

Our ref: 40b – Planning Conformity/final responses/North East Lincolnshire Biomass May 07

2 May 2007

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Dear Phil

Planning Application Number: DC/303/07/IMM

S. 36 Application for integrated 65 MWE electricity generating station fuelled by biomass processing and refinery at Land Off Hobson Way, Stallingborough.

The Assembly is grateful for the opportunity to comment on this proposed development. The Assembly, as the Regional Planning Body, has been asked to comment on this development as its nature and location mean that it could have an effect on the implementation of the Regional Spatial Strategy (RSS). The current RSS for Yorkshire and Humber (based on the Selective Review of RPG12) was issued by the Secretary of State in December 2004. The RSS has the status of a Development Plan Document and forms part of the framework for decisions taken under section 38 of the Planning and Compulsory Purchase Act (2004), which means that decisions on all applications have to be taken in accordance with the Development Plan unless other material considerations indicate otherwise.

The Planning and Compulsory Purchase Act (2004) and Circular 08/2005 make it clear that a draft RSS submitted to the Secretary of State is a relevant regional policy against which strategic applications can be considered. This Assembly response therefore also highlights relevant issues that arise from the Yorkshire and

Humber Plan (draft RSS) December 2005 – the RSS submitted to the Secretary of State.

Both the existing and draft regional spatial strategies aim to achieve a more sustainable pattern and form of development, investment and activity across the region, putting a greater emphasis on matching needs across the region with opportunities and managing the environment as a key resource. Within the detailed policies of current and draft RSS, the value of developing renewable energy resources is recognised in policies S6 and R12 of current RSS and policies YH2A and ENV5 of draft RSS.

In seeking the implementation of these policies across the region, the Assembly therefore offers the following comments on the proposed electricity generating station fuelled by biomass.

Regional Policy context

Several policies in both current and draft RSS are relevant when considering this proposal, including environmental, economic and sub area policies.

Nature, Scale and Location

The proposal site is a Greenfield site, previously used for agriculture. While both current and draft RSS policy encourage the use of brownfield land for development, it is recognised in this case that this may not be feasible. Policy ENV7A of draft RSS states that an appropriate development on agricultural land for non-agricultural uses is the provision of renewable energy.

Policy YH3 (iv) of draft RSS states the aim to "*optimise the opportunities provided by the Humber Ports as an international trade gateway for the region and country*". The location of the integrated biomass fuelled electricity generating station will open opportunities for trade into and out of the Humber Ports.

Policy P1 of current RSS discusses the locational principles for strategic patterns of development. Section (g) of this policy highlights that the port area at Immingham, Hull, Grimsby and Goole (the Humber Trade Zone) is a regionally significant location and port related activities together with targeted infrastructure investment, will be promoted in and around the Humber Trade Zone. Policy T7 of draft RSS also encourages the protection of land close to ports for port related development.

Climate Change, Resource Use & Renewable Energy

Policies S5 and S6 in current RSS and YH2 in draft RSS deal with the issue of climate change and resource use. Policy R12 of current RSS and ENV5 of draft RSS provide for improved energy efficiency and greater installed renewable energy capacity in the region.

The Humber Estuary sub-area has been identified in the current and draft RSS as having a major role to play in terms of the Region's renewable energy generation requirement. Current RSS, policy R12 states that development plans should include measures that help secure a target installed renewable energy generation capacity of 674 MW for the Yorkshire and Humber region. Current information at a regional level suggests that 130 MW is being generated from renewable resources.

RSS also sets the Humber sub-region a target of 146MW of energy by 2010, equating to 22% of the total regional target and the draft RSS sets the North East Lincolnshire local authority a target of 23.3MW by 2010. The proposed application will help meet these challenging targets and therefore supports the implementation of the RSS. Information collected for the last two year's Regional Annual Monitoring Reports suggests that there has been no new renewable energy capacity in North East Lincolnshire above 5MW.

Economic Development

Policy E1 of draft RSS covers the methods of creating a successful and competitive regional economy. Section I of this policy seeks to "*promote opportunities for business relating to....renewable energy...and the 'low carbon economy'.*" The integrated biomass fuelled electricity generating station will help fulfil this policy goal.

Policy E4 in both the current and draft RSS support the sustainable growth of particular regional priority clusters, which include environmental technologies, chemical and bioscience industries. The Humber has been identified as an important location for the development of these clusters in current RSS and this proposal will assist in their continued development.

The proposed development will also support the implementation of Policy HE1 in draft RSS, which emphasises the importance of developing the sub area's economy and fostering value-added port-related activities around the ports. In addition, the proposal will assist in developing the Humber Estuary's renewable energy potential, in line with part C of the policy.

Transport

The site has a good level of transport accessibility, in terms of rail, road and ports.

Policy T1 of draft RSS encourages the use of lower-emission vehicles in the Region. The production of bioethanol could have a positive impact on the implementation of this policy, albeit indirectly.

Humber SPA & RAMSAR Site

The site is in close proximity to the Humber Estuary RAMSAR site. In addition, the Regional Appropriate Assessment identifies this site as being a Special Protection Area. Policy N1 of current RSS seeks to protect internationally important sites from

direct or indirect damage and Policy ENV8 of draft RSS states that the Region will safeguard and enhance biodiversity and geological heritage, ensuring that the natural environment functions as an integrated network of habitats.

An Appropriate Assessment of draft RSS was carried out and this emphasised the need for the RSS to ensure economic development and renewable development maintained the integrity of internationally important biodiversity resources along the Humber. It is therefore essential that the local authority carries out an Appropriate Assessment to determine that the development can be accommodated without affecting the integrity of the Humber SPA.

At present it is not clear whether or not the applicant has provided sufficient information for such an Appropriate Assessment to be carried out. The Assembly can therefore only offer its support in principle on the understanding that the local authority ensure that this information is made available and that the subsequent Appropriate Assessment shows that the development will not adversely affect the integrity of the Humber SPA.

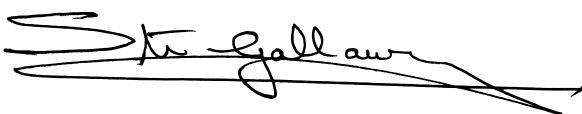
Conclusion

Given the comments set out above, it has been concluded that:

- The Assembly SUPPORTS the application on the basis that it will assist in the implementation of both current and draft RSS, in terms of environmental and economic considerations.
- However, this support is conditional on the local authority having sufficient information to carry out an Appropriate Assessment and that this Appropriate Assessment determines that the development can be accommodated without affecting the integrity of the Humber SPA.
- Given that the site is Greenfield land, the local authority will need to be satisfied that it is in the most appropriate location and that the site selection process undertaken has been adequate.
- That this proposal has the advantage over the bioethanol plant proposed near Stallingborough (application reference: PW/DC/70/07/IMM) due to it being a combined biomass/bioethanol plant and therefore helping to meet regional renewable energy targets.

If you have any queries about these points, please do not hesitate to contact Jenny Poxon on 01924 331555.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Stephen Galloway', with a long horizontal flourish extending to the right.

Stephen Galloway
Chair, Regional Planning Board
Yorkshire and Humber Assembly