

SCOPING OPINION:

Proposed VPI Immingham OCGT

Case Reference: EN010097

Adopted by the Planning Inspectorate (on behalf of the Secretary of State for Housing, Communities and Local Government) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

July 2018

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1. INTRODUCTION

1.1 Background

- 1.1.1 On 05 June 2018, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from VPI-Immingham B Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed VPI Immingham Open Cycle Gas Turbine (OCGT) power station (the Proposed Development).
- 1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion *'as to the scope, and level of detail, of the information to be provided in the environmental statement'*.
- 1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled 299MW Open Cycle Gas turbine ('OCGT') Power Station Environmental Impact Assessment Scoping Report (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.1.4 The Applicant has notified the SoS under Regulation 8(1)(b) of the EIA Regulations that it proposes to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is EIA development.
- 1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:
- (a) *any information provided about the proposed development;*
 - (b) *the specific characteristics of the development;*
 - (c) *the likely significant effects of the development on the environment;*
and
 - (d) *in the case of a subsequent application, the environmental statement submitted with the original application.*
- 1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.
- 1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).
- 1.1.8 The points addressed by the Applicant in the Scoping Report have been carefully considered and use has been made of professional judgement

and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

- 1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.
- 1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:
- (a) *a plan sufficient to identify the land;*
 - (b) *a description of the proposed development, including its location and technical capacity;*
 - (c) *an explanation of the likely significant effects of the development on the environment; and*
 - (d) *such other information or representations as the person making the request may wish to provide or make.*
- 1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the Scoping Report encompasses the relevant aspects identified in the EIA Regulations.
- 1.1.12 In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on *'the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)'*.
- 1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017 and/ or The Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Habitats Regulations). This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations. The Applicant's ES should therefore be co-ordinated with any assessment made under the Habitats Regulations.

1.2 The Planning Inspectorate's Consultation

- 1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a

scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

- 1.2.2 Due to an administrative error the Health and Safety Executive was not identified as a consultation body for the purposes of Regulation 10(6). However, on 5 July 2018, the Health and Safety Executive were notified of their duties under Regulation 11(3) to make available to the Applicant any information which is considered relevant to the preparation of the ES.
- 1.2.3 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in preparing their ES.
- 1.2.4 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.
- 1.2.5 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in preparing their ES.

1.3 Article 50 of the Treaty on European Union

- 1.3.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two year period of negotiations regarding the UK's exit from the EU. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

2. THE PROPOSED DEVELOPMENT

2.1 Introduction

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/ resources.

2.2 Description of the Proposed Development

2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity (where relevant) is provided in Scoping Report sections 2 and 3. The Proposed Development consists of a single OCGT power station with a gross electrical output of 299MW. The OCGT dimensions are expected to be 60m in length and 30m wide, with a stack height of between 35-45m.

2.2.2 The Proposed Development is located mainly within the vicinity of the existing VPI Combined Heat and Power (CHP) plant, south east of the Lindsey Oil Refinery, west of Rosper Road, North of the Humber Refinery and in North Killingholme, Lincolnshire. The proposed application site extends north incorporating an undeveloped parcel of land and car park immediately north of the VPI CHP plant. North, west, and south of the Proposed Development are large industrial complexes with agricultural fields being located to the east. Figure 1 of the Scoping Report depicts the location of the Proposed Development and the surrounding land use. Immingham Dock and the Humber Estuary are approximately 1.5km east of the Proposed Development. The towns of Immingham, North Killingholme, and South Killingholme are located 1.8km south, 1.6km, west, and 1.4km southwest of the Proposed Development respectively.

2.2.3 In addition to the OCGT unit, the Proposed Development includes the following ancillary development:

- Either an overhead or underground electrical connection to the National Grid substation located within the existing VPI CHP plant;
- Construction of a new underground 300m gas pipeline around the east or west of the proposed site to connect to an existing gas pipeline south of the VPI CHP plant;
- Switchyard, associated switch gear and ancillary equipment;
- Gas receiving area, gas treatment control facilities and gas reception building;
- Cooling water supply and pipeline, above ground raw water storage and fire water storage tanks;

- Chemical and oil storage tanks;
- Internal access roads, storm water attenuation, landscaping features; and
- Other minor infrastructure and auxiliary services

2.3 The Planning Inspectorate's Comments

Description of the Proposed Development

2.3.1 The ES should include the following:

- a description of the Proposed Development comprising at least the information on the site, design, size and other relevant features of the development; and
- a description of the location of the development and description of the physical characteristics of the whole development, including any requisite demolition works and the land-use requirements during construction and operation phases

2.3.2 The description of the Proposed Development within the Scoping Report is relatively high level. For example, the dimensions and location of the OCGT and underground gas pipeline are stated, however the dimensions and locations of the ancillary infrastructure have not been included. The Inspectorates expects that when the application is made, the description of the ancillary infrastructure will include the size and location of the ancillary infrastructure, especially the maximum heights of all proposed structures. Where uncertainty exists and flexibility is sought, the ES should clearly define the design parameters that would apply and how these have been used to inform the environmental assessment.

2.3.3 The Scoping Report states that access to the Proposed Development will be via Rosper Road to the east of the Proposed Development. No further information describing the access road has been provided. An existing access road to the VPI CHP plant from Rosper Road exists. The ES should state whether this access road will be used, altered, or a new access road will be constructed. If the road will be altered or a new access road is to be constructed, then a full description of any alterations or new road infrastructure including an assessment of the likely significant effects should be included within the ES.

2.3.4 Paragraph 3.1.7 states that storm water attenuation system or similar is likely to be included within the Proposed Development. It is not clear what is meant by 'or similar' and the Inspectorate expects this term to be clearly defined within the ES. Additionally a description of the storm water attenuation system including its location should be included within the ES.

2.3.5 A number of aspect chapters within the Scoping Report refer to '*stack(s)*' (e.g. paragraphs 6.2.5, 6.6.7 and 6.11.6). The description of the

development implies the OCGT will only have one stack. The ES should clarify this and if variability is sought on this aspect of the development the ES should make this clear and assess the corresponding worst case scenario.

- 2.3.6 The Scoping Report states that the Proposed Development has a 40 year lifespan (paragraph 3.4.1) and that decommissioning will involve disconnecting and removing the plant with environmental effects anticipated to be no greater than those assessed for construction. The Inspectorate expects the decommissioning of works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption. The ES should provide as much detail as possible when describing the decommissioning, including the timescale, the phases of decommissioning, and the associated likely significant effects.
- 2.3.7 No information regarding the quantity or type of material resources required for constructing the Proposed Development has been included within the Scoping Report. The Inspectorate understands that exact quantities of materials are unlikely to be known at this stage, but the ES should include an estimate of the type and quantity of materials required and the associated effects arising from their use.
- 2.3.8 Information on the operation and maintenance of the Proposed Development should be included in the ES and should cover but not be limited to such matters as: the number of full/ part-time jobs; the operational hours and if appropriate, shift patterns; and the number and types of vehicle movements generated during the operational stage, including any maintenance outages.

Alternatives

- 2.3.9 The EIA Regulations require that the Applicant provide 'A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects'.
- 2.3.10 The Inspectorate acknowledges the Applicant's intention to consider alternatives within the ES. The Inspectorate would expect to see a discrete section in the ES that provides details of the reasonable alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects.
- 2.3.11 Chapter 4.0 of the Scoping Report (Project Alternatives) does not mention alternative options for the configuration and layout of the Proposed Development. The Inspectorate would expect a description of the alternative site layout options in the ES and an explanation of the reasoning behind the selected option(s) with reference to environmental effects where relevant.

Flexibility

- 2.3.12 The Inspectorate notes the Applicant's desire to incorporate flexibility into their draft DCO (dDCO) and its intention to apply a Rochdale Envelope approach for this purpose (paragraphs 3.1.6, 4.3.4). Where the details of the Proposed Development cannot be defined precisely, the Applicant should ensure that the assessment has taken this into account and applies a worst case scenario.
- 2.3.13 The Inspectorate notes that paragraph 3.1.6 states that the Applicant may seek some variability in the configuration and layout of the Proposed Development. The ES should include details of the different configurations and layouts proposed and include an assessment of the likely significant environmental effects that may arise from each configuration/ layout.
- 2.3.14 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different developments. The development parameters will need to be clearly defined in the dDCO and in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.
- 2.3.15 It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.

3. ES APPROACH

3.1 Introduction

- 3.1.1 This section contains the Inspectorate's specific comments on the scope and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note Seven 'Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements'¹ and associated appendices.
- 3.1.2 Aspects/ matters (as defined in Advice Note Seven) are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report.
- 3.1.3 The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 3.1.4 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

3.2 Relevant National Policy Statements (NPSs)

- 3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES.
- 3.2.2 The designated NPS(s) relevant to the Proposed Development are the:

¹ Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements and annex. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- Overarching NPS For Energy (NPS EN-1);
- NPS for Fossil Fuel Electricity Generating Infrastructure (NPS EN-2);
- NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4); and
- NPS for Electricity Networks Infrastructure (NPS EN-5).

3.3 Scope of Assessment

General

- 3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:
- to demonstrate how the assessment has taken account of this Opinion;
 - to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects;
 - to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement);
 - to describe any remedial measures that are identified as being necessary following monitoring; and
 - to identify where details are contained in the Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.
- 3.3.2 The Scoping Report does not detail the assessment methodology and significance criteria that will be adopted for all of the aspect chapters. This should be provided within the ES, clearly stating the source of the methodology and where professional judgment has been applied. The Inspectorate recommends that a table format is utilised for ease of understanding.
- 3.3.3 Section 8 of the Scoping Report outlines the general approach to preparing the ES. Examples of standards and guidance to inform assessment methodologies and significance criteria for the aspect chapters have been given, however it should be clearly stated which standards and guidance have been used to inform the ES. The Applicant should take care to ensure any guidance referred to is relevant and applicable.
- 3.3.4 The Applicant is advised to clearly define and justify the study areas adopted for each aspect assessment in the ES. The extent of the study area should reflect the anticipated extent of potential impacts, be based on the appropriate professional guidance and be agreed with the relevant consultation bodies (where possible).

- 3.3.5 The Scoping Report does not detail the assumptions and limitations which have been identified or anticipated at this stage within the aspect chapters. The Applicant should set out any assumptions underpinning the assessments in their ES.
- 3.3.6 The Scoping Report does not uniformly address the approach to assessing cumulative effects. The aspect chapters of the Scoping Report sporadically consider cumulative effects. The ES should include a consistent approach with regards to the assessment of cumulative effects. The ES should explain the methodology applied and where significant cumulative effects occur this should be presented.
- 3.3.7 Section 8 of the Scoping Report sets out the general process of consultation. It should be clearly stated within the aspect chapters of the ES, where consultation has been undertaken to inform the assessments, such as obtaining data and agreeing the assessment approach.
- 3.3.8 Chapter 7 of the Scoping Report proposes to entirely scope out Waste, Electronic Interference, Aviation, Accidental Events/ Health and Safety, and Carbon Capture Readiness. The Inspectorate has had regard to the information provided in the Scoping Report and an opinion on these aspects is provided in section 4.13.
- 3.3.9 Section 6.2.14 states that an assessment of Human Health Risk Assessment (HHRA) is not required due to the Proposed Development meeting the Air Quality Strategy objectives. The Inspectorate does not consider it necessary for the ES to include a stand-alone Health aspect chapter but does consider that an HHRA should be assessed under relevant aspect chapters where significant effects are likely. To support the reader and provide clarity the ES should contain a table which cross-references to where the relevant information and assessment of human health is located.

Baseline Scenario

- 3.3.10 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
- 3.3.11 In light of the number of ongoing developments within the vicinity of the Proposed Development application site, the Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.

Forecasting Methods or Evidence

- 3.3.12 The ES should include a description of the investigations, surveys, and other methods used to collect the baseline data.

- 3.3.13 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.
- 3.3.14 The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.
- 3.3.15 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

Residues and Emissions

- 3.3.16 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the relevant aspect assessments.
- 3.3.17 Waste management is proposed to be scoped out in section 7.2 of the Scoping Report. The Applicant should note the comments from the Inspectorate in section 4.13 of this Opinion.

Mitigation

- 3.3.18 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements.
- 3.3.19 The Inspectorate notes that a framework Construction Environmental Management Plan (CEMP) is to be produced and will be provided to support the ES. Where the ES relies upon mitigation measures which would be secured through the CEMP, it should be demonstrated (with clear cross-referencing) where each measure is set out in the CEMP.

Risks of Major Accidents and/or Disasters

- 3.3.20 The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to Advice Note 11) to better understand the

likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.

