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Date: 27th June 2024
Our Ref: DM/0423/24/SCO
Contact: Jonathan Cadd
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Dear Maureen

**PLANNING APPLICATION - Town and Country Planning Act 1990
(Environmental Impact Assessment) Regulations 2017)**

Planning Application Reference: DM/0423/24/SCO

Proposal: Scoping opinion for proposed waste treatment and transfer facility

Location: Land At Great Coates Business Park Humber Gate Stallingborough Grimsby

Thank you for the above scoping application which was received by North East Lincolnshire Council on **29th April 2024**.

The scoping opinion request has been submitted with a detailed statement on the content of the Environmental Statement (ES) and how it will be set out. This includes chapters on the following matters:

- Site Context
- The Proposed Development
- Planning Policy Context
- Scope of the Environmental Impact Assessment
- Air Quality
- Landscape and Visual Impact
- Transport
- Flood Risk and Water Resources
- Ecology and Biodiversity
- Noise
- Socio Economics
- Areas scoped out of the EIA.

This document has been considered by the relevant consultees. A number of responses from consultees have been received and notice is given that North East

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Lincolnshire has adopted the scoping opinion that an Environmental Statement (ES) submitted with an Environmental Impact Assessment as described should include all that which is outlined within your scoping report but also the information set out below.

2. Site Context

2.2 Planning History

The site and immediate surrounding areas have been the subject of a number of applications that have not been taken account of and a full assessment of these will be required. There is high development pressure along the Humber Estuary and it is important to consider a much wider area of the estuary with respect to planning applications and NSIP proposals. These will be required when assessing cumulative and in-combination impacts with your proposal on the various receptors and issues noted below.

2.3 Constraints

In addition to the constraints noted it is important that you also consider North Killingholme Haven Pits SSSI but also Functionally Linked Land which relates to the presence of mobile SPA interest features that are located outside the site boundary. In particular this relates to overwintering birds which use land adjoining the Humber Estuary. Such areas are known to include land to the north and north east of your main site.

Old Fleet Drain which runs across the site is also known to be of ecological interest with water voles found in this area.

The former Accordis Landfill 3 (also known as Moody Lane Landfills) adjacent to the site to the northeast and Landfill 4, within 100m of the site should also be included as a constraint. They represent a risk to the development and vice versa and as noted by the Environment Agency one is known to be in poor repair. Contamination, gas and general health risks should be assessed along with potential linkages to designated sites of ecological importance. This will also require potential mitigation and management to be considered.

The site also falls within the Health and Safety hazard zones for Blue Star Fibres - Outer Zone, BASF - Middle Zone and Vireol Plc - Outer Zone.

The use of resources including that of water.

3. The Proposed Development

3.1 Overview

The description provided is helpful but full detail, description, scaled (and referenced) plans and elevations and supporting reports for the development in all its phases will be

required. This should include its physical characteristics and the full land use requirements of the site during construction and operational phases but also decommissioning. The incinerator element should also be more clearly outlined within any overall written description.

An assessment of alternatives and clear reasoning as to why the preferred option has been chosen is required.

Clearer identification of the type of waste to be incinerated is required as is the locations of where the waste will come from should be investigated and justified.

A clear destination for the residual waste should be provided along with confirmation that capacity to accommodate such waste is available.

3.3 Access, Vehicle Numbers and Parking

The points raised within the Scoping Report (SR) are welcomed. It is recognised that the ES will include a Transport Statement (TS) and Travel Plan (TP) for the development, and this should cover all phases of the development not just operational phases but construction and decommissioning too.

Full details of parking and manoeuvring for all vehicles should be included and capacity of estate roads within Humber Gate to accommodate traffic should be included.

3.4 Surface Water Drainage and Flood Risk

Flood Risk Assessment and Flood Warning and Evacuation Plan detail is welcomed.

Foul drainage at the site both in terms of human waste but also waste water from the industrial process and how this water would be dealt with needs to be detailed in full. Connection to the Anglian Water foul drainage is recommended, if possible, otherwise full details of the waste water proposals are required including scaled plans and reports indicating flows, capacity of receiving systems, any outflows and water quality at the point of discharge.

Surface water drainage should consider Sustainable Urban Drainage techniques and full details, justification and scaled plans provided along with consideration of pathways which could lead to designated or sensitive receptors being impacted upon and any physical mitigation required.

It will be important to confirm whether the development requires hazardous substance consent and if so how this would meet Flood Risk policy.

