996 was the date of a meeting with local residents to discuss noise issues from the industrial estate and that the planning permission that was referred to was actually a 1983 permission which was the original consent for the industrial estate. This permission is referenced 7/GBC5/13/83 and a copy of the planning permission has been submitted alongside this response.
 - 3.2 The LPA do not believe that 7/GBC5/13/83 is a relevant planning permission as the majority of units on the industrial estate benefit from more recent plot-specific planning permissions which have effectively superseded the original planning permission which covered the whole area. NLC are not aware of any of these more recent planning permissions containing noise restrictions.

4. Action 4 – NLC to provide comment on draft Requirement 15 and whether it can be improved
 - 4.1 The LPA have concerns regarding whether draft Requirement 15 is necessary or enforceable.

- 4.2 The Requirement appears to duplicate controls that will be imposed through the Environmental Permitting regime in terms of controlling the composition of waste that can be processed at the site. Notwithstanding this, as the applicant is not responsible for producing the RDF they cannot control the processes or composition of waste at source. Whilst the requirement proposes to agree arrangements to be put in place to ensure the removal of as much reusable and recyclable waste as possible it is not understood who would be responsible for ensuring that the commercial suppliers complied with these arrangements. The LPA would not be able to check that all producers are complying with contractual agreements or environmental management systems and there is no current requirement for the applicants to carry out any such review.
- 4.3 The requirement for an annual waste composition analysis to be provided would be helpful in giving an indication of how successful waste producers have been in limiting the amount of recyclable material in the RDF; however there needs to be a specified maximum amount/percentage of reusable/recyclable material present within the RDF to make this meaningful. The Requirement currently talks about setting targets for improving the percentage of removed reusable/recyclable material rather than setting specific limits on how much of this material can be included in the RDF. What percentage of recyclable material identified by the compositional analysis would constitute/demonstrate a breach of the Requirement as currently drafted?
- 4.4 The LPA has no further comments to make with regards to Requirement 15.