



Planning Act 2008

Infrastructure Planning
(Applications
Prescribed Forms and
Procedure) Regulations
2009

North Lincolnshire Green Energy Park

Annex 3 - Proposed
Amendments to Draft DCO
Requirements and
Explanatory Memorandum

PINS reference: EN010116

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PROPOSED AMENDMENTS TO REQUIREMENTS 15, 17 AND 23 IN THE DRAFT DCO [REP10-004]

1. AMENDMENT TO REQUIREMENT 15 (FUEL TYPE) TO ADD COMMITMENT TO RECEIVE A CERTAIN AMOUNT OF WASTE FROM THE EAST MIDLANDS AND REQUIREMENT FOR REPORTING

1.1 Existing wording

Fuel Type

15. Only refuse derived fuel comprising of processed waste from municipal, household, commercial and industrial sources may be used in the combustion system in Work No. 1 (b), except for the purposes of start-up or support firing when gas or fuel oil may be used.

1.2 Amended wording (highlighted yellow)

Fuel Type

15.—(1) Only refuse derived fuel comprising of processed waste from municipal, household, commercial and industrial sources may be used in the combustion system in Work No. 1 (b), except for the purposes of start-up or support firing when gas or fuel oil may be used.

(2) Not less than

(a) 350,000 tonnes; or

(b) 50%,

of the refuse derived fuel processed at the authorised development per operational year (whichever is the lower) must originate from within the waste area unless otherwise agreed by the relevant planning authority.

(3) From the date of coming into operation of Work No. 1 (ERF) until the date Work No. 1 (ERF) has been decommissioned in accordance with requirement 16 (Decommissioning) (unless otherwise agreed by the relevant planning authority), the undertaker must maintain a written record, retained at the authorised development, of the quantity of the refuse derived fuel received from the waste area treated by the authorised development for each operational year.

(4) From the date of coming into operation of Work No. 1 (ERF) until the date Work No. 1 (ERF) has been decommissioned in accordance with requirement 16 (Decommissioning) (unless otherwise agreed by the relevant planning authority), on or prior to 1 February each year, the undertaker must provide to the relevant planning authority a report for the preceding operational year (the "waste catchment report"). The waste catchment report must identify the total tonnage of refuse derived fuel received from the waste area processed at the authorised development for the operational year.

2. ASSOCIATED AMENDMENT TO BE ADDED AT THE END OF REQUIREMENT 1 (INTERPRETATION) TO ADD DEFINITIONS OF WASTE AREA AND WASTE PLAN

"railway reinstatement works" means Work Nos. 3 and 4;

"waste area" means the area shown on the waste area plan; and

"waste area plan" means the document named the east midlands waste area plan identified in Schedule 15 and which is certified by the Secretary of State as the waste area plan for the purposes of this Order under article 46.

3. ASSOCIATED AMENDMENT TO BE MADE TO SCHEDULE 15 (DOCUMENT AND PLANS TO BE CERTIFIED) TO ADD REFERENCE TO THE WASTE PLAN AT THE END OF THE SCHEDULE (HIGHLIGHTED YELLOW)

(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>
waste area plan	4.21	Rev. 0	February 2025

4. AMENDMENT TO REQUIREMENT 17 (COMBINED HEAT AND POWER) TO ADD COMMITMENT TO CONSTRUCT "THE NORTHERN SPUR"

4.1 Existing wording

Combined heat and power

17.—(1) No part of the energy park works may be commissioned until a scheme for the provision of steam or hot water pass-outs has been submitted to and approved by the relevant planning authority.

(2) The scheme submitted under sub-paragraph (1) must as a minimum comply with the conditions relating to steam and hot water pass-outs within any environmental permit granted in respect of the authorised development.

(3) The scheme approved under sub-paragraph (1) must be implemented as approved prior to the coming into operation of the authorised development and maintained throughout the operation of the authorised development.

