

Full planning permission

APPLICATION NO: PA/2023/421

Address/Agent:

Mr Colin Turnbull
DWD LLP
6 New Bridge Street
LONDON
EC4V 6AB

Applicant: VPI Immingham LLP

North Lincolnshire Council hereby gives notice that the application received on 08/03/2023 for:

Planning permission for the construction and operation of a post-combustion carbon capture plant, including carbon dioxide compressor and metering, cooling equipment, stacks, substations, internal roads, partial ditch realignment, new and modified services, connections, accesses, maintenance and laydown areas at VPI Power Station, Rosper Road, South Killingholme, DN40 3DZ

has been considered and that permission for this development in accordance with the plans and written particulars submitted has been granted subject to the following conditions and reasons:

1.

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2.

Save for the Permitted Preliminary Works, commencement of development shall not take place until a scheme for the phasing of the works comprised in the development has been submitted to and approved in writing by the local planning authority. The development shall only proceed in accordance with the scheme approved, unless otherwise agreed in writing by the local planning authority.

Reason

To allow the development to be carried out in phases, or a single phase, depending on the requirements of the developer and in the interest of proper planning.

3.

The development hereby permitted, or each phase thereof, shall be carried out in accordance with the following submitted parameter drawings:

- Site Location Plan.
- Zoning Plan Key Plan, ref.415000-00201-8820-01-0001.
- Zoning Plan Plan Sheet 1, ref.415000-00201-8820-01-0002.
- Zoning Plan Plan Sheet 2, ref.415000-00201-8820-01-0003.
- Zoning Plan Sections Sheet 1, ref. 415000-00201-8820-01-0014.
- Zoning Plan Sections Sheet 2, ref. 415000-00201-8820-01-0015.
- Zoning Plan Sections Sheet 3, ref. 415000-00201-8820-01-0016.
- Zoning Plan Sections Sheet 4, ref. 415000-00201-8820-01-0017.
- Zoning Plan Sections Sheet 5, ref. 415000-00201-8820-01-0018.

Reason

For the avoidance of doubt and to ensure that the development is carried out in strict accordance with the details approved.

4.

No development, or phase thereof save for the Permitted Preliminary Works, shall take place until details of the final layout of the specified phase of development has been submitted to and approved in writing by the Local Planning Authority. Such details shall be similar to the following submitted indicative plans:

- General Arrangement Key Plan ref. 415000-00201-8820-01-0004.
- General Arrangement Sheet 1, ref. 415000-00201-8820-01-0005.
- General Arrangement Sheet 2, ref. 415000-00201-8820-01-0006.
- General Arrangement Sheet 3, ref. 415000-00201-8820-01-0007.
- General Arrangement Sheet 4, ref. 415000-00201-8820-01-0008.
- General Arrangement Sheet 5, ref. 415000-00201-8820-01-0009.
- General Arrangement Sheet 6, ref. 415000-00201-8820-01-0010.
- Proposed Access Junction General Arrangement, 60668866-ACM-XX-XX-DR-CE-0001-P03
- Ditch Diversion Proposals 41500-00201-8310-41-0001-5.

Unless accompanied by a functional safety explanation, or otherwise agreed in writing by the Local Planning Authority. Any written agreement is to be within the parameters stated in the Environmental Statement (AECOM, February 2023).

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

5.

No development or phase thereof, save for the Permitted Preliminary Works, shall take place until details of the external appearance and scale of the specified phase of development has been submitted to and approved in writing by the Local Planning Authority. Such details shall be similar to the following submitted indicative drawings.

- Substation 04 Equipment Layout and Gallery plan ref. 415000-00201-8330-47-0003.
- Substation 04 Roof Plan and Section ref. 415000-00201-8330-47-0004.
- CO2 Compressor House, Ground Floor Plan, ref. 415000-00201-8330-47-0005.

- MV Compressor House Plan and Section, ref. 415000-00201-8330-47-0006.
- CO2 Compressor House, Roof Floor Plan, ref. 415000-00201-8330-47-0007.
- Substation 05 Equipment Layout and Gallery Plan, ref. 415000-00201-8330-47-0012.
- Substation 05 Roof Plan and Section, ref. 415000-00201-8330-47-0013.
- Surfacing Plan, 60668866 ACM-XX-XX-DR-CE-0004-P03.
- Underground Utilities, 60668866-ACM-XX-XX-DR-CE-0005-P02.
- General Arrangements Elevations Sheet 1, ref. 415000-00201-8820-01-0011.
- General Arrangements Elevations Sheet 2, ref. 415000-00201-8820-01-0012.

