

Date: 10 May 2023
Your Ref: EN010116
Our Ref: 15984



Sarah Norris
Case Manager
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

6 New Bridge Street
London EC4V 6AB
T: 020 7489 0213
F: 020 7248 4743
E: info@dwdllp.com
W: [REDACTED]

Dear Ms Norris,

NORTH LINCOLNSHIRE GREEN ENERGY PARK PROJECT
THE PLANNING ACT 2008
THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

We write on behalf of the North Lincolnshire Green Energy Park Limited ('the Applicant') in response to the 'Rule 8' letter dated 23 November 2022 [PD-006] in which the Examining Authority has requested a number of documents to be submitted by Deadline 9.

Documents requested to be submitted at Deadline 9

The Applicant requests that the Examining Authority accepts the following documents submitted in advance of Deadline 9:

- Document 1.2 - Application Guide [Revision 10] (clean and tracked);
- Document 2.1 – draft DCO [Revision 7] (clean and tracked);
- Document 8.1 – Statement of Commonality [Revision 6] (clean and tracked);
- Document 8.2.2 – Final Statement of Common Ground with Lincolnshire Wildlife Trust [Revision 1];
- Document 8.2.3 – Draft Statement of Common Ground with Network Rail [Revision 1];
- Document 8.2.4 – Final Statement of Common Ground with Anglian Water [Revision 2];
- Document 8.2.5 – Final Statement of Common Ground with North Lincolnshire Council [Revision 6];
- Document 8.2.6 – Draft Statement of Common Ground with AB Agri [Revision 2];
- Document 8.2.8 – Final Statement of Common Ground with Environment Agency [Revision 2];
- Document 8.2.10 – Draft Statement of Common Ground with Jotun Paints (Europe) Limited [Revision 2];

Partners

R J Greeves BSc (Hons) MRICS
G Bullock BA (Hons) BPL MRTPI
A Vickery BSc MRICS IRRV (Hons)
S Price BA (Hons) DipTP MRTPI

A R Holden BSc (Hons) FRICS
G Denning B.Eng (Hons) MSc MRICS
B Murphy BA (Hons) MRUP MRTPI
A Meech BSc MRICS
S Page BA MA (Cantab) MSc MRTPI

P Roberts FRICS CEnv
T Lodeiro BA (Hons) PGDip MSc MRICS
A Pilbrow BSc (Hons) MRICS IRRV(Hons)
C Turnbull BSc (Hons) MSc MRTPI



- Document 8.2.11 – Final Statement of Common Ground with UKWIN [Revision 1];
- Document 8.2.14 – Initial Draft Statement of Common Ground with Historic England [Revision 1];
- Document 8.2.15 – Final Statement of Common Ground with National Highways [Revision 1];
- Document 8.2.16 – Final Statement of Common Ground with Rainham Steel [Revision 1];
- Document 8.2.17 – Draft Statement of Common Ground with Bagmoor Wind Limited [Revision 1];
- Document 9.2 - National Policy Statement Tracker [Revision 2] (clean and tracked);
- Document 9.3 – Compulsory Acquisition Schedule [Revision 8] (clean and tracked);
- Document 9.10 - Status of Negotiations with Statutory Undertakers [Revision 7] (clean and tracked);
- Document 9.12 - Draft Development Consent Order: Schedule of Drafting Changes [Revision 5] (clean and tracked);
- Document 9.36 – Applicant’s comments on responses to the ExAs ExQ3 and submissions received at Deadline 8 [Revision 0];
- Document 9.40 - Response to the Rule 17 request issued 4 May 2023 [Revision 0].

Statements of Common Ground

Whilst the Applicant has sought to engage with each party to progress the SoCGs as far as possible, it has not been possible in all instances to agree a final signed version. Nevertheless, it is considered helpful to the ExA to see the final draft versions, which the Applicant considers to be a good indication of the points of agreement and disagreement between each SoCG party and the Applicant.