4.2 Amended wording (highlighted yellow)

Combined heat and power

17.—(1) No part of the energy park works may be commissioned until a scheme for the provision of steam or hot water pass-outs has been submitted to and approved by the relevant planning authority.

(2) The scheme submitted under sub-paragraph (1) must as a minimum comply with the conditions relating to steam and hot water pass-outs within any environmental permit granted in respect of the authorised development.

(3) The scheme approved under sub-paragraph (1) must be implemented as approved prior to the coming into operation of the authorised development and maintained throughout the operation of the authorised development.

(4) Prior to the energy park works coming into operation, the undertaker will construct the northern spur.

(5) No later than the date that is 18 months after the date of the energy park works coming into operation, the undertaker must submit to the relevant planning authority for its approval a report ("the CHP review") updating the combined heat and power assessment.

(6) The CHP review submitted must—

(a) consider the opportunities that reasonably exist for the export of heat from Work No. 11 at the time of submission of the CHP review; and

(b) include a list of actions (if any) that the undertaker is reasonably and practicably able to take (without material additional cost to the undertaker) to increase the potential for the export of heat from Work No. 11.

(7) The undertaker must take such actions as are included, within the timescales specified, in the approved CHP review.

(8) The relevant planning authority must consult with the Environment Agency before approving any CHP review.

5. ASSOCIATED AMENDMENTS TO BE ADDED AT THE END OF REQUIREMENT 1 (INTERPRETATION) TO ADD REFERENCE TO THE COMBINED HEAT AND POWER ASSESSMENT AND A DEFINITION OF THE NORTHERN SPUR (HIGHLIGHTED YELLOW)

“coming into operation” or “come into operation” means the date on which the commissioning of the relevant part of the authorised development is completed so that that part becomes operational;

"combined heat and power assessment" means the document of that name identified in Schedule 15 and which is certified by the Secretary of State as the combined heat and power assessment for the purposes of this Order under article 46;

...

“operation” or “operational” means the operational running of the relevant part of the authorised development;

"northern spur" means the part of the district heating network (Work No. 11) along the B1216 and A1077 on works plans B4, running east across works plans B5 and B6 and ending with either option A on works plans B7 or option B on works plans B8, in accordance with article 24 (compulsory acquisition of land).

“railway reinstatement works” means Work Nos. 3 and 4;

6. ASSOCIATED AMENDMENT TO BE MADE TO SCHEDULE 15 (DOCUMENT AND PLANS TO BE CERTIFIED) TO ADD THE COMBINED HEAT AND POWER ASSESSMENT AT THE END OF THE SCHEDULE (HIGHLIGHTED YELLOW)

(1) <i>Document name</i>	(2) <i>Document reference</i>	(3) <i>Revision number</i>	(4) <i>Date</i>
Combined heat and power assessment	5.4	Rev. 1	May 2023

7. AMENDMENT TO REQUIREMENT 23 (PRF) TO COMMIT TO DELIVERY

7.1 Existing wording

PRF

23. The plastic recycling facility (Work No. 6) shall only treat plastic waste received from suppliers who are also supplying the undertaker with refuse derived fuel used to fuel the combustion system in Work No. 1 (b).

7.2 Amended wording (highlighted yellow)

PRF

23.—(1) Notice of the intended completion of commissioning of the plastic recycling facility (Work No. 6) must be given to the relevant planning authority where practicable prior to such completion.

(2) Prior to the coming into operation of Work No. 1 (ERF) the plastic recycling Facility (Work No. 6) must have been constructed and commissioned.

(3) The plastic recycling facility (Work No. 6) shall only treat plastic waste received from suppliers who are also supplying the undertaker with refuse derived fuel used to fuel the combustion system in Work No. 1 (b).

