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Prescribed Forms and  
Procedure) Regulations  
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# North Lincolnshire Green Energy Park

Volume 8

8.2.10 Draft Statement of Common  
Ground with Jotun Paints

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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
CCTV	Closed Circuit Television
CBMF	Concrete Block Manufacturing Facility
CCUS	Carbon Capture, Utilisation and Storage
CO2	Carbon Dioxide
COMAH	Control of Major Accident Hazards
DCO	Development Consent Order
DHPWN	District Heating and Private Wire Network
EV	Electric Vehicle
ERF	Energy Recovery Facility
ES	Environmental Statement
FEED	Front-end Engineering Design
H2	Hydrogen
HGV	Heavy Goods Vehicles
NSIP	Nationally Significant Infrastructure Project
NLGEP	North Lincolnshire Green Energy Park
PIZ	Public Information Zone
PRF	Plastic Recycling Facility
RHTF	Residue Handling and Treatment Facility
SoS	Secretary of State
SoCG	Statement of Common Ground
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 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 (CO<sub>2</sub>) 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 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 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 North Lincolnshire Green Energy Park (the Applicant) and Jotun Paints.
- 1.3.2 Jotun Paints is a Paint Company and Upper Tier COMAH site near the application boundary. This status is mainly as a result of substances considered to be Dangerous to the Environment (aromatic and aliphatic solvents and resins) on site. The current COMAH report was written in 2018.
- 1.3.3 The Jotun Paints PIZ (Public Information Zone) extends as far as the site boundary. The part of the Jotun site closest to the Project boundary is the warehouse area – large quantities of material considered to be fire hazards are in storage in this warehouse.
- 1.3.4 The warehouse area is protected by automated firefighting systems which are tested periodically. All storage tanks are bunded to the satisfaction of the Environment Agency. The site also has a degree of tertiary containment to prevent spills going offsite.

### 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 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 Jotun Paints pertinent to this SoCG.

**Table 2.1: Summary of Correspondence and Engagement**

Date	Attendance	Topics Covered
02/11/2022	NLGEP and Jotun Paints	Update on the Project, Jotun operation and COMAH status, issues and concerns -

Date	Attendance	Topics Covered
	(HSE Manager)	agreed to follow up with safety planning sessions and SoCG.
05/12/2022	NLGEP (including Major Accidents and Hazards expert) and Jotun Paints (HSE Manager)	Discussion regarding Jotun Paints feedback to the NLGEP planning application.
21/02/2022	NLGEP and Jotun Paints (HSE Manager)	Call to discuss SoCG wording

### 3.0 MATTERS

3.1.1 The below Table 3.2 contains a list of 'matters agreed' correct at the date of 21 February 2023 (Deadline 5) along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

3.1.2 A column indicating the status of the matter has been included:

- Green indicates the matter is agreed
- Amber indicates the matter is under discussion
- Red indicates the parties are not in agreement over this matter.



**Table 3.2: List of Matters**

<b>JOTUN PAINTS POSITION</b>	<b>APPLICANT POSITION</b>	<b>STATUS</b>
Concerned about the proximity of the H2 electrolysis plant and associated compression units/AGI.	The Applicant notes that there is no H2 storage at the Jotun Paints end of the site and that generation of H2 by electrolysis is a relatively small-scale operation.	
One action in the initial risk assessment mentions the need to consider the risk from Jotun Paints to the NLGEP site – it was requested that this be reworded to say that we consider the risk to each other.	The Applicant will amend the action in the pre-FEED risk assessment to talk about mutual risk rather than just the risk from Jotun to the NLGEP.	
Jotun were concerned that the HSE had stated there were no high hazard sites in the vicinity of the development. It was suggested that the PIZ not going beyond the site boundary means the HSE may have no statutory concerns regarding the Jotun site.	The Applicant confirmed that Jotun Paints COMAH site has been referred to by name in ES Chapter 16: Major Accidents and Hazards (APP-064).	
Concerned about the possibilities of road closures limiting fire and rescue service access to the site. Concern regarding number of HGV movements and access for the emergency services.	The Proposed Development includes installation of a new road from the A1077 which would aim to eliminate this concern. Travel action plans will be discussed with Jotun going forward.	
	The detailed design stage (Front End Engineering Design) has not yet started. The Applicant will continue to engage with Jotun	

	Paints throughout this phase and any potential impacts that arise will be communicated formally in a timely manner.	
Informal communication between the parties will continue.	Agreed.	
	The Applicant will agree with Jotun Paints the details of the rights required. These will be addressed and signed off as part of a Heads of Term document to deal with the logistics of construction but note that no special Protective Provisions are required as there will be no impact on Jotun Paints assets.	

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## 4.0 SIGNATURES

4.1.1 This Statement of Common Ground is agreed:

**On behalf of Jotun Paints Here:**

Name: XXXX

Signature: XXXX

Date: XX

**On behalf of the Applicant:**

Name: XXXXX

Signature: XXXX

Date: XXXXX

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