Unless accompanied by a functional or safety explanation, or as otherwise agreed in writing by the Local Planning Authority. Any written agreement is to be within the parameters stated in the Environmental Statement (AECOM, February 2023).

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

6.

(i) No construction, demolition or site clearance activities, save for the Permitted Preliminary Works, and excluded activities defined in (ii), and emergency situations defined in (iii) shall take place outside the following hours unless otherwise approved in writing by the Local Planning Authority:

- 07:00 to 19:00 hrs Monday to Friday.
- 07:00 to 13:00 hrs Saturday. No construction, demolition or site clearance operations on Sundays or public holidays.

(ii) Excluded activities comprise:

- A 30 minute set up and demobilisation period immediately before and following, respectively, the hours in (i).
- Concrete transportation and pouring.
- Abnormal Indivisible Load movements.
- Heavy Good Vehicle deliveries which are in accordance with the Construction Traffic Management Plan.
- Heavy lift activities.
- Fit out activities internal buildings and substantially enclosed structures.
- Pre-commissioning and commissioning activities.
- Any such activities that cannot be stopped or paused.
- Brownfield integration activities (to minimise CHP risk and outage).

(iii) An emergency situation is one which if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the electricity generation licence holder at the site (currently VPI Immingham LLP) would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.

(iv) HGV movements, save for the excluded activities in (ii), shall not be permitted outside these hours during the construction phase without prior written approval from the Local Planning Authority.

(v) Installation of equipment on site, save for the excluded activities in (ii), shall not be

permitted outside these hours without prior written approval from the Local Planning Authority

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

7.

No development hereby permitted, or any phase thereof, save for the Permitted Preliminary Works, shall commence until a Construction Environmental Management Plan (CEMP) in conformity with the submitted outline CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

Noise and Vibration.

- a) The works, and the method by which they are to be carried out.
- b) The noise and vibration attenuation measures to be taken to minimise noise and vibration resulting from the works, including any noise limits; and
- c) A scheme for periodic monitoring, or responding to any complaints regarding, noise and vibration complaints during the works.

Light.

- a) Specified locations for contractors' compounds and materials storage areas.
- b) Areas where lighting will be required for health and safety purposes.
- c) Location of potential temporary floodlights.
- d) Identification of sensitive receptors likely to be impacted upon by light nuisance.
- e) Proposed methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Dust

- a) Site dust monitoring, recording and complaint investigation procedures.
- b) Identification of receptors and the related risk of dust impact at all phases of the development, including when buildings and properties start to be occupied.
- c) Provision of water to the site.
- d) Dust mitigation techniques at all stages of development.
- e) Prevention of dust trackout.
- f) Communication with residents and other receptors.
- g) A commitment to cease the relevant operation if dust emissions are identified either by regular site monitoring or by the Local Authority.
- h) A no burning of waste policy.

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

8.

No development, or phase thereof, shall take place, save for the Permitted Preliminary Works, until the new access from Rosper Road has been completed in accordance with the details submitted to and approved in writing by the Local Planning Authority. The details submitted shall include a full set of engineering drawings that have been subject to a Stage 2 Road Safety Audit.

Reason

In the interest of highway safety and to comply with policies T2 and T19 of the North

Lincolnshire Local Plan.

9.

No development, or phase thereof, shall take place, save for the Permitted Preliminary Works, until a Construction Workers Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The plan approved shall thereafter be implemented in full unless otherwise agreed by the Local Planning Authority.

Reason

In the interest of sustainable forms of travel and to comply with Policy T5 of the North Lincolnshire Local Plan.

10.

No development, or phase thereof, save for the Permitted Preliminary Works, shall take place until a construction phase traffic management plan. in conformity with the submitted Appendix 8B: Construction Traffic Management Plan (AECOM, February 2023), showing details of:

- A pre/post construction condition survey of the carriageway, being a visual inspection for the length between the new site access and the junction of Rosper Road and Humber Road, to identify any defects and how they will be rectified;
- All associated traffic movements, including delivery vehicles and staff/construction movements.
- Any abnormal load movements;
- Contractor parking and welfare facilities;
- Storage of materials;
- Traffic management requirements, including the means of controlling the deposition of mud onto the highway, along with appropriate methods of cleaning the highway, as may be required;

has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. Once approved the plan shall be implemented, reviewed and updated as necessary.