5. Scope of the Environmental Impact Assessment

5.4 Cumulative Effects

It is recognised that you seek to assess the impacts of the scheme in combination with other committed developments and these should include:

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Details of the committed development to be considered can be found on the Council's planning web page but also NSIP approvals/proposals must also be included. The SR submitted seeks assistance on this and the following development (but not exclusively) should be considered:

Development Consent Orders (pending and granted)

DCO - TR030007 - Immingham eastern Ro Ro Terminal

DCO - TR030008 - Immingham Green Energy Terminal

DCO - EN010107 - SHBEC - waste to energy (likely to replace DM/1070/18/FUL below)

DCO - EN010161 - Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant - EIA

Planning Permission (pending and granted)

DM/0579/24/FUL - Hybrid application seeking full planning permission for erection of a carbon fibre manufacturing facility with associated office, storage facilities, warehousing, car parking and landscaping (Phase 1) and outline planning permission for a second carbon fibre manufacturing facility with access, landscaping, layout and scale to be considered (Phase 2) - Pending.

DM/1103/22/FUL - Fluid Ice tyre pyrolysis plant - Energy Park Way

DM/0898/22/FUL - Immingham Railfreight waste to energy - Variation of Condition 2 (Approved plans). Pending but is likely to be determined by August.

DM/0664/19/FUL - Velocys waste to jet fuel

DM/1070/18/FUL - South Humber Bank Energy Centre (SHBEC) waste to energy plant.

DM/0628/18/FUL - Immingham Railfreight waste to energy

DM/0329/18/FUL - Great Coates Energy Ltd (former Vireol Site)- Waste to Energy

DM/0105/18/FUL - Stallingborough Interchange commercial site.

DM/0026/18/FUL - North Beck waste to energy- planning approved.

Also

South Humber Bank Power station (QP3535LG) - operational

Newlincs, Stallingborough EfW (BT4249IB) - operational

and multiple other permitted facilities in this location which may also contribute to impacts to air quality, water quality and highway capacity and safety.

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5.6 Health

Consideration of health issues are noted but should also include potential harm to workers (including those involved in construction) due to on-site contamination and any mitigation therefore required. Please see the comments submitted from the Environment Agency and the Environmental Protection Team for further detail.

5.7 Climate change

It is accepted that climate change, Co2 emissions will be taken into account. In addition, it will be particularly important to assess this with respect to flood risk and drainage. Moreover, the ability of the natural environment (including habitats, species and natural processes) to adapt to the proposal in combination with climate change, the vulnerability and resilience of natural features to climate change and how they can accommodate the development and its requirements and vice versa needs to be addressed in detail. Advice outlined within Natural England's and the Environment Agency's response should be considered in full.

6. Air Quality

Humberside Airport should be used for metrological data for the assessment.

The assessment of air quality in general and specifically the impact on the Humber Estuary is welcomed but should also include functionally linked land.

A baseline assessment of air quality is required. Any assessment of the impacts on air quality should be considered with cumulative and in-combination assessments of other developments and their outputs.

An assessment of the impact on air quality as a result of significant increases in road traffic with respect of Functionally Linked Land (within 200m of the road) and any areas of residential development that traffic would pass should be undertaken. This again would require a baseline assessment to be carried out.

The assessment on the receptors should include, amongst other pollutants, an assessment of the increase in NOx but also Ammonia. Again, any assessment should include in combination and committed developments.

7. Landscape and Visual Impact

It is important that assessments are made as to the impact the proposal would have on the surrounding area. The LVIA proposed is welcomed along with the points raised in the SR. In addition, but not exclusively, an assessment of the visual impact from Energy Park Way, South Marsh Road, public footpath no. 46 and bridleway no. 36 along with the settlements of Great Coates, Healing and Stallingborough and positions along the cliff within the Lincolnshire Wolds (Limber Road/ Riby Road (A1173) where the site can

be seen at Stallingborough and positions along the cliff within the Lincolnshire countryside where the site can be seen at distance. Similarly, all designated and undesignated heritage assets within the area and their setting should also be considered and assessed.

8. Transport

The points raised within the SR are welcomed and it is recognised that the ES will include a Transport Statement (TS) for the development and Transport Plan (TP). These documents should cover all phases of the development not just the operational phases but also construction and decommissioning too. The statement should seek to identify specific vehicle types in any assessment. Traffic distribution and routing, should be covered as well as an assessment of the capacity of the network used (including strategic junctions and road network) particularly at week-day peak hours and inter peak periods, again for all phases of the development not just operation. It should also include a calculation of in combination committed developments and general forecast growth in accordance with Circular 01/2022.