- 3.3.21 Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

Transboundary Effects

- 3.3.22 Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Scoping Report has not indicated whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.
- 3.3.23 Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.
- 3.3.24 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

A Reference List

- 3.3.25 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4 Confidential Information

- 3.4.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare

birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

4. ASPECT BASED SCOPING TABLES

4.1 Air Quality

(Scoping Report section 6.2)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|--------|---|--|
| 1 | 6.2.14 | Human Health Risk Assessment | The Applicant has proposed to scope out a separate Human Health Risk Assessment (HHRA) on the basis that the Proposed Development will be compliant with the National Air Quality Strategy (AQS) guidance. The Inspectorate acknowledges that compliance with emissions limits would be regulated through the Industrial Emissions Directive and Environmental Permitting regime, however, given that the scope of HHRAs may include additional aspects and matters beyond air quality (e.g. noise, emissions to water, waste, contaminated land, chemicals and radiation) the Inspectorate considers insufficient justification has been provided to scope out an assessment of effects on population and human health. |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|--------------|--|
| 2 | 6.2.2 | Receptors | The residential receptors that will be assessed are listed in paragraph 2.3 of the Scoping Report. The aspect chapter has not provided justification for why these receptors have been chosen or the precise location for each of the receptors. The methodology used to determine the receptors as well as a concise description of their locations should be included within the ES. For greater clarity the Applicant may consider presenting the receptors on a figure |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|-----------------------|---|
| | | | within the ES. |
| 3 | 6.2.3 | Baseline | The baseline conditions are described with reference to one air quality monitoring station measuring NO ₂ , SO ₂ and PM ₁₀ which is located in South Killingholme. The Applicant should ensure that the baseline data is representative of the entire study area and is applicable for the extent of the impacts likely to result in significant effects. |
| 4 | 6.2.3 | Baseline | <p>Paragraph 6.2.3 states that the ambient air quality is '<i>generally good</i>'. If the Applicant is to describe the air quality qualitatively then an applicable definition (including the relevant criteria) should be included within the ES.</p> <p>The Applicant should consider using the air quality data collected from the monitoring station to provide a quantitative air quality baseline which would align with the quantitative methodology proposed in paragraph 6.2.15 of the Scoping Report.</p> <p>Furthermore, a thorough description of how the air quality future baseline will be conducted should be included within the ES. Reference to the Immingham AQMA should be made when considering the current and future baseline conditions for this aspect of the assessment.</p> |
| 5 | 6.2.8 | Air quality modelling | The ES should state any assumptions that are made in order to complete the atmospheric dispersion modelling study of operational emissions. Furthermore, the predicted residual emission values post implementation of mitigation measures should be included within the ES. The Applicant should ensure that the operating pattern used to inform the dispersion model and the assessment in the ES appropriately reflects the enabled operating powers in the dDCO. The Applicant should make effort |

| ID | Para | Other points | Inspectorate's comments |
|----|--------|-------------------------|--|
| | | | to agree the appropriate operating pattern with relevant consultation bodies. |
| 6 | 6.2.11 | Ecological receptors | <p>A 10km study area is proposed to assess the air quality effects within the internationally designated habitat sites including the Special Area of Conservation (SACs), Special Protection Area, Ramsar sites, and Sites of Special Scientific Interest (SSSIs). The Inspectorate notes the Environment Agency's guidance on "<i>Air emission risk assessment for your environmental permit</i>"² states that some larger (greater than 50 MW) emitters may be required to screen to 15km for European sites and 10 to 15km for SSSIs.</p> <p>The Inspectorate therefore recommends that the ES contains a robust justification to support the selected study area relevant to the designated ecological sites, with reference to relevant guidance, the extent of the likely impacts, and any agreement reached with relevant consultation bodies.</p> |
| 7 | 6.2.12 | Road traffic assessment | <p>The Scoping Report indicates that there will be between 600-900 one way vehicle movements per day but proposes not to conduct detailed road traffic dispersion modelling. The Scoping Report does not provide information regarding the baseline position in respect of road traffic. In absence of this data it is unclear as to the extent of change resulting from the Proposed Development and whether detailed road traffic dispersion modelling should be carried out. The Applicant should ensure that the assessment in the ES is suitably informed by relevant information sufficient to</p> |

² <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>

| ID | Para | Other points | Inspectorate's comments |
|----|--------|--|---|
| | | | <p>identify the likely significant effects. The need for detailed modelling should be considered in light of the anticipated change in road traffic flows and having regard to relevant guidance e.g. <i>The Guidelines for the Environmental Assessment of Road Traffic</i>. The Applicant should make effort to agree the need for detailed modelling for the ES with relevant consultation bodies.</p> |
| 8 | 6.2.12 | Operational traffic | <p>Paragraph 6.2.4 of the Scoping Report references the potential for air quality impacts to arise from operational vehicles but the road traffic screening assessment discussion at paragraph 6.2.12 only refers to a construction traffic assessment. Therefore it is unclear to the Inspectorate whether the assessment of air quality effects arising from operational traffic will be considered. For the avoidance of doubt, the Inspectorate considers that operational road traffic assessment should be assessed where significant effects are likely to occur.</p> |
| 9 | 6.2.13 | Impacts from site clearance and construction | <p>The Scoping Report states that a screening assessment of dust and mobile plant exhaust emissions will be undertaken in respect of site clearance, construction and decommissioning activities. However, the Scoping Report omits reference to screening for PM₁₀. The Inspectorate considers that PM₁₀ should also be included within the screening assessment. The Applicant should also have regard to the Institute of Air Quality Management (IAQM) "<i>guidance on the assessment of dust from demolition and construction</i>"³ in undertaking this assessment.</p> |

³ <http://www.iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

| ID | Para | Other points | Inspectorate's comments |
|----|--------|---------------------------------|--|
| | | | No study area for the screening assessment has been proposed. A clearly defined and justified study area with reference to relevant guidance should be included within the ES. |
| 10 | 6.2.15 | AECOM quantitative significance | The Scoping Report refers to the AECOM significance criteria and proposes to use this within the ES. However, the criteria itself has not been provided, consequently the Inspectorate is unable to comment on its suitability. The significance criteria used to inform the assessment should be clearly explained in the ES and should be appropriate to ensure that significant effects are appropriately assessed. |

4.2 Traffic and Transport

(Scoping Report section 6.3)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-------|---|---|
| 1 | 6.3.5 | Operational effects | The Scoping Report anticipates that during operation the Proposed Development will require up to 15 operational staff which will generate a small number of trips. Having regard to the low number of trips generated during operation it is unlikely that significant traffic and transport environmental affects will arise. Therefore the Inspectorate is content that this matter can be scoped out of the ES. However, the Scoping Report is not clear as to the approach with regards to the assessment of cumulative effects from traffic and transport during operation and this matter is discussed below. |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|--------------------------|--|
| 2 | 6.3.1 | Study area and receptors | <p>The description of the baseline in the Scoping Report is limited to two roads: Rosper Road and Humber Road. The ES should explain and justify the extent of the road network identified for assessment and explain if any local roads have been excluded and provide a justification why.</p> <p>The ES should include a figure depicting the study area used to inform the assessment. The Applicant should make effort to agree the study area with relevant consultation bodies eg local highways authorities and Highways England.</p> <p>The Scoping Report does not list the sensitive receptors. The ES should include information regarding the sensitive receptors e.g</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|-----------------------|---|
| | | | description, location, and the criteria used to determine the sensitive receptors. |
| 3 | 6.3.2 | Non-motorised users | The Scoping Report indicates that there are limited opportunities for non-motorised users to access the site and omits reference to non-motorised users as a potential receptor. If the Proposed Development presents likely significant effects to non-motorised users this should be assessed within the ES. |
| 4 | 6.3.4 | Vehicle movements | <p>The Scoping Report states that 600-900 one way movements per day is anticipated during peak the construction period.</p> <p>The Scoping Report does not specify how long the peak construction period is expected to last. The timespan of the peak construction period should be stated within the ES. The ES should justify the use 900 one way movements per day as the baseline within the assessments in order to assess the worst case scenario.</p> |
| 5 | 6.3.7 | Methodology | <p>The criteria used to determine the magnitude and significance of impacts should be concisely described and justified within the ES.</p> <p>In addition, the Applicant should also consider appending the full Transport Assessment (TA) to the ES and not just include '<i>the salient points</i>' within the ES Traffic and Transport chapter.</p> |
| 6 | 6.3.8 | Cumulative assessment | Paragraph 6.3.8 of the Scoping Report states that the ES will include a ' <i>cumulative impact assessment particularly with VPI Energy A</i> ' but does not mention the extent to which other developments identified on Figure 6 will be assessed. The Applicant's attention is drawn to comment 4 within Table 4.11 of this Scoping Opinion for further information regarding cumulative assessment. |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|-------------------------------|--|
| 7 | 6.3.8 | Transport assessment (TA) | The ES should clearly explain how the traffic movements have been estimated, which models have been used, and if any assumptions been made. Furthermore, the Inspectorate recommends the Applicant use relevant guidance to inform the assessment. |
| 8 | 6.3.8 | Construction traffic route | <p>The Scoping Report does not state the proposed route of the construction traffic. The assessment in the ES should be based on a confirmed construction traffic route and it should be clear how the route relates to the sensitive receptors that will be assessed.</p> <p>The assessment should also include the receptors; A160/ Rosper Road junction, the A160/ Harborough Road junction, and the A160/ A180 junction, due to the likelihood of construction traffic surpassing the 30 two-way trip threshold outlined within the Guidance on Transport Assessments and Highways England's consultation response (see Appendix 2).</p> |
| 9 | 6.3.9 | Baseline data | The ES should explain the relationship with the information contained in the TA. Details of the datasets, including times, dates and locations of surveys and any limitations should be included in the ES along with a justification to support the approach taken. |
| 10 | n/a | Alternative transport methods | Having regard to the proximity of the Proposed Development to existing rail and port infrastructure the Applicant should assess the feasibility of utilising other forms of transport to supply materials to and from the Proposed Development. If other forms of transport are relied upon the significant effects associated should be assessed in the ES. |

4.3 Noise and Vibration

(Scoping Report section 6.4)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|--|
| 1 | N/A | N/A | No matters are proposed to be scoped out |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|-------------------------|---|
| 2 | 6.4.3 | Baseline and study area | <p>A concise description of the methods used to obtain the baseline data, and the location of where the baseline data has been collected from should be included within the ES.</p> <p>Paragraph 6.4.2 of the Scoping Report states that baseline data is currently collected annually; the baseline data should be sufficiently detailed to inform the assessment and appropriately represent baseline conditions. The baseline should also include the ambient noise level during night time.</p> |
| 3 | 6.4.3 | Sensitive receptors | <p>The Scoping Report does not identify any sensitive receptors or explain how these will be identified. The Applicant should ensure that sensitive receptors are listed within the ES and to increase clarity, the ES should also include a figure depicting sensitive receptors. The ES should include a thorough description of the criteria and methodology used to determine the sensitive receptors taking into account relevant standards and guidance.</p> <p>Impacts to nearby residential dwellings such as the lone dwelling on Marsh Lane should be assessed. The assessment should also include consideration of impacts to ecological receptors such as the designated and non-designated sites presented within Figure</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|---------|---|--|
| | | | 3 of the Scoping Report. |
| 4 | 6.4.3 | Noise limits; Lowest Observed Adverse Effect Level (LOAEL); and Significant Observed Adverse Effect Level (SOAEL) | Paragraph 6.4.3 of the Scoping Report states that noise limits will be agreed at sensitive receptors. However, no actual noise limits have been defined within the Scoping Report. The ES should state the noise limit values and how they were determined. To be consistent with the Noise Policy Statement for England (NPSE) the LOAEL and SOAEL should be stated within the ES, and the methodology used for determining them should be included. |
| 5 | 6.4.4 | Impacts from road traffic | No study area for the assessment of noise and vibration caused by road traffic (during both construction and operation) has been included within the Scoping Report. The ES should include a study area(s) that is robustly justified and is sufficient to ensure that the anticipated likely significant effects are assessed. |
| 6 | 6.4.9 | Construction noise and vibration | The Inspectorate considers that insufficient justification has been provided to support a decision to not undertake a quantitative assessment of construction and decommissioning noise and vibration impacts. The ES should include a thorough assessment describing the significant effects of construction noise. The assessment should be undertaken in accordance with relevant standards and guidance e.g. BS 5228 or equivalent. |
| 7 | 6.4.10 | Plant layout | The configuration and layout of the Proposed Development is not yet finalised. The ES should specify the parameters relevant to the noise model and ensure that, where uncertainty exists and flexibility is sought, that the assessment reflects the worst case scenario with respect to noise impacts. |
| 8 | 6.4.10; | Operational effects | If any assumptions have been made that are applicable to the |

| ID | Para | Other points | Inspectorate's comments |
|----|--------|----------------------------------|--|
| | 6.4.11 | | noise model then these assumptions should be stated within the ES. Furthermore the noise model should present the residual noise level occurring post mitigation measures. |
| 9 | 6.4.12 | Effects of transport and traffic | The Scoping Report states that all phases of the development may have a potentially significant impact on traffic flows. However, the Traffic and Transport aspect chapter sought to scope out the effects of operational road usage based on the low number of transport movements anticipated. The Applicant should ensure that there is a consistent description of the significant effects of the Proposed Development throughout the ES and provide an assessment where significant effects are likely. |
| 10 | n/a | Monitoring | <p>The Scoping Report has not provided information detailing how noise will be monitored during construction and operation phases. The need for, scope and approach to monitoring during construction and operation should be agreed with the relevant consultation bodies and included with the ES.</p> <p>The ES should outline the method that will be used to monitor and record noise complaints during the construction and operational phases of the Proposed Development.</p> |
| 11 | n/a | Decommissioning | The Scoping Report does not state the anticipated noise effects, mitigation measures, or sensitive receptors, for the decommissioning phase of the Proposed Development. The ES should include an assessment of noise and vibration effects during the decommissioning where significant effects are likely to occur. |

4.4 Ecology and Nature Conservation

(Scoping Report section 6.5)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|--------|---|---|
| 1 | 6.5.7 | Storage lagoon | The Scoping Report proposes to scope out Great Crested Newt surveys at the settling pond for the Lindsey Oil Refinery, 250m from Site Boundary, because the levels of existing contamination making it unsuitable for this species. No information is provided regarding the level of contamination or the suitability of the habitat. Consequently, the Inspectorate has insufficient information to support scoping this waterbody out of the assessment. |
| 2 | 6.5.12 | Wintering birds | An assessment of effects on wintering birds is proposed to be scoped out of the assessment due to the unsuitability of the habitat on the site. The Scoping Report indicates that areas of the site have not yet undergone a Preliminary Ecological Appraisal and the baseline conditions in these areas have not been established. In addition, the Scoping Report does not appear to have considered the potential for indirect effects from the development pertaining to disturbance from noise or visual intrusion. Insufficient information has been provided therefore to support scoping this matter out of the assessment. |
| 3 | 6.5.12 | Bats (roosting) | The Scoping Report indicates that areas of the site have not yet undergone a Preliminary Ecological Appraisal and the baseline conditions in these areas have not been established. The Inspectorate considers therefore that it cannot be concluded that no potential roosting habitat is present within the Site boundary, and on this basis cannot agree to scope this matter out of the |

