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North Lincolnshire Green Energy Park

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Glossary

Acronym	Full term / Description
2008 Act	Planning Act 2008
ABP	Associated British Ports
AGI	Above Ground Installations
BNG	Biodiversity Net Gain
CBMF	Concrete Block Manufacturing Facility
CCTV	Closed Circuit Television
CCUS	Carbon Capture, Utilisation and Storage
CEMP	Construction Environmental Management Plan
CLP	Construction Logistics Plan
CO ₂	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
EP	Environmental Permit
ERF	Energy Recovery Facility
ES	Environmental Statement
EV	Electric Vehicle
FGTr	Flue Gas Treatment Residue
FRA	Flood Risk Assessment
H ₂	Hydrogen
IAQM	Institute of Air Quality Management
IDB	Internal Drainage Board
INNS	Invasive Non-Native Species
LLFA	Lead Local Flood Authority
LVIA	Landscape and Visual Impact Assessment
NLC	North Lincolnshire Council
NLGEP	North Lincolnshire Green Energy Park
NPS	National Policy Statement

NSIP	Nationally Significant Infrastructure Project
OEMP	Outline Environmental Management Plan
PEIR	Preliminary Environmental Information Report
PRF	Plastic Recycling Facility
PRoW	Public Rights of Way
RHTF	Residue Handling and Treatment Facility
RLB	Red Line Boundary
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground
SoS	Secretary of State
SuDS	Sustainable Drainage Systems
TCPA	Town and Country Planning Act
WSI	Written Scheme of Investigation

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1.0 Introduction

Overview

- 1.1 This report sets out North Lincolnshire Green Energy Park Limited's (the Applicant's) response to the Rule 17 letter issued by the Examining Authority on 4 May 2023.

The Proposed Development

- 1.2 The North Lincolnshire Green Energy Park (NLGEP), located at Flixborough, North Lincolnshire, comprises an ERF capable of converting up to 760,000 tonnes of residual 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 to be applied for, when this is consented and operational, to enable the possibility of full carbon capture in the future.
- 1.3 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.
- 1.4 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) refueling 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.

1.5 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.

1.6 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.

2.0 RESPONSE TO RULE 17 LETTER

2.1 Table 1 below sets out the Examining Authorities questions within the Rule 17 letter and the Applicants response where necessary.

Table 1: Response to Rule 17 questions

Question	Applicant's Response
<p>1. In Natural England's Deadline 8 submission, 'Response to the Report on the Implications for European Sites (RIES)' they state that percussive piling may lead to impacts to lamprey due to the more significant vibrations interrupting the migration route. However, Natural England (NE) state that 'soft start' mitigation may be suitable for mitigating effects</p>	<p>The HRA is being updated to include further information about the effects of percussive piling on lamprey.</p> <p>Such driven /percussive piling will only occur if the silent hydraulic approach to sheet piling (at the Bunker Hall) meets a blockage. If required it will occur in a location approximately 110 m to the</p>

on lamprey, and they note that 'soft start' mitigation is proposed by the Applicant as a possibility in section 5.3.1.4 of the updated Report to Inform Habitat Regulations Assessment (HRA).

NE request that the 'soft start' mitigation should be included for assessment within the HRA along with relevant predicted noise and vibrations levels to determine suitability of such mitigation. In order to assist the Examining Authority (ExA), can the Applicant provide a revised HRA to assess the suitability of 'soft start' mitigation as a measure to conclude no adverse effects on the integrity (AEoI) of the Humber Estuary Special Area of Conservation (SAC) as a result of noise impacts to lamprey and indicate where any proposed mitigation measures that are relied upon to conclude no AEoI have been secured.

east of the River Trent at its nearest point (Bunker Hall), with most at distances well over 110 m. Studies reported in '*TRL Report 429. Groundborne Vibration Caused by Mechanised Construction Works. D.M.Hiller & G.I.Crabb. Highways Agency 1995*') found that levels of vibration from driven piling fall below the level that may be perceptible in a residential environment within a distance of 100 m. Hence, it is unlikely that lamprey will be affected given the separation distance of the potential piling from the River Trent and that the majority of any percussive piling exceptionally required would be at distances > 110 m.

The option for using a soft start approach is being included in the updated HRA as one of the options for mitigating the effects of percussive piling on lamprey if needed. Soft start approaches are used commonly in the marine offshore wind farms.