The National Highways team has also requested the following:

- Construction Traffic Management Plan [CTMP];
- A dust management plan;
- A noise management plan;
- Pollution prevention measures;
- Staffing numbers;
- Contractor parking;
- Construction traffic routes;
- Details of delivery arrangements (including for any abnormal loads); and
- Measures to limit and manage transfer of debris on to the highway.

Network Rail has also responded indicating that any proposal which could involve impacts on their infrastructure should be assessed. This includes level crossings and bridges that may be used for HGV and haulage routes. Whilst no specific routing of vehicles has been identified within the SR of particular note is the Kiln Lane level crossing and the bridge at Queens Road Immingham. Previous planning applications and NSIP proposals have generated particular concerns from Network Rail. Early consultation with the Network Rail is therefore recommended and any TS should address these concerns in full.

The full responses of the Council's highways team, National Highways and Network Rail submitted should be considered.

You should be aware that South Marsh Road west of Hobson Way is not a public highway and Network Rail has specific issues with the level crossing to this bridleway.

9. Flood Risk and Water Resources

The Flood Risk Assessment and Flood Warning and Evacuation Plan is welcomed.

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Assessment of the existing water environment within the site and a baseline quality assessment should be undertaken.

Foul drainage proposals at the site both in terms of human waste but also waste water from the industrial process should be addressed. Details of any proposal for foul water should be provided and an assessment of the impacts of this on the water environment in general, water quality, controlled waters, capacity of infrastructure receiving the flows and impact on designated areas should be undertaken. Where possible connection to the Anglian Water foul network should be achieved.

Potential pathways to ecologically sensitive areas (designated or not) should be identified and impacts assessed including the ultimate destination for foul water.

Surface water drainage should consider Sustainable Urban Drainage techniques, but any scheme should consider water quality, contaminants, pollution and increased nutrients. Potential pathways to ecologically sensitive areas (designated or not) should be identified, and impacts assessed including the ultimate destination for surface water.

Information on the impacts on surface water quality to Old Fleet Drain and nearby ditches is required, including baseline surveys. Potential contaminants of concern include, but are not limited to: thiocyanate, per- and polyfluoroalkyl substances (PFAS), carbon disulphide and ammoniacal nitrogen.

Designs and construction should be assessed with respect to the principal aquifer below the site and the potential for contamination of this important resource due to the nature of the development and the nature of the previous uses on this previously developed site. This includes impacts from the former landfill sites close the application site which are in poor repair as noted within the Environment Agency's letter in response to the scoping request.

Piling has the potential to contaminate the principal aquifer and a piling risk assessment is required. The aquifer is also known to be artesian so that any investigations should include an assessment of this and the risks from boreholes, and or piling and measures to mitigate risks included.

The site condition should be assessed through desk top and intrusive surveys as to the potential for contamination in general and what precautionary measures and or mitigation is required to limit impacts. The risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination. Land contamination risk management (LCRM) - GOV.UK (www.gov.uk) should be utilised.

It is also recommended that an assessment on dewatering and licensing requirements that may be needed for groundwater abstraction or discharges to controlled waters.

Information on the impacts on surface water quality to Old Fleet Drain and nearby ditches is required, including baseline surveys. Potential contaminants of concern include, but are not limited to: thiocyanate, per- and polyfluoroalkyl substances (PFAS), carbon disulphide and ammoniacal nitrogen.

You should also be aware that water resources are limited and contact with Anglian Water/ Environment Agency should be undertaken as soon as possible if abstraction or water use from the mains is required.

You are recommended to read, in full, the comments from the Council's drainage team, Environment Agency and Natural England relation to this scoping request.

10. Ecology

The points raised within the scoping report are welcomed but appear to focus on the impacts of the operational phase of the development. It is highly likely that construction phase and decommissioning would impact on designated sites and the species that rely on these areas. This should also include functionally linked land. An assessment of the impacts of this and any mitigation required should be included within the ES. Likely survey details are set out within the Natural England response to this scoping request.

A full ecological survey of the site is required in terms of flora and fauna with particular note made of any protected species, including but not exclusively, Great Crested Newts, and impacts upon them and any mitigation proposed. This is likely to require both desk top work but also field surveys to ascertain the impact of the development (in all phases) will be required. This should consider both direct and indirect impacts and any mitigation measures required. Consideration of Priority Habitats and Species should be made including the potential environmental value of brownfield sites, often found in urban areas and former industrial land.

You should be aware that the site falls within the South Humber Bank Mitigation area and there may well be a requirement to contribute to this strategic programme through policy 9 of the North East Lincolnshire Local Plan 2013 -2032 (adopted 2018).

