Tanya Coggon
North Lincolnshire Council
Development Control
Civic Centre Ashby Road
Scunthorpe
DN16 1AB

Our ref: AN/2025/137109/03-L01
Your ref: PA/2025/1146

Date: 09 January 2026

Dear Tanya

Proposed Development Planning permission for the construction and operation of a low carbon (green) hydrogen production facility with an installed electrolyser capacity of 120 MW, including electrolyser units and power supplies, a water treatment plant, cooling equipment, hydrogen purification equipment, a hydrogen storage facility, a control building/stores and maintenance and laydown areas (EIA Development)
Killingholme Power Station, Chase Hill Road, Killingholme, Immingham, DN40 3LU

Thank you for re-consulting us on the above application on 18 December 2025 following the submission of additional justification regarding the use of a package treatment plant.

The letter prepared by Uniper Technologies Limited, dated 18 December 2025, explains that the foul drainage from this site will connect to the existing package treatment plant that services the adjacent Killingholme B site. And that this package treatment plant has sufficient capacity to accept the additional flows.

Whilst lack of capacity or plans to improve capacity in the sewer is not normally a valid reason for a development to install a private sewerage system, we note an acceptable wastewater scheme (i.e. connection to existing package treatment plant) has been established. Furthermore, we are supportive of the use of low carbon technologies, including the proposed hydrogen production facility and are committed in helping the UK meet its target of net zero by 2050 and therefore wish **remove our objection** to this application.

We wish to make the below comments and recommend planning conditions regarding contamination and piling.

Groundwater and contaminated land
We have reviewed Volume III Appendix 8-1 Phase 1 Geo-Environmental Desk Study: Contaminated Land Preliminary Risk Assessment in the Humber H2ub (Green) – Environmental Statement (ref: UTL/25/PSP/EC/4338/R) by Uniper Hydrogen UK dated September 2025 with regard to controlled waters only.

The previous use of the proposed development site as a power station presents a risk of contamination that may mobilise during site works and construction to pollute

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controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer that overlies a principal aquifer and shallow groundwater maybe in connection with surface waters.

The application's Preliminary Risk Assessment demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA. This is required prior to commencement of the development.

In light of the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the National Planning Policy Framework (NPPF).

Without the following conditions we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 1
No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason
To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF and Policy CS18(10) of the North Lincolnshire Core Strategy Adopted June 2011.

In so far as it relates to controlled waters, we consider that the Preliminary Risk Assessment satisfies Part 1 of this Condition. We agree with the recommendations of

the report, that intrusive investigation is the next appropriate phase of work for assessing the potential risks to controlled waters. This site is in a sensitive location for controlled waters, underlain by a principal aquifer and with potential connectivity to surface waters. We consider that controlled waters risk assessment should be supported by groundwater monitoring, where possible. The site investigation should target all potential sources of contamination, with groundwater samples collected from permanently installed monitoring wells on a minimum of two occasions and tested for all potential contaminants of concern.

Condition 2
Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason
To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF and Policy CS18(10) of the North Lincolnshire Core Strategy Adopted June 2011.

Condition 3
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason
To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF and Policy CS18(10) of the North Lincolnshire Core Strategy Adopted June 2011.

Condition 4
The Piling using penetrative method hereby permitted by the LPA may not commence until such time as a scheme has been submitted to, and approved in writing by, the LPA. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- Foundation Works Risk Assessment
- A conceptual site model
- Specification of the type, number and depth of proposed piles/ foundations/ dimensions of shaft/tunnel/ design of heating and cooling system
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of decommissioning piling works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason
To ensure that any proposed piling, does not harm groundwater resources in line with paragraph 187 of the NPPF and Position Statement J and N of The Environment Agency's approach to groundwater protection.

Advice to the applicant
We recommend that developers should:

- follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination. This guidance describes the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
- consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- refer to the contaminated land pages on gov.uk for more information

Waste
Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to the waste management page on GOV.UK.

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011
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Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

We will consider any queries in relation to the use of Definition of Waste: Development Industry Code of Practice (DoWCoP) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an

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environmental permit is required.

Environmental permit
This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2016. Based on the information submitted with the planning application, we have not identified any major permitting concerns. Further guidance can be found at: https://www.gov.uk/government/collections/risk-assessments-for-specific-activities-environmental-permits

Should dewatering operations be deemed necessary an abstraction licences will be required unless an exemption applies. We recommend that the developer should determine the need for an abstraction licence at an early stage. The applicant can also check if a discharge permit is required by using https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits. We advise early consideration be given to this, so that permitting timescales can be built into the development programme so as not to cause delays.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

Rebecca Flint
Sustainable Places Planning Adviser

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