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|--------|---|--|
| | | | assessment. |
| 4 | 6.5.12 | Bats (foraging and commuting) | The Inspectorate notes that the habitat present within the main site is not optimal for bat foraging (due to the high levels of nocturnal light emissions from existing developments); however it is not clear that this remains applicable to the gas connection corridor. Therefore insufficient information has been provided to scope impacts on bat foraging and commuting out of the assessment. |
| 5 | 6.5.12 | Water vole | The Scoping Report identifies a number of drains adjacent to the Proposed Development that may provide suitable habitat for water vole, known to be present in the wider area. Therefore the Inspectorate considers there is insufficient justification provided in the Scoping Report to support a decision to scope out the need for water vole surveys. |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|--------------|---|
| 6 | 6.5.2 | Study area | <p>The Scoping Report defines a study area of 10km from the Proposed Development for SPAs, SACs and Ramsar sites, and 2km for SSSI's "<i>based on the anticipated emissions associated with the development and their likely extent</i>". The Inspectorate notes the Environment Agency's guidance on "Air emission risk assessment for your environmental permit" states that some larger (greater than 50 MW) emitters may be required to screen to 15km for European sites and 10 to 15km for SSSIs.</p> <p>The Inspectorate therefore recommends that the ES contains a robust justification to support the selected study area relevant to</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|---------|----------------------------------|---|
| | | | the designated ecological sites, with reference to relevant guidance, the extent of the likely impacts, and any agreement reached with relevant consultation bodies. |
| 7 | 6.5.2 | Nature conservation designations | The Inspectorate considers that in addition to local, national and international nature conservation designations, the assessment should also consider Sites of Importance for Nature Conservation (SINC), geological sites, the likely impact on the geodiversity interests of such sites, as well as the local Biodiversity Action Plan (BAP). |
| 8 | 6.5.9 | Enhancement measures | <p>The Scoping Report includes an intention for the ES to present ecological enhancement measures as part of the Proposed Development. The ES should clearly distinguish between the measures that are presented as mitigation in response to identified significant effects, and those enhancement measures which the applicant has identified in addition to the necessary mitigation measures.</p> <p>Mitigation measures including any plans should be sufficiently developed and secured in order to provide confidence in the assessment conclusions in the ES.</p> |
| 9 | Table 4 | Aquatic invertebrates | The Scoping Report identifies ponds within the site boundary and drains adjacent to it. No surveys for aquatic invertebrates are proposed. The ES should undertake sufficient surveys to establish presence/absence of aquatic invertebrate species where significant effects are likely to occur. |

4.5 Landscape and Visual Amenity

(Scoping Report section 6.6)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|-------------------------|
| 1 | n/a | n/a | n/a |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|--------------|--|
| 2 | 6.6.6 | Photographs | The Scoping Report proposes that photography be used to inform the assessment. The Inspectorate considers that photographs should be taken from the selected viewpoints and include the winter season. The Applicant should make effort to agree the selected viewpoints with relevant consultation bodies. |
| 3 | 6.6.7 | Field work | The ES should clearly state where site visits have been utilised to inform the assessment, noting the meteorological conditions of such visits. |
| 4 | 6.6.8 | Study area | <p>A 2km and 5km study area are proposed for the landscape character assessment and visual impact assessment respectively. Given the industrial context of the site this appears reasonable; however, the study area should be determined based on the extent of the likely significant effects. Where sensitive receptors sit marginally outside of the study area this should be taken into account, e.g.:</p> <ul style="list-style-type: none"> the residential properties in the vicinity of Chase Hill Road, approximately 2.15km away, and the town of Immingham; the Humber Estuary and its users; and |

| | | | |
|---|-----|---------------------|---|
| | | | <ul style="list-style-type: none"> Brocklesby Park, including Pelham's Pillar at Cabourne High Wood. |
| 5 | n/a | Methodology | <p>The proposed methodology in the Scoping lacks detail, for example it does not explain how sensitivity of receptors will be determined or how significance of effect will be assigned. The ES and/or accompanying appendices must include a detailed description of the methodology applied to the assessments. The Applicant is reminded to ensure that the Landscape and Visual Amenity aspect chapter in the ES clearly describes whether any residual effect is significant. Where professional judgement has been used to determine significance this should be stated. The ES should also document any agreements reached with relevant consultation bodies regarding the assessment methodology.</p> |
| 6 | n/a | Design | <p>The ES should provide details of the design and materials used in new structures. The ES should explain how the design and materials have been selected with the aim of minimising the potential adverse environmental effects.</p> |
| 7 | n/a | Artificial lighting | <p>The Scoping Report makes no specific mention to night time impacts or assessing the effects of artificial lighting. The ES should describe the lighting scheme for the Proposed Development and assess effects of the proposed lighting on sensitive receptors.</p> <p>Any inter-relationships between the proposed lighting impacts identified in the Landscape and Visual Amenity aspect chapter and receptors for other aspects (eg nature conservation receptors) should be assessed in the ES, where significant effects are likely to occur.</p> |

4.6 Ground Conditions and Hydrogeology

(Scoping Report section 6.7)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|---|
| 1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment. |

| ID | Para | Other points | Inspectorate's comments |
|----|-------------------------------|--------------------|--|
| 2 | 6.7.1 | Baseline | <p>The Scoping Report states that a Phase 1 desk study and a Phase 2 intrusive ground investigation have been completed. The results of these studies and the soil analysis should form the basis of the ground conditions and hydrogeology baseline within the ES.</p> <p>Full details of how the baseline assessments were undertaken including the depth and location of the boreholes, window samples, trial pits, and trial trenches should be included within the ES.</p> <p>The Inspectorate notes that the baseline information omits reference to ground gas and the water table. These matters should be included within the baseline in the ES.</p> |
| 3 | 6.7.2; 6.7.3; and 6.7.4 | Underlying geology | <p>The geology, superficial deposits and soil characteristics for the proposed underground pipeline routes should be described within the ES.</p> <p>For greater clarity, the ES should include a figure that presents the underlying geology and superficial deposits.</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|---------------------------------|---|
| 4 | 6.7.5 | Receptors | <p>The Scoping Report has not defined the term '<i>sensitive receptor</i>'. Sensitive receptors the methodology and criteria used to determine them should be included within the ES. The ES should include a figure(s) depicting the locations of the sensitive receptors.</p> <p>The Scoping Report makes no reference to ecological receptors. The ES should confirm whether any ecological receptors are in hydrological connectivity to the Proposed Development. If any are in hydrological connectivity to the site, any likely significant effects should be described in full in the ES.</p> |
| 5 | 6.7.9 | Mitigation measures | <p>The Applicant should make effort to agree the proposed mitigation measures with relevant consultation bodies. The assessment in the ES should include a full description of the measures and describe whether they are effective or not.</p> |
| 6 | n/a | Study Area | <p>The Scoping Report does not provide a study area for the assessment of ground conditions and hydrogeology. A clearly defined and justified study area that adheres to the relevant guidance should be included within the ES.</p> |
| 7 | n/a | Methodology & potential impacts | <p>The Scoping Report does not explain the assessment methodology that will be used in the ES. A full description of the assessment methodology should be included within the ES.</p> <p>The ES should assess impacts from the construction, operation or decommissioning phase of the Proposed Development where significant effects are likely to occur. The assessment should take into account and impacts to human health from ground contamination and/or the migration of material off-site.</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|------|--------------------------|---|
| 8 | n/a | Underground gas pipeline | <p>The Scoping Report does not address the extent to which the construction of the proposed underground gas pipeline may result in significant effects. The ES should establish the ground conditions and hydrogeological baseline for the new underground gas pipeline route(s). This information should be used to undertake full assessment of the anticipated environmental effects that may arise from the construction of the underground gas pipeline(s) within the ES.</p> <p>If a preferred gas pipeline route has not been determined prior to submission of the ES, the ES should include an assessment of the potential environmental effects that may arise from both underground gas pipeline routes.</p> |
| 9 | n/a | Piling | <p>The Scoping Report has not included information regarding piling. If piling is necessary, the location of the piling and any associated likely significant environmental effects should be assessed within the ES.</p> |
| 10 | n/a | Soil Classification | <p>The ES should explain with reference to Agricultural Land Classifications, the nature and quantity of the soils that will be affected by the Proposed Development. If the soil is classified as Best and Most Versatile (BMV) BMV, then appropriate remediation and mitigation measures must be included within the ES.</p> <p>The Applicant may consider the need to include a Soil Management Plan (SMP) into the CEMP. The Applicant may also consider presenting the soil classification on a figure within the ES.</p> |

4.7 Surface Water, Flood Risk and Drainage

(Scoping Report section 6.8)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|--|
| 1 | n/a | n/a | No matters are proposed to be scoped out of the assessment |

| ID | Para | Other points | Inspectorate's comments |
|----|-------|---------------------------------|---|
| 2 | 6.8.2 | Water framework directive (WFD) | It is not clear from the Scoping Report whether a specific WFD assessment is proposed. The Proposed Development is in proximity to the River Humber which is a WFD waterbody. The Applicant's attention is drawn to the Inspectorate's Advice Note 18: The Water Framework Directive ⁴ . Any significant effect to the River Humber should be assessed in the ES. |
| 3 | 6.8.4 | Flood Zone | Figure 5 of the Scoping Report presents the Proposed Development in the context of the Environment Agency Flood Zones. However, the figure does not include the existing underground gas pipeline connection and the existing underground gas pipeline is not referenced within the Scoping Report. Figures within the ES should depict the entirety of the Proposed Development and cross refer to such figures in the text. |
| 4 | 6.8.6 | Monitoring | The ES should clearly state if and how waterbodies (including |

⁴ https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2017/06/advice_note_18.pdf

| ID | Para | Other points | Inspectorate's comments |
|----|-------|-----------------------------|---|
| | | | groundwater) will be monitored throughout the construction, operation, and decommissioning phases to ensure potential significant effects such as physical and chemical changes to the waterbodies will be identified. |
| 5 | 6.8.9 | Watercourses and study area | The Scoping Report has not clearly stated which waterbodies/ watercourses will be assessed within the ES. The ES should describe the locations of the waterbodies/ watercourses that will be assessed and present a justified study area that reflects the anticipated significant effects. |
| 6 | n/a | Methodology | The ES should clearly present the methodology used to the conduct the assessment. The methodology should be consistent with recognised standards and guidance where available. The Applicant should have regard to guidance found within the <i>Flood risk coastal change</i> ⁵ and the NPS EN-1 when determining the methodologies for the ES aspect chapter and the Flood Risk Assessment (FRA). |
| 7 | n/a | Potential impacts | The Inspectorate considers that the assessment in the ES should address impacts to human health receptors as well as ecological receptors. Cross reference should be made between the assessment of water resources and ecology, particularly in the context of interrelated effects. |
| 8 | n/a | Flood resilience | The ES should assess the Proposed Development's resilience to flood risk explaining how it will adapt to a worst case scenario |

⁵ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#contents>

| ID | Para | Other points | Inspectorate's comments |
|----|------|--------------|--|
| | | | flood event. The Applicant should make effort to agree the approach to this assessment with relevant consultation bodies including the Environment Agency. |

4.8 Cultural Heritage

(Scoping Report section 6.9)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|-------------------------|
| 1 | n/a | n/a | n/a |

| ID | Para | Other points | Inspectorate's comments |
|----|--------|--------------|--|
| 2 | 6.9.9 | Study area | The ES should contain a figure to depict the study areas used for the desk based assessment and the Zone of Theoretical Visibility. The study area for the assessment of setting should be extended to include cultural heritage assets in Brocklesby Park such as the Grade I listed Mausoleum and its setting as raised in the consultation response from West Lindsey Council. The Proposed Development site and laydown area within Immingham CHP to the south contains archaeological remains identified during previous investigation, as highlighted in North Lincolnshire Council's consultation response, which should be taken into account within the assessment. |
| 3 | 6.9.14 | Guidance | The Inspectorate notes the potential for impacts on archaeological remains. Where relevant, the ES should take into account guidance contained in Historic England's guidance documents 'Preserving Archaeological Remains' ⁶ . |

⁶ Preserving Archaeological Remains: Decision taking for sites under development (Historic England, 2016)

| ID | Para | Other points | Inspectorate's comments |
|----|--------|--------------------|---|
| 4 | 6.9.13 | Further evaluation | The Scoping Report states that any requirement for additional field evaluation will be discussed and agreed with NLC in light of the results of the desk-based study. The ES should explain how agreements reached with relevant consultation bodies have informed the desk-based study and other stages of the assessment. |