The Statement of Commonality submitted at this deadline includes a full explanation as to status of each SoCG. If any further final SoCGs can be agreed between Deadline 9 and close of the Examination, the Applicant will provide these to the ExA.

Updated Guide to Application

All new and revised documents are referenced in the enclosed updated Application Guide (Document 1.2 – Application Guide [Revision 10]). A clean and tracked version has been provided for clarity. As requested by the Examining Authority, an additional column with the examination reference has been added to the document. Where a document is new and does not yet have an examination reference TBC has been used.

Deed of Development Consent Obligations

It is noted that signed final versions of any Development Consent Obligations associated with the Application is requested to be submitted at Deadline 9 if required. The Deed of Development Consent Obligations (section 111 agreement) to be entered into with North Lincolnshire Council in relation to

a contribution for improvements to the junction in the vicinity of Neap House has been agreed between the Applicant and the Council. The Deed is awaiting signatures by both parties and the Applicant hopes to submit a completed copy by the close of examination.

Book of Reference and Land Plans update

The Book of Reference and Land Plans are in the process of being updated and will be provided to the Examining Authority as soon as possible following Deadline 9 and prior to the close of examination on 15 May 2023.

Additional Documents Submitted

In addition to the documents requested by the Examining Authority to be submitted at Deadline 9, the following updated documents are also being submitted:

- Document 2.2 - Explanatory Memorandum [Revision 3] (clean and tracked);
- Document 5.4 – Combined Heat and Power Assessment [Revision 1] (clean and tracked);
- Document 6.2.5 - ES Chapter 5: Air Quality [Revision 3];
- Document 6.2.14 - ES Chapter 14: Economic, Community and Land Use Impacts [Revision 2] (clean and tracked);
- Document 6.2.16 - ES Chapter 16: Major Accidents and Hazards [Revision 1] (clean and tracked);
- Document 6.2.18 - ES Chapter 18: Cumulative and Indirect Effects Assessment [Revision 1] (clean and tracked)
- Document 6.3.7 – Annex 7: Code of Construction Practice [Revision 6] (clean and tracked);
- Document 9.38 - Updated Archaeological Impact Assessment [Revision 0];
- Document 9.39 - Overarching Mitigation Strategy [Revision 0].

Combined Heat and Power Assessment

The Combined Heat and Power Assessment has been updated to reflect the Applicant's progress in securing off takers and the application for the Green Heat Network Fund which demonstrates the high level of preparedness.

Updated ES AQ Chapter

ES Chapter 5: Air Quality has been updated at this deadline to address concerns from local residents that Flixborough and Amcotts were not named on figures within the documents. These have been updated to include those names.

Updates following Natural England engagement

Following engagement with Natural England a number of application documents have been updated to address outstanding concerns. These include; ES Chapters 14 and 18, and ES Annex 7 CoCP.

Additional amends have also been made to ES Chapter 10 and Document Reference 5.9 - Report to inform HRA alongside a final and signed SoCG with Natural England, however these are currently with Natural England for final review and are not ready to submit at this deadline, largely as a result of time lost to additional bank holidays and Natural England strike days. These documents will be submitted as soon as possible following Deadline 9, and prior to close of examination on 15 May 2023.

Archaeological Impact Assessment and Overarching Mitigation Strategy

These documents have been produced as a result of engagement with North Lincolnshire Council. NLC has drafted these documents prior to submission and have co-designed the Mitigation Strategy alongside the Applicant.

Provision of Closing Submissions

The applicant wants to ensure that Closing Submissions are complete and comprehensive. Therefore, we are proposing to wait until the position on HRA is confirmed, as per the Natural England update above. As such the Applicant respectfully requests that the Examining Authority accepts Closing Submissions as soon as possible following the confirmation of the HRA position, and prior to close of examination on 15 May 2023.

Yours faithfully,

A handwritten signature in black ink that reads 'DWD'.

DWD

For and on behalf of North Lincolnshire Green Energy Park Limited