It is right that the assessment seeks to assess the impacts on the nationally and European designated Humber Estuary and the species it supports. This should extend to functionally linked land. For example, it is known that the site to the north of the main site is a particularly important site for over wintering SPA birds which could be impacted upon by the development proposed. This is likely to require assessment of the impact of the development (in all phases) on these areas, both directly and indirectly and any mitigation measures required. Natural England recommends that surveys are undertaken of the site and surrounding fields to provide an overview of bird usage during wintering and spring/autumn passage periods. You should also assess the impacts on all these areas from roads which will see significant additional traffic. This includes roads within 200m of designated sites and functionally linked land which would include Energy Park Way.

It is also important to include impacts on other lesser designations and local sites along with consideration of any mitigation required. You should also address those sites created through the South Humber Gateway Strategic Mitigation Scheme which seeks to mitigate the impact of development around the South Humber Bank on over wintering SPA birds including Novartis Ings and the Cress Marsh reserves. Similarly, full consideration and assessment of the impacts on all regional and local wildlife sites should be undertaken.

All assessments should include impacts from actual physical development and loss of land, but indirectly in terms of noise, vibration and nuisance, visual impacts and movement, air quality, water quality and dust.

Full note should be taken of advice provided by Natural England and the Environment Agency for this scoping opinion.

It is noted and welcomed that the applicant will seek to deliver Biodiversity Net Gain stated within section 10.1.3 of the scoping report. It should be noted that this would not, however, replace the need to assess and mitigate any impacts on other sensitive receptors noted above.

11. Noise

It is noted and welcomed that the noise assessment seeks to assess the impacts of all phases of the development not just the operational phase.

The base line assessment of noise levels at the site is also welcomed. Consideration should be given to assessing noise levels at and within designated sites, functionally linked land and in residential areas.

The assessment of the impacts from noise appears to be heavily predicated on impacts on humans. Whilst important, of equal significance should be the consideration of noise and vibration on features and species of ecological importance. This includes consideration of the impact of noise and vibration on the Humber Estuary and its use by protected species but also the functionally linked land close by.

In-combination and cumulative impacts should also be assessed.

Any hours of work should be recommended on the basis of the results of the noise assessment.

13. Topics to be scoped out of the EIA

Ground conditions appear to have been assessed but no details provided. It is deemed a concern that ground conditions are being scoped out, as the site is thought to be contaminated as noted by the Environment Agency and the Environmental Protection Team. The site also adjoins and is close to landfill sites that produce landfill gas and also create other pollution concerns due to the collapse/slippage of parts of the landfill

banking. Given the potential for pollution of the site, adjoining water courses and ground water the development may also impact upon these areas and/or create pathway opportunities to areas of ecological importance and the aquifer. Equally it has the potential to impact on health and safety. It is considered important that this should be addressed by the EIA. Full details of the EA's concerns are outlined within their response to the screening.

The risk management framework provided in 'Land contamination: risk management' should be followed when dealing with land affected by contamination as outlined within Land contamination risk management (LCRM) - GOV.UK (www.gov.uk).

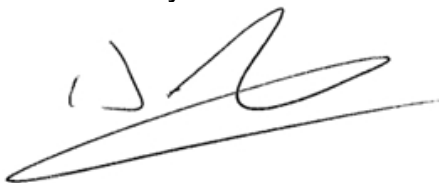
The potential for landfill gas should also be factored into any development whether or not it forms part of the EIA assessment, as recommended by the Environment Agency and the Council's Environmental Protection Team.

Heritage archaeology is also a matter which should not be ruled out at this stage. The coastal fringe of the Humber Estuary is known as area for very small, isolated settlements from the late Iron Age to early Roman periods. Much is unknown about the location of these very small settlements nor their regularity, as such it is possible the application site could accommodate such a settlement. Such settlements would provide knowledge of how people of this period settled and moved about this part of the country and regional trade. As such the lack of any information of archaeology on the site is not unexpected. Parts of the site have been previously developed but others appear to have been left undeveloped over time these could lead to undisturbed finds. It is noted some works have been undertaken but a full archaeology desk top study is required to assess previous uses and any areas which require further investigation. If required by the desktop survey further investigation and/or trenching may be required. Until the results of this work is known no conclusion on these matters can be reached. As such it is not recommended that archaeology is screened out.

Equally it is considered that heritage landscapes are assessed within the landscape and visual assessment noted earlier.

If you have any queries regarding the contents of this letter please do not hesitate to contact Jonathan Cadd on 01472 324292.

Yours faithfully



Damien Jaines-White
Assistant Director Regeneration

(Council's Authorised Officer)

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