The measures that relate to controls of noise and vibration will be secured via the Code of Construction Practice (CoCP) / Construction Environment Management Plan (CEMP) and in particular:

- **Appendix K** - Outline Piling and Foundation Works Management Plan;
- **Appendix L** - Outline Construction Noise and Vibration Management Plan; and
- **Appendix M** – Preliminary Construction Ornithological Management Plan (updated version to be submitted).

	<p>The option for using ‘soft start’ measures will be incorporated in these plans.</p>
<p>2. For Natural England’s response to ExA Q3.1.4 and Q3.1.5 within their Deadline 8 submission, ‘Response to the Report on the Implications for European Sites (RIES)’, they describe their outstanding concerns relating to percussive piling impacts on birds associated with the Humber Estuary Special Protection Area (SPA) and Ramsar. Particular concern is raised for the high number of mallards present in Functionally Linked Land (FLL) of the Humber Estuary SPA located adjacent to the River Trent. NE state that sudden loud bangs as a result of percussive piling has high potential for impacts and request that the HRA outline the circumstances where impact or percussive piling will be required, the noise levels percussive piling will generate, and then include an assessment of proposed mitigation.</p> <p>The Applicant has set out predicted noise levels that may be generated by percussive piling activities in their response to ExA Q2.1.7 as part of their Deadline 8 response titled ‘Applicant’s Response to RIES’ and lists an acoustic shroud and introducing a non-metallic dolly between the hammer and the driving helmet as potential mitigation measures.</p> <p>The ExA is therefore requesting that the Applicant provide a revised HRA to include an assessment of the measures available to mitigate the impact of percussive piling on the mallard feature of the</p>	<p>An updated version of the HRA is being prepared for submission by Deadline 10 at the latest. This will incorporate further information about percussive piling, something that will only occur if the silent hydraulic approach to sheet piling (at the Bunker Hall) meets a blockage. It will explain also the options for mitigation, the processes to determine what is needed and likely levels of effect. The approach (including mitigation) set out in the COMP will be implemented to avoid adverse effects on mallard.</p> <p>The measures that relate to controls of noise and vibration will be secured via the Code of Construction Practice (CoCP) / Construction Environment Management Plan (CEMP) and in particular:</p> <ul style="list-style-type: none"> • Appendix K - Outline Piling and Foundation Works Management Plan; • Appendix L - Outline Construction Noise and Vibration Management Plan; and • Appendix M – Preliminary Construction Ornithological Management Plan (updated version to be submitted). <p>These plans will be updated to incorporate appropriate reference to these specific measures as required.</p>

<p>Humber Estuary SPA and Ramsar site using the adjacent FLL. The Applicant should also explain where any proposed mitigation measures that are relied upon to conclude no AEoI have been secured.</p>	
<p>3. In their Deadline 8 submission, Natural England state that the additional mitigation of acoustic barriers to reduce noise impacts from construction activity, including bored piling, should be secured in the Development Consent Order (DCO).</p> <p>The ExA request that the Applicant indicate where the proposed mitigation measures relied upon to conclude no AEoI have been secured, for example within revised mitigation plans or the DCO.</p>	<p>The measures that relate to controls of noise and vibration will be secured via the Code of Construction Practice (CoCP) / Construction Environment Management Plan (CEMP) and in particular:</p> <ul style="list-style-type: none"> • Appendix K - Outline Piling and Foundation Works Management Plan; • Appendix L - Outline Construction Noise and Vibration Management Plan; and • Appendix M – Preliminary Construction Ornithological Management Plan (updated version to be submitted). <p>These documents will be updated to incorporate appropriate reference to these specific measures as required.</p>
<p>4. In their Deadline 8 submission Anglian Water identify there is a risk of insufficient water supplies being available to meet new and expanded water demands across the Anglian region. The ExA request clarification on the context of this statement to further explain the extent of this issue in the region so the risk can be better understood. Can Anglian Water therefore define the following:</p> <ul style="list-style-type: none"> • The area this relates to; 	<p>This question is not directed to the Applicant.</p>

<ul style="list-style-type: none">• The volumes of water being considered for domestic and non-domestic water in the region;• Over what timescales this is being considered; and• The impact of this project on the overall position.	
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