4.9 Socio-Economics

(Scoping Report section 6.10)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----------------|---|---|
| 1 | n/a | n/a | No matters are proposed to be scoped out of the assessment |
| 2 | 6.10.2 | Study area | The Scoping Report does not identify a study area for this aspect. The study area should be described and justified within the ES. |
| 3 | 6.10.5 – 6.10.6 | Potential impacts | <p>The Scoping Report refers to “<i>impact and benchmark areas</i>” and “<i>impact areas (e.g. employment, demography, provision of education, health, community services and open space)</i>”. However, it does not specify what potential impacts are proposed for assessment and how these have been identified. The ES should define the terms applied clarifying how sensitive receptors have been identified and assess all impacts where significant effects are likely to occur.</p> <p>The Applicant may wish to consider the impact of the construction of the Proposed Development in terms of the economic cost arising from the disruption to adjacent businesses.</p> |
| 4 | 6.10.8 | Receptors | “ <i>Social infrastructure</i> ” is referred to as a socio-economic receptor in the Scoping Report but is not defined. The ES should clearly define sensitive receptors for the purpose of the assessment. Community facilities as well as their catchment areas should be addressed in the assessment. |

| 5 | 6.10.9 | Guidance | The Scoping Report lists a number of pieces of guidance, however no references are provided. The ES must provide a formal reference list and guidance documents should be properly referenced. |
|---|--------|---------------------|---|
| 6 | 6.10.9 | Assessment Criteria | The Scoping Report states that the socio-economic effects will be " <i>appraised against relevant national standards and guidance</i> ". The ES should clearly set out the assessment criteria against which the effects are to be assessed and provide references to any relevant standards and guidance used. |
| 7 | n/a | Decommissioning | The Scoping Report makes no mention of impacts from the decommissioning phase of the Proposed Development. The ES should include an assessment of socio-economic effects during decommissioning where significant effects are likely to occur. |

4.10 Sustainability and Climate Change

(Scoping Report section 6.11)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|--|
| 1 | n/a | n/a | No matters are proposed to be scoped out of the assessment |

| ID | Para | Other points | Inspectorate's comments |
|----|------------------|-------------------------------------|---|
| 2 | 6.11.2 | Criteria | The Scoping Report states that the ES will incorporate an assessment of the design against " <i>established sustainability criteria</i> ". The ES must define what these criteria are, providing references to standards and guidance where relevant. |
| 3 | 6.11.3 | Climate Change Impact Report (CCIR) | Outputs of the climate based assessments are proposed to be submitted as a standalone CCIR. The Inspectorate considers that this report should be appended to, and form part of, the ES, where it is relevant to the assessment of likely significant climate effects. |
| 4 | 6.11.6 – 6.11.10 | Methodology | <p>The Scoping Report proposes to assess:</p> <ul style="list-style-type: none"> • lifecycle greenhouse gas (GHG) impacts; • the climate change resilience of the Proposed Development; and • the effects of impacts due to the Proposed Development's effect on the local area's climate resilience ("<i>in-combination climate impacts assessment</i>"). <p>No methodology is provided regarding the assessment of effects</p> |

| ID | Para | Other points | Inspectorate's comments |
|----|------|---|--|
| | | | <p>of impacts due to the Proposed Development's effect on the local area's climate resilience. As a result the Inspectorate is unable to provide any comment on the suitability of the approach.</p> <p>Regarding lifecycle GHG impacts climate change resilience, except for a high level outline of the proposed assessment content, no specific methodology is proposed. The methodology for the assessment must be clearly set out in the ES, explaining the significance criteria used to identify any significant climate effects.</p> <p>The Applicant should clearly state the range of any climate projections used for the purposes of adaptation or resilience assessments.</p> |
| 5 | n/a | Climate related decommissioning effects | <p>No information has been provided in the Scoping Report on the decommissioning activities or whether the Applicant intends to assess effects arising from decommissioning. The Inspectorate considers that decommissioning impacts should be addressed and the assessment in the ES must also justify the approach taken to identifying all emissions (including those that are direct or indirect) and considered within the assessment.</p> |

4.11 Cumulative and in-combination Effects

(Scoping Report section 6.12)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|--|
| 1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment |

| ID | Para | Other points | Inspectorate's comments |
|----|-------------------|---|---|
| 2 | 6.12.2 and 6.12.8 | Identification and evaluation of projects for consideration | <p>The Scoping Report does not explain or justify the method used to identify other projects for consideration in the cumulative assessment. The Inspectorate notes that the Applicant has only included other generating stations in this list, suggesting it has not considered other types of development for the assessment. For example, Able Marine Energy Park DCO, the Able Logistics Park and a planning application for a car storage facility on land north of Marsh Lane (PA/2017/2141) are developments which are likely to generate HGV traffic and should be included. In order to determine whether the Proposed Development shares common sensitive receptors with other projects, it is recommended that the ES establishes zones of influence for each aspect considered in the ES.</p> <p>The Inspectorate recommends that the list of plans and other development to be considered within the assessment is agreed with the local authority.</p> |
| 3 | 6.12.6 | Mitigation – construction scheduling | The Applicant intends to mitigate the cumulative effects arising from the construction of the VPI Energy Park 'A' through construction scheduling. The ES should include a full description |

| ID | Para | Other points | Inspectorate's comments |
|----|------|--------------|--|
| | | | and assessment of efficacy of the mitigation measures, and any plans should be sufficiently developed and secured in order to provide confidence in the assessment conclusions in the ES. |
| 4 | n/a | Methodology | The Scoping Report does not include a methodology for assessing cumulative effects. The Applicant's attention is drawn to the Inspectorate's Advice Note 17: Cumulative Effects Assessment, which sets out the recommended approach to such assessments. |

4.12 Combined Heat and Power (CHP) Assessment

(Scoping Report section 6.12)

| ID | Ref | Applicant's proposed matters to scope out | Inspectorate's comments |
|----|-----|---|--|
| 1 | n/a | n/a | No matters have been proposed to be scoped out of the assessment |

| ID | Para | Other points | Inspectorate's comments |
|----|--------|-------------------|--|
| 2 | 6.13.2 | CHP investigation | <p>The Scoping Report identifies that a CHP assessment is not formally part of the ES. On this basis, the Inspectorate provides no comment relating to the CHP assessment.</p> <p>However, should the CHP assessment identify opportunities which would lead to the requirement to establish CHP infrastructure, then the environmental impacts of the construction, operation and decommissioning of this infrastructure should be assessed in the ES, where significant effects are likely to occur.</p> |

4.13 Other aspects proposed to be scoped out

(Scoping Report section 7)

| ID | Ref | Applicant's proposed aspects to scope out | Inspectorate's comments |
|----|-----|---|---|
| 1 | 7.3 | Electronic Interference | The Scoping Report proposes to scope out an assessment of likely significant effects from electronic interference. The justification provided in the Scoping Report is that structures within the Proposed Development are of low height when compared with existing neighbouring structures. The Inspectorate is content that having regard to the characteristics of the Proposed Development and the sensitivity of the receiving environment significant environmental effects from electronic interference are unlikely to occur. Consequently this can be scoped out from assessment in the ES. |
| 2 | 7.4 | Aviation | It is proposed to scope out impacts on aviation based on the low height of the proposed structures and distance from the nearest airfields. The Inspectorate is content that having regard to the characteristics of the Proposed Development that significant environmental effects on aviation are unlikely to occur. Consequently this can be scoped out from assessment in the ES. |
| 3 | 7.5 | Accidental Events/ Health and Safety | The Applicant proposes to provide details on how accidental events such as fuel spillages, fires, and abnormal air emissions will be minimised within the relevant ES chapters and not within a standalone accidental events/ health and safety chapter. The Inspectorate agrees that a standalone accidental events/ health and safety chapter is not necessarily required. However, where significant effects are likely to impact environmental and human receptors, a full assessment outlining the methodology used and |

| ID | Ref | Applicant's proposed aspects to scope out | Inspectorate's comments |
|----|-----|---|---|
| | | | any proposed mitigation measures should be included within relevant ES chapter. |

5. INFORMATION SOURCES

5.0.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus⁷
- Planning Inspectorate advice notes⁸:
 - Advice Note Three: EIA Notification and Consultation;
 - Advice Note Four: Section 52: Obtaining information about interests in land (Planning Act 2008);
 - Advice Note Five: Section 53: Rights of Entry (Planning Act 2008);
 - Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements;
 - Advice Note Nine: Using the 'Rochdale Envelope';
 - Advice Note Ten: Habitat Regulations Assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
 - Advice Note Twelve: Transboundary Impacts;
 - Advice Note Seventeen: Cumulative Effects Assessment; and
 - Advice Note Eighteen: The Water Framework Directive.

5.0.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended).

⁷ The Planning Inspectorate's pre-application services for applicants. Available from: <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>

⁸ The Planning Inspectorate's series of advice notes in relation to the Planning Act 2008 process. Available from: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES⁹

| SCHEDULE 1 DESCRIPTION | ORGANISATION |
|---|--|
| The National Health Service Commissioning Board | NHS England |
| The relevant Clinical Commissioning Group | North East Lincolnshire Clinical Commissioning Group |
| | North Lincolnshire Clinical Commissioning Group |
| Natural England | Natural England |
| The Historic Buildings and Monuments Commission for England | Historic England - East Midlands |
| The relevant fire and rescue authority | Humberside Fire and Rescue Service |
| The relevant police and crime commissioner | Humberside Police and Crime Commissioner |
| The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council | Habrough Parish Council |
| | South Killingholme Parish Council |
| | North Killingholme Parish Council |
| | Immingham Parish Council |
| The Environment Agency | Environment Agency - Lincolnshire and Northamptonshire |
| The Civil Aviation Authority | Civil Aviation Authority |
| The Relevant Highways Authority | North Lincolnshire Highways Authority |
| | North East Lincolnshire Highways Authority |

⁹ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations')

| SCHEDULE 1 DESCRIPTION | ORGANISATION |
|--|--|
| The relevant strategic highways company | Highways England - Midlands |
| The relevant internal drainage board | North East Lindsey Internal Drainage Board |
| Public Health England, an executive agency of the Department of Health | Public Health England |
| The Crown Estate Commissioners | The Crown Estate |
| The Forestry Commission | Forestry Commission - Yorkshire and North East |
| The Secretary of State for Defence | Ministry of Defence |

TABLE A2: RELEVANT STATUTORY UNDERTAKERS¹⁰

| STATUTORY UNDERTAKER | ORGANISATION |
|---|--|
| The relevant Clinical Commissioning Group | North East Lincolnshire Clinical Commissioning Group |
| | North Lincolnshire Clinical Commissioning Group |
| The relevant NHS Trust | Yorkshire Ambulance Service NHS Trust |
| Railways | Network Rail Infrastructure Ltd |
| | Highways England Historical Railways Estate |
| Dock and Harbour authority | Port of Immingham |
| | South Killingholme Port |
| | Humber Sea Terminal |
| Civil Aviation Authority | Civil Aviation Authority |

¹⁰ 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (as amended)

| STATUTORY UNDERTAKER | ORGANISATION |
|--|--|
| Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000) | NATS En-Route Safeguarding |
| Universal Service Provider | Royal Mail Group |
| The relevant Environment Agency | Environment Agency - Lincolnshire and Northamptonshire |
| The relevant water and sewage undertaker | Anglian Water |
| The relevant public gas transporter | Cadent Gas Limited |
| | Energetics Gas Limited |
| | Energy Assets Pipelines Limited |
| | ES Pipelines Ltd |
| | ESP Connections Ltd |
| | ESP Networks Ltd |
| | ESP Pipelines Ltd |
| | Fulcrum Pipelines Limited |
| | GTC Pipelines Limited |
| | Independent Pipelines Limited |
| | Indigo Pipelines Limited |
| | Quadrant Pipelines Limited |
| | National Grid Gas Plc |
| | Scotland Gas Networks Plc |
| | Southern Gas Networks Plc |
| Electricity Generators With CPO Powers | VPI Immingham LLP |
| | Heron Wind Limited |
| | C.Gen Killingholme Limited |
| | Uniper UK Limited |

| STATUTORY UNDERTAKER | ORGANISATION |
|--|---|
| | E.ON UK Plc |
| The relevant electricity distributor with CPO Powers | Energetics Electricity Limited |
| | Energy Assets Networks Limited |
| | Energy Assets Power Networks Limited |
| | ESP Electricity Limited |
| | Fulcrum Electricity Assets Limited |
| | G2 Energy IDNO Limited |
| | Harlaxton Energy Networks Limited |
| | Independent Power Networks Limited |
| | Leep Electricity Networks Limited |
| | Murphy Power Distribution Limited |
| | The Electricity Network Company Limited |
| | UK Power Distribution Limited |
| | Utility Assets Limited |
| | Vattenfall Networks Limited |
| Utility Distribution Networks Limited | |
| Northern Powergrid (Yorkshire) plc | |
| National Grid Electricity Transmission Plc | |

TABLE A3: SECTION 43 CONSULTEES (FOR THE PURPOSES OF SECTION 42(1)(B))¹¹

¹¹ Sections 43 and 42(B) of the PA2008

| LOCAL AUTHORITY¹² |
|--|
| North East Lincolnshire District Council |
| North Lincolnshire District Council |
| Doncaster Metropolitan Borough Council |
| East Riding of Yorkshire Council |
| Lincolnshire County Council |
| Nottinghamshire County Council |
| West Lindsey District Council |
| East Lindsey District Council |
| Bassetlaw District Council |

¹² As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Consultation bodies who replied by the statutory deadline:

| |
|--|
| Anglian Water |
| C.Gen Killingholme Limited |
| Civil Aviation Authority |
| East Lindsey District Council |
| Environment Agency |
| ESP Utilities Group |
| Forestry Commission |
| Highways England |
| Humber Sea Terminal (C.RO Ports) |
| National Grid |
| NATS |
| Natural England |
| North East Lincolnshire council |
| North East Lindsey Internal Drainage Board |
| North Lincolnshire council |
| Public Health England |
| South Killingholme Parish Council |
| West Lindsey District Council |



Ms Stephanie Newman
EIA and Land Rights Advisor
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

Also by email to ImminghamOCGT@pins.gsi.gov.uk

3 July 2018

Dear Ms Newman,

**VPI Immingham OCGT:
Environmental Statement Scoping Report**

Thank you for the opportunity to comment on the scoping report for the above project submitted pursuant to Regulation 10 and 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

Anglian Water is the appointed water and sewerage undertaker for the above site.