PROPOSED AMENDMENTS TO THE EXPLANATORY MEMORANDUM [REP9-007] LINKED TO THE ABOVE AMENDMENTS TO REQUIREMENTS 15, 17 AND 23 IN THE DRAFT DCO

8. AMENDMENT TO TEXT ON SCHEDULE 2 (REQUIREMENTS) PARAGRAPH 15 RELATING TO REQUIREMENT 15 (FUEL TYPE) ON PAGE 36

8.1 Existing wording

15. *Requirement 15: Fuel type* – provides that only refuse derived fuel comprising of processed waste from municipal, household, commercial and industrial sources may be used in the combustion system in Work No. 1 (b). Gas or fuel oil may only be used for the purposes of start-up or support firing.

8.2 Amended wording (highlighted yellow)

15. *Requirement 15: Fuel type* – provides that only refuse derived fuel comprising of processed waste from municipal, household, commercial and industrial sources may be used in the combustion system in Work No. 1 (b). Gas or fuel oil may only be used for the purposes of start-up or support firing. The requirement also requires that a minimum of the waste processed at the authorised development per operational year (the lesser of 350,000 tonnes or 50%) must originate from within the waste area (unless otherwise agreed by the relevant planning authority). The undertaker must also maintain a written record of the quantity of waste received from the waste area per operational year and provide a report annually to the relevant planning authority that contains details of this. This wording has been adapted from requirement 29 of the Medworth Energy from Waste Combined Heat and Power Facility Order 2024 and its purpose is to ensure, insofar as is possible, the authorised development complies with the proximity principle that waste should be treated as close to the point of origin as is possible and to specifically address the identified need for residual waste treatment capacity to treat waste arising in the East Midlands region.

9. AMENDMENT TO TEXT ON SCHEDULE 2 (REQUIREMENTS) PARAGRAPH 17 RELATING TO REQUIREMENT 17 (COMBINED HEAT AND POWER) ON PAGE 36

9.1 Existing wording

17. *Requirement 17: Combined heat and power* – this provides that no part of the energy park works may be commissioned until a scheme for the provision of steam or hot water passouts has been submitted to and approved by the planning authority. The scheme submitted must comply with conditions relating to steam and hot water pass-outs within any environmental permit granted. The scheme must be implemented as approved prior to operation of the authorised development and maintained throughout the operation of the authorised development.

9.2 Amended wording (highlighted yellow)

17. *Requirement 17: Combined heat and power* – this provides that no part of the energy park works may be commissioned until a scheme for the provision of steam or hot water passouts has been submitted to and approved by the planning authority. The scheme submitted must comply with conditions relating to steam and hot water pass-outs within any environmental permit granted. The scheme must be implemented as approved prior to operation of the authorised development and maintained throughout the operation of the authorised development. The requirement also commits to the delivery of the "northern spur" of the district heating network, requiring this to be constructed prior to the energy park works coming into operation. The undertaker is also required to submit a CHP review to update the Combined Heat and Power Statement to the relevant planning authority no later than [18 months] after the date the energy park works come into operation. The wording of the CHP review has been adapted from requirement 25 of the Medworth Energy from Waste Combined Heat and Power Facility Order 2024.

10. AMENDMENT TO TEXT ON SCHEDULE 2 (REQUIREMENTS) PARAGRAPH 23 RELATING TO REQUIREMENT 23 (PRF) ON PAGE 37

10.1 Existing wording

23. *Requirement 23: PRF* – this provides that the plastic recycling facility (Work No. 6) shall only treat plastic waste received from suppliers who are also supplying the undertaker with refuse derived fuel used to fuel the combustion system in Work No. 1 (b).

10.2 Amended wording (highlighted yellow)

23. *Requirement 23: PRF* – this commits to delivery of the plastic recycling facility (**PRF**), requiring it to have been constructed and commissioned prior to the Work No. 1 (ERF) coming into operation. It also provides that the plastic recycling facility (Work No. 6) shall only treat plastic waste received from suppliers who are also supplying the undertaker with refuse derived fuel used to fuel the combustion system in Work No. 1 (b).