



Meeting note

Project name	North Lincolnshire Green Energy Park
File reference	EN010116
Status	Final
Author	The Planning Inspectorate
Date	16 September 2021
Meeting with	Solar 21 and Northern Planners
Venue	Microsoft Teams
Meeting objectives	Project Update
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Environmental Impact Assessment (EIA) Update

The Applicant explained that it is drafting its Environmental Statement (ES) to incorporate stakeholder feedback on the Preliminary Environmental Information Report (PEIR). The red line boundary and project descriptions are due to be finalised and reviewed internally in the coming weeks.

The Applicant confirmed that the wharf no longer forms part of the Proposed Development, therefore a deemed marine licence (DML) is no longer required.

The Applicant provided an update on the status of aspects scoped into the Environmental Statement (ES) as follows:

Built heritage/ archaeology

The Applicant is seeking agreement with Historic England (HE) and North Lincolnshire Council (NLC) regarding the scope of geo-physical survey work to be carried out in October 2021, which would in turn inform subsequent trial trenching. It confirmed that the preliminary results of the geo-physical work will be reflected in the ES.

The Applicant explained that the areas of archaeological interest primarily relate to land that is proposed to form part of the landscaping and planting within the Proposed Development. Therefore the Applicant is confident that any spatial areas could be adjusted to adapt to any sensitivities found through the works. The proposed district heat network (DHN) infrastructure might also potentially affect archaeological resource and the Applicant noted that the route/ extent could be amended as required.

The Applicant has agreed with NLC and HE that the framework of the DCO could be drafted to accommodate any changes that could result from any further investigation.

Air quality

Air quality modelling is ongoing, using the model recommended by the Environment Agency (EA). Discussions are ongoing with Public Health England (PHE) regarding the human health risk assessment and its methodology. The Applicant noted that some consultation with the local Public Health Trusts might be required. The need for an odour impact assessment had been reviewed in response to comments from consultation bodies; however, the Applicant explained that this had been addressed through technical design to prevent odour release at source.

Noise

Refinements to the assessment of operational noise are being undertaken. NLC has requested a DCO requirement that night-time noise levels do not to exceed the existing baseline, which the Applicant noted is potentially onerous to achieve as a result of the existing low baseline. The Applicant was currently reviewing the operational noise and were working to reduce predicted noise levels at the nearest receptors to as low a level as is practicable.

Ground conditions

Initial rounds of boreholes and trial pits have been completed, monitoring wells have been installed in various locations and soil samples are being analysed. The latest results will be included in the DCO application. The Applicant noted that ground gas and groundwater monitoring would be on-going.

Ecology

Further bird surveys are being completed at the request of Natural England (NE). Ecology assessments will be completed once relevant assessments (eg air quality) are available to feed into them.

The Applicant is aiming for 10% biodiversity net gain (BNG) however the large red line boundary and presence of agricultural fields within it has resulted in a high baseline position, which could impact on the ability to achieve 10% BNG. This is being discussed with NE.

Licences for protected species will be applied for after submission of the DCO application. The Applicant noted that there is potentially a need for a badger licence.

Landscape and visual impact

Final visualisations and the assessment for landscape and visual impact will be based on the worst-case scenario using the maximum dimensions of the Proposed Development. Mitigation options are being considered with NLC, taking consultation feedback into account. The Applicant noted that the DCO application will also include some indicative images of architectural treatment.

Transport

Worst-case scenarios for each transport mode (road, rail and sea) are being assessed. The Applicant's ambition is to mostly use rail or sea transport but some smaller loads would be via road. The Inspectorate advised the Applicant to clearly set out its assumptions on transport modes and usage within the ES and to explain why it cannot commit to no road transport.

Improvements to the road infrastructure into the site will form part of the DCO application.

Cumulative assessment

The Applicant confirmed that the list of schemes forming part of the assessment is being updated following changes to the red line boundary; following initial research, it does not appear that there will be any major changes from the position outlined in the PEIR.

Mitigation

The Applicant confirmed that mitigation would be secured through DCO requirements and subsidiary mitigation strategies (such as the construction traffic management plan, waste management plan, outline WSI and landscape and biodiversity strategy). Design codes will set out some mitigation, along with a landscape and ecology management plan to set out the longer term strategy. A draft code of construction practice (CoCP) will be submitted with the DCO application.

The Inspectorate advised that all mitigation commitments made in the ES should be demonstrably secured.

Other aspects

The Applicant confirmed that there was no update to provide in respect of: socio-economics, waste and major accidents/ disasters. The modelling to support the climate assessment is being refined.

Habitats Regulations Assessment (HRA) update

The Applicant confirmed that the study area for the HRA is being expanded from 10km to 15km following feedback on the PEIR, and that this may identify additional European sites for consideration within the HRA. The Applicant confirmed that it was reviewing the expanded list of sites prior to the completion of the HRA.

Water Framework Directive (WFD) update

The Applicant noted that works to the wharf are no longer proposed, therefore there will not be any dredging. Treated effluent discharges would run to the local sewage undertakers and therefore would not affect any waterbodies. On that basis, the Applicant stated that the WFD assessment would likely be restricted to consideration of flood risk measures, which it proposed to capture within the flood risk assessment following relevant Environment Agency guidance.

The Inspectorate advised that a separate WFD report is not necessarily required, however sufficient information should be provided to enable an assessment of effects on water bodies in a river basin management plan in accordance with The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. This would be checked at acceptance following submission of a DCO application; therefore the Applicant should clearly signpost to relevant documents on the application form.

AOB

The Inspectorate advised that the draft revised energy National Policy Statements (NPS) currently being consulted upon contain information about transitional arrangements. Any

DCO application accepted prior to the new NPS's being designated would follow the existing NPS. Dates for designation of the revised NPSs are unknown. The Inspectorate suggested that the Applicant might wish to reference the publication of the draft NPS in the planning statement, noting that the documents will not carry as much weight prior to designation.

The Applicant confirmed that the DCO application submission is expected in November 2021.

The Applicant is discussing flood mitigation with the EA and the approach to nearby industrial land either through engineering or third party evacuation plans. This was taking into account the existing flood risk for the area and the fact the Proposed Development would not significantly affect the existing estimated flood levels. The Inspectorate advised that third parties could not be compelled to be involved in the Examination, and that the local authorities could assist with identifying if emergency plans were in place.

The Applicant noted that the Humber Low Carbon Pipeline could potentially overlap with the Proposed Development and that it had approached the Applicant in relation to the potential for information sharing (including landowner negotiations). It is considering the need for a statement of common ground. The Inspectorate advised including reference to the Humber Low Carbon Pipeline project in the cumulative assessment to demonstrate it was aware of the project, noting that there was insufficient detail available at this time to undertake a detailed potential cumulative effects assessment. The Inspectorate agreed to flag the project to the Humber Low Carbon Pipeline team at the next update meeting.