The following response is submitted on behalf of Anglian Water and relates to potable water and water assets along with wastewater and water recycling assets.

General comments

Anglian Water would welcome further discussions with VPI Immingham B Limited prior to the submission of the Draft DCO for examination.

In particular it would be helpful if we could discuss the following issues:

- Wording of the Draft DCO, including protective provisions specifically for the benefit of Anglian Water.
- Requirement for potable and raw water supplies

**Strategic Planning Team
Water Resources
Anglian Water Services Ltd**
Thorpe Wood House,
Thorpe Wood,
Peterborough
PE3 6WT

Tel (0345) 0265 458
www.anglianwater.co.uk

Your ref EN010097-000002

Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6YJ
Registered in England
No. 2366656.

an AWG Company

- Requirement for and wastewater services and connections.
- Impact of development on Anglian Water's assets and the need for mitigation.
- Pre-construction surveys.

Proposed Scheme

Reference is made to the diversion of statutory undertaker's equipment being one of the assumptions for the EIA process. There are existing water pipes and fould sewers in Anglian Water's ownership which potentially could be affected by the development. It is therefore suggested that the Environmental Statement should include reference to existing assets in Anglian Water's ownership.

In addition, Anglian Water owns and operates the South Killinghome Water Recycling Centre to the north of the site. In addition, strategic sludge and brine mains run adjacent to Rosper Road.

We would welcome further discussions in relation to the implication of the above project for the Water Recycling Centre and the mains.

It is therefore suggested that the Environmental Statement should include reference to these assets as a whole and the associated pumping stations, rising mains and outfalls.

Maps of Anglian Water's assets are available to view at the following address:

<http://www.digdat.co.uk/>

Ground conditions and hydrology

Reference is made to the site being situated on marsh land and areas of surface water within the site boundary.

Anglian Water is responsible for managing the risks of flooding from surface water, foul water or combined water sewer systems. At this stage it is unclear whether there is a requirement for a connection(s) to the public sewerage network for the above site or as part of the construction phase.

Discussions with Anglian Water should be undertaken relating to any potential or intended connections to the public sewerage network of surface water.

Consideration should be given to all potential sources of flooding including sewer flooding (where relevant) as part of the Environmental Statement and related Flood Risk Assessment.

We would suggest that reference is made to any relevant records in Anglian Water's sewer flooding register as well as the flood risk maps produced by the Environment Agency. This information can be obtained by contacting Anglian Water's Pre-Development Team. The e-mail address for this team is as follows: (planningliasion@anglianwater.co.uk).

In addition, if there is a requirement for significant supplies of potable or raw water either for the construction stages, the generation of steam or for cooling purposes, application should be made to Anglian Water, via its Wholesale services department, to determine quantities and ability to provide the same without network reinforcement.

Should you have any queries relating to this response, please let me know.

Yours sincerely,

Kathryn Taylor

Major Infrastructure Planning Manager

Ktaylor4@anglianwater.co.uk

From: [DOVE-SEYMOUR, Benjamin](#)
To: [Immingham OCGT](#)
Cc: [MAES, Florent](#); [HOLTHOF, Annelies](#)
Subject: Immingham OCGT - Scoping Report - C.GEN Killingholme Limited
Date: 03 July 2018 15:05:06

Dear Ms Newman

Response from C.GEN Killingholme Limited (C.GEN)

C.GEN was not provided with a copy of the Scoping Report for the proposed Immingham VPI DCO application.

C.GEN owns land at North Killingholme, which has the benefit of development consent (the North Killingholme (Generating Station) Order 2014) and is a statutory undertaker (licensed generator). C.GEN intends to build the project authorised by that DCO.

As is the case with our project, operational traffic for a power station is likely to be minimal. However, it is important that the effects of construction traffic for the proposed development are properly assessed given existing HGV traffic in the area. Aside from impacts on existing road users (particularly given high numbers of HGV movements), there is the potential for cumulative impacts as development is carried out on sites in the area which have consent or are pending determination, and which could be built out concurrently.

The Report refers to other nearby potentially cumulative developments at 6.12.8 and Figure 6. However this list is incomplete and includes only energy projects. It does not include developments that have planning consent but are yet to be built out (including the Able Marine Energy Park DCO and the Able Logistics Park) and other nearby developments that are likely to generate HGVs such as the application for a car storage facility on land north of Marsh Lane (PA/2017/2141). If all potentially cumulative developments are not identified and included in the assessment, it will underestimate construction impacts and will be deficient.

Please can you confirm that you will include C.GEN in future correspondence about the application, addressed to me?

Regards

Benjamin Dove-Seymour

Benjamin Dove-Seymour
Director, Legal Affairs

C.GEN Killingholme Ltd | Floor 40 B. Tower 42, 25 Old Broad Street, London. EC2N 1HQ. United Kingdom.
Direct +44 2034578174 | benjamin.dove-seymour@cgenpower.com | www.cgenpower.com

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From: [Jiggins Craig](#)
To: [Immingham OCGT](#)
Subject: EN010097-000002 - CAA Comments
Date: 18 June 2018 15:05:33

Dear Stephanie

Thank you for the details concerning Immingham OCGT Project. Whilst I agree with the comments within the document regarding the distance from Humberside Airport and the anticipated tallest structure with the project, I will still offer the following recommendations:

1. Humberside Airport are advised of this proposal due due to the proximity of one its VRPs at Immingham Docks (Humberside may decide to put a local advisory information notice).
2. I have also given you a link to guidance for crane operators on aviation lighting and notification [CAP1096](#).
Temporary structures such as cranes can be notified through the means of a Notice to Airmen (NOTAM). If above a hgt of 300ft (91.4m) above ground level, the developer must ensure that the crane operator contacts the CAA's Airspace Regulation (AR) section on ARops@caa.co.uk
3. Due to the unique nature of operations in respect of altitudes and potentially unusual landing sites, it would be sensible for you to establish the related viewpoints of local emergency services Air Support Units through the National Police Air Service (NPAS) organisation via email npas.obstructions@npas.pnn.police.uk;
4. Due to the unique nature of operations in respect of altitudes and potentially unusual landing sites, it would be sensible for you to establish the related viewpoints of local emergency services Air Support Units through the relevant Air Ambulance Units - <https://associationofairambulances.co.uk/member/yorkshire-ambulance-service-nhs-trust/>
5. I would also recommend that this proposal should be brought to the attention of the department responsible for maintaining the list and production of charting regarding tall structures at the following email address: dvof@mod.gov.uk

Regards

Craig

Craig Jiggins

ATM Technical Specialist
Safety and Airspace Regulation Group (SARG) - Airspace Regulation
Civil Aviation Authority

020-7453 6559

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Tedder Hall, Manby Park, Louth, Lincolnshire. LN11 8UP
T: 01507 601111
www.e-lindsey.gov.uk

Ms. S. Newman,
The Planning Inspectorate
Major Casework Directorate
Temple Quay House
2 The Square
BRISTOL
BS1 6PN

Dear Ms Newman,

APPLICANT: The Planning Inspectorate,
PROPOSAL: EIA Scoping consultation for Proposed Open Cycle Gas Turbine.
LOCATION: LAND EAST OF LINDSEY OIL REFINERY, NORTH KILLINGHOLME,
LINCOLNSHIRE.

Thank you for notifying East Lindsey District Council about the EIA Scoping Opinion for the VPI Immingham OCGT Project.

Having read the submitted documentation I can confirm that this Authority has no comments to make.

Yours sincerely



Michelle Walker
Major Applications Planning Officer

Your Reference: EN010097-000002
Our Reference: N/017/01107/18/IC
Contact: Miss M. Walker
Ext: 01507 613163
Email: michelle.walker@e-lindsey.gov.uk
Date: 14 June 2018

SENT BY E-MAIL ONLY

Ms Stephanie Newman
EIA and Land Rights Advisor
The Planning Inspectorate
Major Casework Directorate
2 The Square
Bristol
Avon
BS1 6PN

Our ref: AN/2018/127545/01-L01
Your ref: EN010097-000002
Date: 03 July 2018

Dear Ms Newman

**Development Consent Order for the VPI Immingham Open Cycle Gas Turbine (OCGT) Power Station
VPI Immingham B Ltd, Rosper Road, Immingham, DN40 3DZ**

Thank you for consulting us on the Environmental Impact Assessment (EIA) Scoping Report in connection with the above development on 6 June 2018.

We have reviewed the Scoping Report and have the following comments to make on it for topics within the Environment Agency's remit.

Chapter 6.7 Ground Conditions and Hydrogeology

It is understood from the Scoping Report that a desktop Phase 1 Environmental Site Assessment and Intrusive Phase 2 Ground Investigation have been undertaken for parts of the proposed development site. Additional desk based assessment and intrusive investigation is proposed, to fully assess the potential risks from contamination and identify data gaps from the initial investigations.

Whilst we haven't seen the initial Phase 1 and Phase 2 reports for the site at this stage, we are in agreement with the additional work proposed in order to fully assess the risks to controlled waters. We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the [Environment Agency Guiding principles for land contamination](#) for the type of information that we required 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.

3. 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.
4. Refer to the [contaminated land](#) pages on GOV.UK for more information.

Investigation boreholes that penetrate the full depth of the lower permeability superficial clay deposits may potentially result in risks to the underlying aquifer from the potential mobilisation of contaminants and/or the creation of preferential pathways for contaminant migration. Appropriate risk assessments and best practice should be adopted during intrusive investigations to ensure the integrity of the Principal Chalk aquifer at depth is not compromised.

Chapter 6.8 Surface Water, Flood Risk and Drainage

Flood risk

The Report correctly identifies that the proposed development is at a high risk of flooding and located in flood zone 3a. Flood zone 3a is where land has been assessed as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of flooding from the sea (>0.5%) in any year, ignoring the presence of defences.

The Scoping Report acknowledges that the EIA will need to include a detailed flood risk assessment (FRA), which complies with the requirements of (section 5.7 of) the National Policy Statement for Energy (EN-1). This will need to take into account the potential impacts of climate change using the latest UK Climate Projections available at the time the EIA is prepared (see EN-1, paragraphs 4.8.5 – 4.8.13). In accordance with this, all critical elements should be set above an appropriate level, based on the high emissions scenario (high impact, low likelihood).

The FRA should consider all sources of flooding, which may include tidal, fluvial, ground water, drainage systems, reservoirs, canals and ordinary watercourses. The FRA should demonstrate that the proposal will be safe for the lifetime of the development, without increasing risk elsewhere and where possible reducing flood risk overall. The FRA should also provide evidence that appropriate mitigation measures including flood resilience techniques have been incorporated into the development.

The FRA should identify the vulnerability classification of the proposal, the expected lifetime of the development and whether not the site needs to remain operational in a flood event. We note the applicant has already received a flood risk product from the Environment Agency. This includes Coastal Hazard Mapping, which shows the consequences should a breach of the sea defences occur, including the potential flood depths, velocities and overall hazard over the lifetime of the development.

Water quality & water resources

It is not clear from the Scoping Report, which section of the EIA will consider the risks to water quality. Reference is made within 6.8 to construction and decommissioning potentially impacting water quality. In Chapter 8 - Environmental Impact Assessment Scope and Process however, water quality has not been included as a technical discipline.

The EIA must consider the risks to water quality and mitigation of these risks in detail. This could be in the form of a Water Framework Directive (WFD) assessment, and include explanation of how the proposed development could affect the relevant water bodies in the River Basin Management Plan, and how they propose to mitigate any potential impacts.

The Scoping Report states that the study area will be 5km around the site. The site is located within the Catchment of the North Beck Drain, reference GB104029067575, with the Catchment of the Skitter Beck/East Halton Beck, reference GB104029067655, being within 5km of the North/North-West of the site - however, these are not mentioned within the Scoping Report.

Water Framework Directive classification data may be obtained from:

<http://environment.data.gov.uk/catchment-planning/>

Water quality data may be obtained from:

<http://environment.data.gov.uk/water-quality/index.html>

alternatively, data may be provided upon request to our Customers & Engagement Team (Lnenquiries@environment-agency.gov.uk) .

The EIA will also need to cover requirements for foul water disposal and water resources. Any abstractions or discharges during construction and operation of the site will be subject to agreements (in the form of permits and discharges consents) from the Environment Agency and it would be prudent to start considering these now.

Environmental Permit

The proposed combustion installation will require an operating permit from us under Schedule 1.1 Part A of the Environmental Permitting Regulations 2010. We will be including the following key areas of potential harm when making an assessment for the Permit:

- Management – including general management, accident management, energy efficiency, efficient use of raw materials and disposal/recovery of wastes.
- Operating activities and techniques including the use of Best Available Techniques (BAT) for design and management.
- Emissions to air and discharges to water, land and groundwater along with odour, noise and vibration.

A detailed assessment of the air quality impacts will be required as part of the environmental permit application. Cumulative impact modelling due to the presence of the neighbouring oil refineries and the neighbouring power station may also be required.

We consider that there would be benefits to parallel tracking the planning and environmental permit applications as this offers the best option for ensuring that all issues can be identified and resolved, where possible, at the earliest possible stages. This will avoid the potential need for amendments to the planning approval post-permission.