Reason

In the interest of Highway Safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

11.

Within twelve months of the electricity undertaker at the site (currently VPI Immingham LLP) deciding to decommission the authorised development, the following must be submitted to the Local Planning Authority for its written approval.

- (i) A Decommissioning Environmental Management Plan;
- (II) A scheme for the demolition and removal of redundant buildings and structures from the site and restoration of the site.

The scheme in (ii) shall include a written explanation of which buildings and structures, if any, are not redundant, making reference to their potential for reuse.

The plan in (i) and the scheme in (ii) shall be implemented in full within 24 months of approval, unless such other period is agreed in writing by the Local Planning Authority.

Reason

In the interest of human safety and to accord with policy DS1 of the Local Plan.

12.

No development, or phase thereof, save for the Permitted Preliminary Works, shall take place until a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This must be based upon the submitted Drainage Strategy Document, Appendix 9C.2, submitted by Humberzero, dated: 24 April 2023 (currently located on the planning portal for PA/2023/421).

The drainage scheme shall demonstrate that surface water runoff generated up to and including the 1 in 100 year critical storm (including an allowance for climate change which should be based on the current national guidance will not exceed the runoff from the existing site).

It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased, SuDS must be fully considered in accordance with current Planning Practice Guidance. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, focusing on above ground conditions.

Reason

To ensure satisfactory drainage is provided in accordance with policy DS14 of the North Lincolnshire Local Plan

13.

The drainage scheme shall be implemented in accordance with the approved submitted details required via condition 12 and shall be completed prior to each phase or sub phase coming into service and thereafter retained and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure satisfactory drainage is provided in accordance with Policy DS14 of the North Lincolnshire Local Plan.

14.

Unless otherwise agreed by the Local Planning Authority, development or any phase thereof, other than the Permitted Preliminary Works or that required to be carried out as part of an approved scheme of remediation, must not commence until parts 1 to 4 below have been complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to this

extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

Part 1 : Site Characteristics

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

1. A survey of the extent, scale, and nature of contamination.
2. An assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments.
3. An appraisal of remedial options, and a proposal of the preferred option(s). This must be conducted in accordance with Environment Agency's Land Contamination Risk Management (LCRM) guidance April 2021.

Part 2 : Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetables of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3 : Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority

Part 4 : Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part 3.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

15.

No development shall take place until the applicant or their successors in the title has commissioned and secured the implementation of the approved Written Scheme of Investigation (WSI) for a programme of archaeological mitigation and until they have submitted the appointed archaeological contractor's detailed project designs and updates specified in the WSI to the Local Planning Authority for their written approval prior to implementation. The project designs will include details of the following:

1. Measures to ensure the preservation by record/in-situ of archaeological and palaeoenvironmental remains.
2. Methodologies for the recording and recovery of archaeological and palaeoenvironmental remains including artefacts and ecofacts.
3. Post-fieldwork processes for preparation of assessment reports, updated project designs and analysis.
4. Report contents and arrangements for dissemination and publication proposals.
5. Archive preparation and deposition with recognised repositories including the digital archive with ADS.
6. A timetable of works in relation to the proposed development including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the mitigation WSI.
7. Arrangements to notify the North Lincolnshire Historic Environment Officer of the commencement and a schedule of visits to monitor such works.
8. A list of all staff involved in the implementation of the WSI including sub-contractors and specialists, their responsibilities and qualifications.

Reason

To preserve by record any archaeological remains identified within the site in accordance with paragraph 205 of the NPPF, policy CS6 of the Core Strategy and saved policy HE9 of the North Lincolnshire Local Plan.

16.

The applicant shall notify HER and the Local Planning Authority in writing of the

intention to commence each stage of the archaeological site works referred to in the mitigation WSI at least 10 days before commencement. Thereafter, the archaeological programmes shall be carried out in accordance with the details and timings in the approved project designs. The development shall not become operational until the post-excavation assessment has been completed and further analysis commissioned including provision for the publication and dissemination of results and archive deposition.