If the applicant has not already done so, we strongly recommend engaging with our National Permitting Service on this issue, by completing our online forms at: <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>

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

Annette Hewitson
Principal Planning Adviser

Direct dial 02030 254924

Direct e-mail annette.hewitson@environment-agency.gov.uk

From: [ESP Utilities Group Ltd](#)
To: [Immingham OCGT](#)
Subject: Your Reference: EN010097-000002. Our Reference: PE136361. Plant Not Affected Notice from ES Pipelines
Date: 06 June 2018 12:55:26

Immingham OCGT
The Planning Inspectorate

6 June 2018

Reference: EN010097-000002

Dear Sir/Madam,

Thank you for your recent plant enquiry at (EN010097-000002).

I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice

Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espipelines.com

Yours faithfully,

Alan Slee
Operations Manager



Bluebird House
Mole Business Park
Leatherhead
KT22 7BA

☎ 01372 587500 📠 01372 377996

<http://www.espug.com>

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Tel 0300 067 4900

yorkshirenortheast@forestry.gsi.gov.uk

Area Director

Crispin Thorn

Date: 3rd July 2018
Our ref: YNE/I&R/Statutory
Your ref: EN010097-000002

Stephanie Newman
EIA and Land Rights Advisor

Major Casework Directorate
Temple Quay House
2 The Square
Bristol, BS1 6PN

BY EMAIL ONLY

Dear Ms Newman,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impacts Assessment) regulations 2017 (the EIA Regulations) – Regulations 10 and 11: Application by VPI-Immingham B Ltd for an Development Consent for the VPI Immingham OCGT

Location: Immingham

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 6th June 2018.

The Forestry Commission is the Government experts on forestry & woodland and a statutory consultee (as defined by Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms And Procedures) Regulations 2009)^[1] for major infrastructure (Nationally Significant Infrastructure Projects (NSIPS)) that are likely to affect the protection or expansion of forests and woodlands (Planning Act 2008).

^[1] <http://www.legislation.gov.uk/uksi/2009/2264/contents/made>

The Forestry Commission's responsibility is to discharge its consultee roles as efficiently, effectively and professionally as possible, based on the forestry principles set out in the [The UK Forestry Standard](#) (4th edition published 2017). **Page 23** "Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance (SLNCIs).

As highlighted in the *Irreplaceable habitats including ancient woodland and veteran trees* section of the National Policy Statement National Networks (NPSNN):

Paragraph 5.32

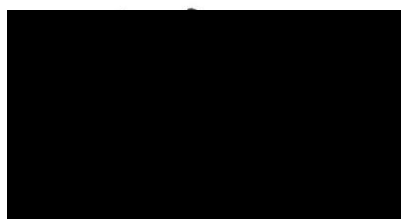
"Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of irreplaceable habitats including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the national need for and benefits of the development, in that location, clearly outweigh the loss. Aged or veteran trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals, the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons for this."

The Forestry Commission has also prepared joint [standing advice](#) with Natural England on ancient woodland and veteran trees which we refer you to as it notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland. It highlights the Ancient Woodland Inventory as a way to find out if woodland is ancient.

In regards this being a consultation on what information is assessed as part of the Environmental Statement: We have reviewed 6.5 Ecology and Nature Conservation, and are satisfied with what has been scoped in and out, as well as the level of assessment of what has been scoped in. We recognise there is a site that has received Woodland Grant Scheme Mk3 funding for Woodland Creation in the Eastend Farm area of the proposed Red Line Boundary. We have no further comments at this stage of the process.

If you wish to consult us further in relation to the Environmental Statement with the Forestry Commission please contact the Yorkshire and North East Office at the above address.

Yours sincerely



Jim Smith
Local Partnership Adviser

Our ref: TA 165 181
Your ref: VPI Immingham OCGT

National Infrastructure Planning
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol BS1 6PN

Simon GP Geoghegan
Asset Manager
3 SOUTH
Lateral
8 City Walk
Leeds LS11 9AT

Direct Line: 0300 470 2420
18 June 2018

For the attention of Immingham OCGT

Dear Sir/Madam

ENVIRONMENTAL IMPACT ASSESSMENT SCOPING REPORT FOR VPI IMMINGHAM OCGT

Thank you for your communication regarding the Environmental Impact Assessment Scoping Report for the Proposed 299MW Open Cycle Gas Turbine ('OCGT') Power Station at VPI Immingham OCGT.

Our Consultants reviewed the Traffic and Transport chapter of the EIA and have made the following comments:

- The site is located approximately 700m from the Rosper Road / A160 roundabout, and as such, there is a strong likelihood that the development proposals will impact upon the capacity, operation and safety of the Strategic Road Network [SRN]; the A160 Trunk Road.
- It is considered that travel to the site via non-car modes is limited due to the site's location.
- The EIA states that the generation of traffic during construction (and decommissioning) may affect the SRN – this is accepted given the site location. We would expect to see a robust assessment of the trip generation within the forthcoming Transport Assessment and Environmental Statement.

Furthermore, it is stated that *'a preliminary assessment has been undertaken to establish the level of traffic that is likely to be associated with the Proposed Development. The principal vehicle movements are anticipated to be associated with the construction phase of the Proposed Development, although the volume of construction vehicles associated with the delivery of plant and the labour force has not been fully determined at this stage. From previous experience at similar power station construction projects the traffic flows are likely to be between 600*

and 900 one-way vehicle movements per day during the peak construction period'. It is considered that this is a good starting point for the assessment of movements allied to the construction phase.

- With regards to the operation of the proposed development, it is stated that *'it is anticipated that there would be up to approximately 15 operational roles. Depending on the degree of integration with the existing CMP plant and VPI Energy Park 'A'; these might be new jobs or roles undertaken by existing personnel. Staff would travel to and from work in a variety of directions. Fuel would predominantly be delivered by pipeline and other operational and maintenance consumables are likely to be minimal. Therefore, it is considered that the effects of operational traffic would be negligible and a detailed assessment of the operational phase of the development is not proposed for the ES. Justification will be required by VPI in advance of the submission of the Transport Assessment and Environmental Statement not to include issues relating to operational traffic of the development proposals.*
- It is also stated that *'to fully address the impacts of the construction phase on the transport network, at this stage it is proposed that a Transport Assessment (TA) will be produced, although the requirement for a TA will be confirmed following determination of the number of construction movements, in liaison with NLC. The scope for the TA will follow the guidelines set out in the Department of Communities and Local Governments 'Planning Practice Guidance' document (March 2014) (Ref 6-5). NLC and Highways England will be consulted so that their specific requirements can be accommodated within the TA scope*'.

The Scope of the TA has identified covering the following areas:

- *A review of national, regional and local transport policy;*
- *A description of baseline and future baseline conditions, including link and junction flows (described further below), a review of highway safety issues including examination of personal injury accident data and consideration of accessibility by all main transport modes;*
- *Calculation of construction traffic flows over the period of construction;*
- *Distribution and assignment of construction traffic flows to the road network, including the identification of routes for abnormal loads such as the delivery of generators and transformers;*
- *Local network impact analysis – the size of the study area will be confirmed with Nottinghamshire County Council and Highways England, and key junctions may be identified by these stakeholders that require detailed capacity analysis;*
- *Consideration of the local public rights of way for leisure and commuting uses, and whether their use would be affected by the Proposed Development;*
- *Cumulative impact assessment, particularly with VPI Energy Park 'A'; and*
- *The formulation of mitigation measures, if required, such as a Construction Worker Travel Plan to promote sustainable journeys during the construction phase of the development and where possible reduce single occupant car*

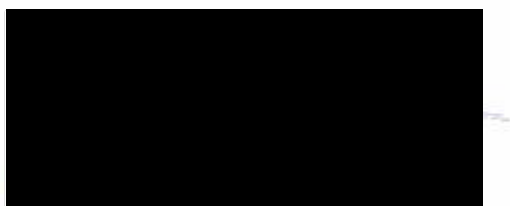
journeys, and a Construction Traffic Management Plan to seek to control the routing and impact that HGVs will have on the local road network during construction.

Such an approach to the contents of the Transport Assessment should be welcomed by Highways England. It is considered that the Transport Assessment should robustly assess the impact of the construction phase – and potentially the operational phase - of the development proposals. As a minimum, the study area should include the A160 / Rosper Road junction, the A160 / Habrough Road junction and the A160 / A180 junction, paying due cognisance to the '30 two-way trips' threshold in Guidance on Transport Assessments as a starting point for discussion when identifying further junctions at the SRN for inclusion. In addition, the Transport Assessment should be compliant with DfT Circular 02/2013.

- With regards to base flows / count data, it is stated that *'the availability of baseline traffic count data will be discussed with the NLC during the consultation stage of the TA together with the scope of the highway network to be included. Where no existing traffic counts are available new traffic surveys will be undertaken to provide a robust and up to date baseline for the TA and ES Chapter'*. This is welcomed, and the base flows for the SRN should be collected once the study area has been agreed within Highways England to avoid abortive / additional work.
- When considering the mitigation of the impacts of the development proposals, it is stated that, *'a summary of any residual impacts will be provided should the proposed mitigation not fully address the impact of the Proposed Development on the transport network'*. This approach should be welcomed by Highways England.

These are the comments of Highways England at this time. Please contact me if anything is unclear or you require further assistance.

Yours sincerely



Simon GP Geoghegan
Asset Development Team (North)
Email: simon.geoghegan@highways.gsi.gov.uk

From: [DOVE-SEYMOUR, Benjamin](#)
To: [Immingham OCGT](#)
Cc: [RUBENS, Joost \(C.RO Ports\)](#)
Subject: VPI Immingham OCGT - Scoping Report - C.RO Ports Killingholme
Date: 03 July 2018 14:48:55

Dear Ms Newman

Response from C.RO Ports Killingholme Limited

We have had an opportunity to review the Scoping Report for the proposed Immingham VPI DCO application.

C.RO Ports Killingholme owns and operates a ro-ro terminal on the River Humber, which generates significant HGV movements onto the local and strategic road network. The effective operation of the road network, without delays, is important for the efficient operation of the terminal.

Whilst it is noted that operational traffic for a power station is likely to be minimal, it is important that the effects of construction traffic for the proposed development are properly assessed given existing HGV traffic in the area and the potential impacts on the operation of existing users such as C.RO Ports. It will be necessary to assess construction traffic to properly identify the necessary mitigation.

As well as establishing the current baseline, the assessment of impacts will also rely on adequately assessing cumulative impacts. The Report refers to other nearby potentially cumulative developments at 6.12.8 and Figure 6. However this list is incomplete and includes only energy projects. It does not include developments that have planning consent but are yet to be built out (including the Able Marine Energy Park DCO and the Able Logistics Park) and other nearby developments that are likely to generate HGVs such as the application for a car storage facility on land north of Marsh Lane (PA/2017/2141).

We look forward to receiving a copy of the Scoping Opinion.

Please can I ask that future correspondence about the application is copied to me as legal counsel for C.RO Ports?

Regards

Benjamin Dove-Seymour

Benjamin Dove-Seymour

CLdN UK Limited | Floor 40 B. Tower 42, 25 Old Broad Street, London. EC2N 1HQ. United Kingdom.
Tel: +44 (0)20 3457 8174 | Mob: +44 (0)7387 267345 | Fax: +44 (0)20 7256 6813
benjamin.dove-seymour@cldn.com | www.cldn.com

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From: [DOVE-SEYMOUR, Benjamin](#)
To: [Immingham OCGT](#)
Cc: [MAES, Florent](#); [HOLTHOF, Annelies](#)
Subject: Immingham OCGT - Scoping Report - C.GEN Killingholme Limited
Date: 03 July 2018 15:05:06

Dear Ms Newman

Response from C.GEN Killingholme Limited (C.GEN)

C.GEN was not provided with a copy of the Scoping Report for the proposed Immingham VPI DCO application.

C.GEN owns land at North Killingholme, which has the benefit of development consent (the North Killingholme (Generating Station) Order 2014) and is a statutory undertaker (licensed generator). C.GEN intends to build the project authorised by that DCO.

As is the case with our project, operational traffic for a power station is likely to be minimal. However, it is important that the effects of construction traffic for the proposed development are properly assessed given existing HGV traffic in the area. Aside from impacts on existing road users (particularly given high numbers of HGV movements), there is the potential for cumulative impacts as development is carried out on sites in the area which have consent or are pending determination, and which could be built out concurrently.

The Report refers to other nearby potentially cumulative developments at 6.12.8 and Figure 6. However this list is incomplete and includes only energy projects. It does not include developments that have planning consent but are yet to be built out (including the Able Marine Energy Park DCO and the Able Logistics Park) and other nearby developments that are likely to generate HGVs such as the application for a car storage facility on land north of Marsh Lane (PA/2017/2141). If all potentially cumulative developments are not identified and included in the assessment, it will underestimate construction impacts and will be deficient.

Please can you confirm that you will include C.GEN in future correspondence about the application, addressed to me?

Regards

Benjamin Dove-Seymour

Benjamin Dove-Seymour
Director, Legal Affairs

C.GEN Killingholme Ltd | Floor 40 B. Tower 42, 25 Old Broad Street, London. EC2N 1HQ. United Kingdom.
Direct +44 2034578174 | benjamin.dove-seymour@cgenpower.com | www.cgenpower.com

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Land and Acquisitions

Anne Holdsworth
DCO Liaison Officer
Network Management
anne.holdsworth@nationalgrid.com
Direct tel: +44 (0)7960175682

SUBMITTED ELECTRONICALLY:
ImminghamOCGT@pins.gsi.gov.uk

www.nationalgrid.com

22 June 2018

Dear Sir/Madam

APPLICATION BY VPI-IMMINGHAM B LTD (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE VPI IMMINGHAM OCGT (THE PROPOSED DEVELOPMENT)

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 6th June 2018 in relation to the above proposed application. Having reviewed the scoping report, I would like to make the following comments:

National Grid infrastructure within / in close proximity to the order boundary

Electricity Transmission

National Grid Electricity Transmission has a high voltage electricity overhead transmission line within or in close proximity to the proposed order limits. The overhead line forms an essential part of the electricity transmission network in England and Wales. The details of the overhead line are shown below:

- 2AD Over Head Line
- 2AJ Over Head Line
- Above and below ground associated apparatus

Gas Transmission Infrastructure:

National Grid Gas has a high pressure gas transmission pipeline located within or in close proximity to the proposed order limits. The transmission pipeline forms an essential part of the gas transmission network in England, Wales and Scotland:

- Feeder Main 9 - Paull to Hatton

I enclose plans showing the route of National Grid's overhead line and the gas transmission pipeline.