Reason

To preserve by record any archaeological remains within the development site in accordance with paragraph 205 of the NPPF, policy CS6 of the Core Strategy, and saved policy HE9 of the North Lincolnshire Plan.

17.

A copy of any analysis, reporting publication, or archiving required as part of the approved mitigation strategy shall be deposited at the North Lincolnshire Historic Environment Record and the archive at the North Lincolnshire Museum within 18 months of the commencement of the archaeological programme or work or such period as may be agreed in writing by the Local Planning Authority.

Reason

To preserve by record any archaeological remains within the development site in accordance with paragraph 205 of the NPPF, policy CS6 of Core Strategy and saved policy HE9 of North Lincolnshire Plan.

18.

Noise (in terms of the BS4142:2014 rating level) from the operation of the authorised development must be no greater than 3dB higher than the defined representative background sound level during each of the daytime and the night time, adjacent to the nearest residential properties at locations agreed in writing with the Local Planning Authority.

Reason

For the protection of residential amenity in accordance with the Local Plan Policy DS1.

19.

Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority to the proposed piling methodology. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed piling does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways.

20.

The development shall be carried out in accordance with the submitted flood risk assessment (Included as Appendix 9A of the Environmental Statement Volume 2, undertaken by AECOM, dated February 2023). In particular, flood resistance and resilience measures as detailed in paragraph 7.2.2 will be incorporated into the

development.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS19 of the North Lincolnshire Core Strategy.

21.

Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors) decommissioning of the development hereby approved shall not commence unless and until a Decommissioning Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter unless otherwise approved in writing decommissioning shall be undertaken in accordance with the approved plan.

Reason

In the interest of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

Dated: 29/08/2025

Signed:

A solid black rectangular box used to redact the signature of the Planning Development Manager.

Rebecca Brown
Planning Development Manager

Informative 1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 39 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

Informative 2.

Our records indicate that the proposed development site is bounded by and has running through it, a watercourse (Surface water pipe/culvert or ditch). Following inspection, the watercourse may need to be cleared, replaced, protected or diverted by the landowner at their expense in accordance with their riparian responsibilities. An easement adjacent to the watercourse may need to be provided for future maintenance.

Any other drainage feature found during excavations must be immediately reported to the LLFA Drainage Team, via email prior to any further construction works being

carried out. Please refer to the attached document detailing riparian rights and responsibilities.

Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 3.

The site lies within the IDB and LLFA area of jurisdiction and as such any alterations and / or connections into the watercourse must be consented by both the Local Internal Drainage Board and the LLFA Drainage Team through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Please contact the LLFA Drainage team via email for further details. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

Informative 4.

"Permitted Preliminary Works" PPW means works including or comprising the clearance of ecological features and exclusion of translocation of species using qualified consultants and any necessary licenses, the removal of existing hardstanding, the erection of temporary fencing for construction purposes, and the placing of temporary cabins and associated areas of hardcore construction purposes, geotechnical investigations, archaeological excavation, land contamination risk assessment and mitigation, site clearance works, underground surveys and positive identification of services, utilities and gas mains.

Informative 5.

The site investigation proposals include the investigation of chalk bedrock depth using deep boreholes. This presents the potential for a preferential pathway to be created for contamination to migrate to the Principal Chalk aquifer. Any drilling or piling work that may penetrate the underlying Chalk bedrock must be supported by an appropriate risk assessment with best practice guidance. Any investigation boreholes that penetrates the Chalk aquifer should be suitable decommissioned when no longer needed, in accordance with best practice guidance.

Informative 6.

This application must be read in conjunction with the relevant Section 106 Agreement.

WARNING

THIS DOCUMENT DOES NOT CONSTITUTE ANY APPROVAL
UNDER THE BUILDING REGULATIONS

WARNING

This is a PLANNING PERMISSION ONLY. It does NOT convey any approval or consent required under any enactment, byelaw, order or regulation other than those referred to in the heading of this notice. It is IMPORTANT that you should read the notes concerning APPEALS below.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Please note however:

If your application was for **householder development** (dwelling house extensions, alterations, garages, swimming pools, walls, fences, vehicular access, porches, satellite dishes etc) or for a minor commercial application then you must do so **within 12 weeks** of the date of this notice.

- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.