Specific Comments – Electricity Infrastructure:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with National Grid prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.
- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.

- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:

<http://www.nationalgrid.com/uk/LandandDevelopment/DDC/GasElectricNW/safeworking.htm>

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Further Advice

We would request that the potential impact of the proposed scheme on National Grid's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, National Grid is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by National Grid. Further information relating to this can be obtained by contacting the email address below.

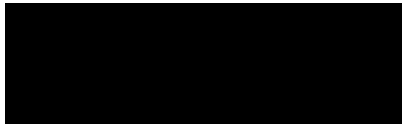
Where the promoter intends to acquire land, extinguish rights, or interfere with any of National Grid apparatus protective provisions will be required in a form acceptable to it to be included within the DCO.

National Grid requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

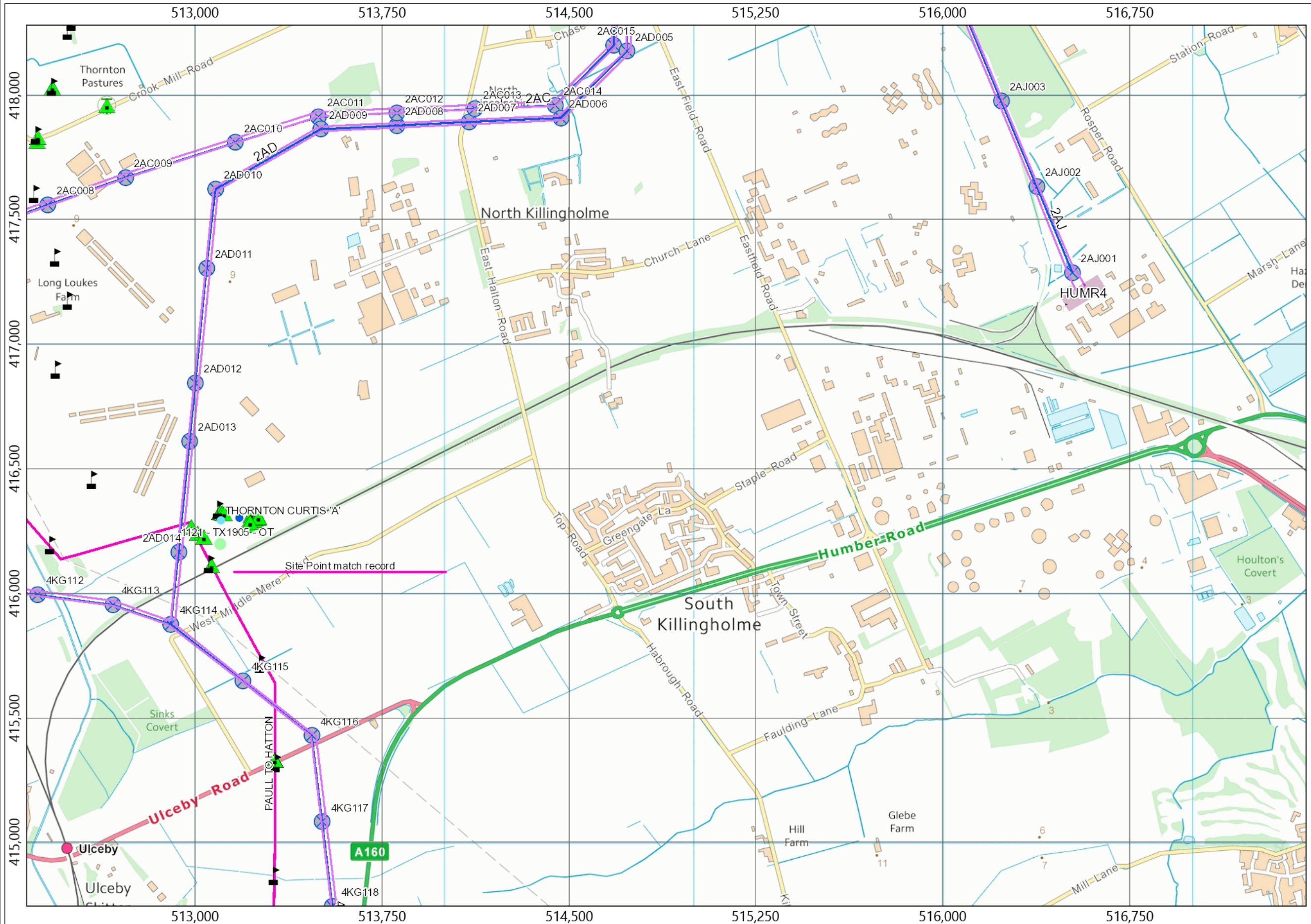
I hope the above information is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity or gas customer services.

Yours faithfully

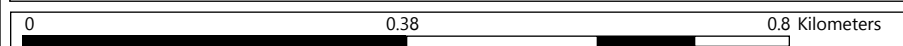


Anne Holdsworth
DCO Liaison Officer, Land and Acquisitions



- Legend:**
- Substations Commissioned
 - Circuits
 - Commissioned
 - Decommissioned Group
 - Planned and Spares
 - OHL 400Kv Commissioned
 - OHL 275Kv Commissioned
 - OHL 132Kv & Below Commissioned
 - Towers Commissioned
 - Buried Cable Commissioned
 - Fibre Cable Commissioned
 - Pilot Cable
 - Oil Pipe
 - Cooling Pipe
 - Cooling Station
 - RAMM
 - Gas Operational Boundary
 - Gas Site Boundary
 - Block Valve
 - Compressor
 - LNG Site
 - Multijunction
 - Minimum Offtake
 - Future Minimum Offtake
 - Offtake
 - Pressure Reduction Installation
 - Pig Trap
 - Terminal
 - Transferred Offtake
 - Aerial Marker Post
 - CP Test Post
 - Transformer Rectifier
 - Gas Pipe Feeder
 - Commissioned
 - Decommissioned Group
 - Planned and Spares
 - CP Protected Section Range
 - Pipe Line Control Point

Notes:
Asset Map

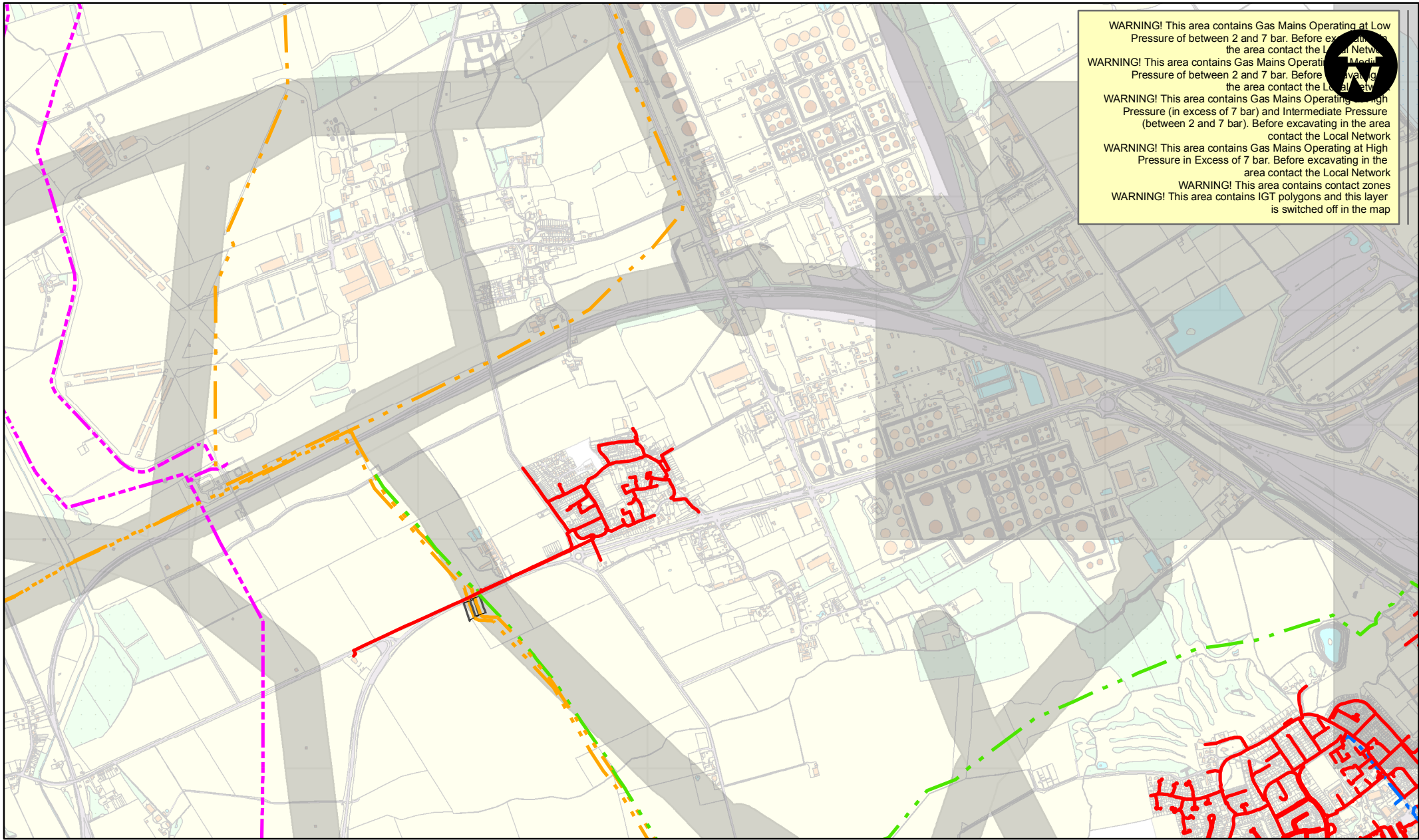


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Date: 11/06/2018
Time: 14:40:36
Page size: A3 Landscape
Scale: 1: 15,000
Print by: Holdsworth, Anne



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.
Note: Any sketches on the map are approximate and not captured to any particular level of precision.



WARNING! This area contains Gas Mains Operating at Low Pressure of between 2 and 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at Medium Pressure of between 2 and 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at High Pressure (in excess of 7 bar) and Intermediate Pressure (between 2 and 7 bar). Before excavating in the area contact the Local Network

WARNING! This area contains Gas Mains Operating at High Pressure in Excess of 7 bar. Before excavating in the area contact the Local Network

WARNING! This area contains contact zones

WARNING! This area contains IGT polygons and this layer is switched off in the map

SCALE: 1:1,250 @ A4
 USER ID: Christopher.B
 DATE: 16-Jun-2018 16:10:22
 INTERNAL USE ONLY
 MAP REF: 515278, 416518
 CENTRE:

| | |
|-------------------------|--|
| L/P GAS MAIN | |
| M/P GAS MAIN | |
| I/P GAS MAIN | |
| H/P GAS MAIN | |
| NH/P GAS MAIN | |
| PROPOSED PIPE - LP | |
| PROPOSED PIPE - MP | |
| PROPOSED PIPE - IP | |
| ABANDON - LP | |
| ABANDON - MP | |
| Out Of Standard Service | |

SCHEME: <NG GDFO Scheme Name>
 DESIGN: <NG GDFO Design Number>
 REVISION: <NG GDFO Revision>

This plan shows those pipes owned by Cadent in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and any other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Some examples of Plant Items:
 Valve Syphon Depth of Cover Change of Dia Change of Material

This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office.

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From: [NATS Safeguarding](#)
To: [Immingham OCGT](#)
Subject: FW: IMHM - VPI Immingham OCGT - EIA Scoping Notification and Consultation [Our Ref: SG26354]
Date: 07 June 2018 09:53:32
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[Mimecast Attachment Protection Instructions.msg](#)
[VPI Immingham OCGT Statutory Consultee Letter.pdf](#)

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

NATS

NATS Safeguarding

D: 01489 444687

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



****Please note:** NATS Safeguarding email address has changed to: NATSSafeguarding@nats.co.uk

Date: 28 June 2018
Our ref: 249061
Your ref: EN010097-000002



Stephanie Newman
Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Stephanie

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): VPI Immingham OCGT

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 06 June 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact James Walsh on 0208 026 8639. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team

¹ Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)

² *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004) available from <http://webarchive.nationalarchives.gov.uk/http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017. In addition

paragraph 118 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)

The development site is in close proximity to the Humber Estuary Special Area of Conservation, Special Protection Area, Ramsar site and Site of Special Scientific Interest. Further information on the SSSI and its special interest features can be found at www.magic.gov.uk. The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Natura 2000 network site conservation objectives are available online at <http://publications.naturalengland.org.uk/category/6490068894089216>.

2.3 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

We note the ecological surveys to be carried out as detailed in Table 4 of the Scoping Report. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has adopted [standing advice](#) for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

We note that a Phase 1 habitat survey has been carried out on the site, and the further surveys proposed as detailed in Table 4 of the Scoping Report. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

Local Record Centre (LRC) in North Lincolnshire please contact:

Lincolnshire Environmental Records Centre
Banovallum House
Manor House Street
Horncastle
Lincolnshire
LN9 5HF
Tel: 01507 526667
E-mail: cbarnes@lincstrust.co.uk

Geological sites in North Lincolnshire please contact:

Lincolnshire RIGS Group
160, Eastgate
Louth
Lincolnshire

3. Designated Landscapes and Landscape Character

Landscape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment. We therefore welcome the proposed use of these guidelines as detailed in Section 6.6.3 of the Scoping Report.

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes

You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm.

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' ([NPPF](#) Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

- 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.

From: [Lauren Birkwood \(Engie\)](#)
To: [Immingham OCGT](#)
Cc: [Martin Dixon \(Engie\)](#)
Subject: RE: IMHM - VPI Immingham OCGT - EIA Scoping Notification and Consultation
Date: 04 July 2018 17:34:24
Attachments: [image008.png](#)

Dear Sirs

Thank you for the opportunity to comment on the submitted scoping report for the VPI Immingham OCGT.

North East Lincolnshire Council provide the following comments:

- The Transport Assessment and study area to also be scoped and confirmed with North East Lincolnshire Council;
- It is advised that the relevant persons should liaise with the North East Lincolnshire Councils Environmental Health Team in relation to noise/vibration and also air quality as the development may have impact on the North East Lincolnshire area. Particular reference is made to the Immingham AQMA.

Should you have any further questions, or would like any further clarification, please do not hesitate to contact me.

Kind Regards, Lauren

Lauren Birkwood | Senior Town Planner | **ENGIE**

☎ +44 (0)14 7232 4226 | 07786118512 |

✉ ENGIE, Origin 2, Origin Way, Europarc, Grimsby, DN37 9TZ

🌐 www.engie.com/en/ | www.nelincs.gov.uk | 📧 lauren.birkwood@nelincs.gov.uk

North East Lincolnshire Council and ENGIE, working in partnership to deliver a stronger economy and stronger communities.



From: [Guy Hird](#)
To: [Immingham OCGT](#)
Cc: [Richard Wright](#)
Subject: RE: IMHM - VPI Immingham OCGT - EIA Scoping Notification and Consultation
Date: 28 June 2018 10:05:46
Attachments: [image003.png](#)

ND-4111-2018-PLN

Dear Sir/Madam

IMHM - VPI Immingham OCGT - EIA Scoping Notification and Consultation

Thank you for the opportunity to comment on the above application. The site is within the North East Lindsey Drainage Board area.

The Board has no comments at this stage of the process, it is noted a Flood Risk Assessment is due to be undertaken and we look forward to commenting on this.

The site is adjacent to two Board maintained watercourses South Killingholme Drain (9) and South Killingholme Drain Branch 1 (9A). Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw distance (7m) of the top of the bank of a Board maintained watercourse. See the extract from the Board's maps below.



Regards

Guy Hird
Engineering Services Officer

Witham First District Internal Drainage Board
Witham Third District Internal Drainage Board
Upper Witham Internal Drainage Board
North East Lindsey Drainage Board
J1 The Point,
Weaver Road,
LINCOLN,
LN6 3QN.
01522 697123

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From: Immingham OCGT <ImminghamOCGT@pins.gsi.gov.uk>
Sent: 06 June 2018 10:07 AM
Subject: IMHM - VPI Immingham OCGT - EIA Scoping Notification and Consultation

Dear Sir/ Madam

Please see the attached correspondence on the proposed VPI Immingham OCGT.

Please note the deadline for the consultation response is 4 July 2018, and is a statutory requirement that cannot be extended.

Kind Regards

Michael Breslaw

EIA and Land Rights Advisor
Major Applications & Plans
Major Casework Directorate

The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Direct line: 0303 444 5092

Helpline: 0303 444 5000

Email: Michael.Breslaw@pins.gsi.gov.uk

Web: infrastructure.planninginspectorate.gov.uk (National Infrastructure Planning)

Web: www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)

Twitter: @PINSgov

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From: [Andrew Law](#)
To: [Immingham OCGT](#)
Subject: EN010097-000002 (our ref: PA/SCO/2018/3)
Date: 04 July 2018 18:19:51
Attachments: [EHO Response.pdf](#)
[HER response.pdf](#)
[Highways Response.pdf](#)

Dear Sir/Madam

Thank you for your letter dated 6 June 2018, giving the North Lincolnshire Council the opportunity to comment on the request for a Scoping Opinion made by VPI-Immingham B Ltd in respect of an application for a Development Consent Order for the proposed VPI Immingham OCGT.

I can confirm that the Council agrees with the applicants proposed approach with regards to the scope of the Environmental Statement and the information that is proposed to be provided. Furthermore, I have attached responses received from a number of the Council's specialist officers in response to the scoping request; these responses provide some additional feedback on the scoping report submitted by the applicants.

Do not hesitate to contact me should you wish to discuss this matter further.

kind regards

Andrew Law
Strategic Development Officer
Development Management Team
North Lincolnshire Council
Civic Centre
Ashby Road
Scunthorpe
DN16 1AB

tel: 01724 297490

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| O F F I C E | | |

To: Andrew Law, Development Management.

From: Environmental Health (Commercial)

Our Ref: PLU 003816

Your Ref: Screening Opinion SCR/2018/3

Subject: Scoping opinion request as to the information to be provided in an Environmental Statement relating to the proposed development - application by VPI Immingham B Ltd for an Order granting Development Consent for the VPI Immingham Open Cycle Gas Turbine Power Station

Location: VPI Immingham Power Station, Rosper Road, South Killingholme, North Lincolnshire DN40 3DZ

Date: 27 June 2018

Thank you for requesting this departments comments on the above.

The applicant is seeking a scoping opinion to inform the scope and content of an Environmental Impact Assessment that will be submitted in support of the proposed Open Cycle Gas Turbine (OCGT) Power Station capable of generating 299 megawatts (MW) of electricity.

The proposed development is near the existing VPI Combined Heat and Power (CHP) plant and east of the Lindsey Oil Refinery in North Killingholme. The area in the immediate vicinity of the site is subject to a separate planning application (Reference: PA/2018/918) for a 49.9MW gas fired power station known as VPI Energy Park 'A'.

Further comments in relation to the development can be found below:

Noise and Vibration

The supporting statement provides details for both the construction and operational phases of assessing and controlling noise for the proposed development. This department therefore has no further comments to make.

Air Quality

The supporting statement confirms an air quality impact assessment will be submitted in support of the proposed development. The assessment will include:

- Emission of pollutants, to air from the stack during operation
- Emission of pollutants to air from vehicles associated with all phases of the proposed development

- Construction dust and mobile plant exhaust emissions generated during construction and decommissioning

The proposed scope of the assessment is adequate, however this department recommend that the operational phase of the development should be assessed with regard to the cumulative impact of the development and neighbouring industrial land uses including the CHP plant and gas fired power station.

Contaminated Land

The proposals to further assess land contamination are acceptable, this department therefore has no further comments to make.

PLANNING CONSULTATIONS

REFERENCE: SCO/2018/3

CASE OFFICER: ANDREW LAW



TEAM: HISTORIC ENVIRONMENT RECORD

AUTHOR: ALISON WILLIAMS, HISTORIC ENVIRONMENT OFFICER

TEL: 01724 297471

EMAIL: alison.williams@northlincs.gov.uk



SUBJECT: Scoping opinion request as to the information to be provided in an Environmental Statement relating to the proposed development - application by VPI Immingham B Ltd for an Order granting Development Consent for the VPI Immingham Open Cycle Gas Turbine Power Station

PARISH: SOUTH KILLINGHOLME

DATE ISSUED: 26/06/2018

SUMMARY OF ADVICE

- Thank you for consulting the HER on this scoping opinion
- The proposed development has the potential for direct and indirect affects on designated and non-designated heritage assets and their settings; the site and laydown area within Immingham CHP to the south contain archaeological remains identified during previous investigation
- Cultural Heritage is thus scoped into the EIA
- The spatial extent and methodology of the cultural heritage assessment set out in section 6.9 of the Scoping Report is satisfactory
- I welcome the proposal for further consultation with the HER
- Eddie Rychlak may wish to comment further on the assessment of built heritage assets surrounding the proposed site.

HISTORIC ENVIRONMENT RECORD (HER) GROUP FUNCTION: To hold, maintain, interpret and manage heritage information, enhancing the understanding of the area's historical development as a distinctive and attractive place. HER information provides source material for interpretation by heritage professionals and for use by community groups and individuals.

The Group also provides advice on development proposals that affect, or may affect, the sites and settings of all heritage assets i.e. designated and non-designated historic buildings, archaeological

sites and monuments, and historic places, areas and landscapes. This advice is provided against saved local plan policies and national historic environment policies. See <http://www.northlincs.gov.uk/planning-and-environment/historic-environment-and-conservation/>.

DETAILED ADVICE: Thank you for consulting the HER on this scoping opinion.

Cultural Heritage Baseline

Our records show that the application site lies within an area of archaeological interest containing several sites of Iron Age and Romano-British settlement where further remains may be anticipated.

There has been previous archaeological investigation comprising geophysical survey and trial trenching across the area that includes the proposed OCGT site. As noted in the Scoping Report (para 2.6.1), an Iron Age ditch runs N-S through this area. This feature forms part of a wider field system to the north and may be related to the Iron Age and Romano-British settlement excavated in 2000 ahead of the construction of the Immingham CHP plant. A further focus of Romano-British settlement was preserved in situ within the CHP car park area alongside Rosper Road. These remains fall within the proposed development laydown area, though the site is not specifically noted in the Scoping Report.

The proposed development has the potential to physically impact the known archaeological remains on the proposed OCGT site and within the Immingham CHP plan. The development may also have indirect effects on the significance of identified heritage assets within a radius of the site.

Accordingly, Cultural Heritage is scoped into the EIA.

Scoping Advice

Section 6.9 of the Scoping Report sets out the applicant's proposed methodology for the Cultural Heritage assessment, which I can confirm is satisfactory. I welcome the proposal for further consultation with the HER and the Conservation Officer. This will provide the opportunity to ensure that all available information about the above sites can be collated and assessed appropriately.

Fw: PA/SCO/2018/3 Planning Application at VPI Immingham Power Station, Rosper Road, South Killingholme DN40 3DZ

Louisa Simpson

Wed 27/06/2018 09:50

To: Andrew Law <Andrew.Law@northlincs.gov.uk>; Planning <Planning@northlincs.gov.uk>;

Andy,

Having looked at the submitted documentation, I agree with the proposed approach for assessing the impact of construction/operational traffic to the site. As part of the Construction Phase TMP we would expect this to include a pre/post construction carriageway condition survey, with a commitment to rectify any defects caused by construction traffic. The scope of this can be discussed when we discuss the scope of the TA with the applicant.

Regards
Louisa Simpson

Transport Planner
Transport, Highways and the Environment
Operations
North Lincolnshire Council

01724 297507



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From: Clare Allcock <planningapplications@northlincs.gov.uk>

Sent: 13 June 2018 09:58

To: Louisa Simpson

Subject: PA/SCO/2018/3 Planning Application at VPI Immingham Power Station, Rosper Road, South Killingholme DN40 3DZ

Dear Sir/Madam,

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017

Application No: PA/SCO/2018/3

Proposal: Scoping opinion request as to the information to be provided in an Environmental Statement relating to the proposed development - application by VPI Immingham B Ltd for an Order granting Development Consent for the VPI Immingham Open Cycle Gas Turbine Power Station

Site Location: VPI Immingham Power Station, Rosper Road, South Killingholme DN40 3DZ

Applicant: Mr Jake Barnes-Gott, VPI Immingham OCGT Project

Case Officer: Andrew Law

Your views are requested on the above request. You can view the associated documents directly on the web site by selecting the following link:

<http://www.planning.northlincs.gov.uk/plan?ref=PA/SCO/2018/3>

You can if you wish also send your comments to us using this service by clicking on the "submit comment" button at the bottom of the application screen (this facility will only be available to use until the consultation period expires) or alternatively email us at planning@northlincs.gov.uk. **Whilst we will endeavor to ensure that all the documents are available to view as soon as you receive this email, this may not always be possible. They will usually be available by the following day.**

Any comments should reach me (paper or electronic) no later than 14 days from the date of this email. In the meantime if you have any queries about the proposal these should be directed to the case officer named above.

If you have no comments to make then early notification of this will assist me to deal with the request promptly. Any comments you do make will appear on the council's web site.

Development Management

North Lincolnshire Council

Civic Centre

Ashby Road

Scunthorpe

North Lincolnshire

DN16 1AB

Tel: 01724 297000

Web: www.northlincs.gov.uk

Ref:a191p00000Kafzp



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Public Health
England

CRCE/NSIP Consultations www.gov.uk/phe
Chilton
Didcot
Oxfordshire OX11 0RQ

Ms Stephanie Newman
EIA and Land Rights Advisor
Major Casework Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol BS1 6PN

Your Ref : EN010097-000002
Our Ref : 45972

4th July 2018

Dear Ms Newman,

**Re: Scoping Consultation
Nationally Significant Infrastructure Project
Immingham Open Cycle Gas Turbine Power Station**

Our response focuses on health protection issues relating to chemicals and radiation. Advice offered by PHE is impartial and independent.

We note that the current proposals do not appear to consider possible health impacts of Electric and Magnetic Fields (EMF). The proposer should confirm either that the proposed development does include or impact upon any potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the Environmental Statement (ES).

In relation to air quality:

- An overall assessment should present the impacts of all emission sources on short and long-term air quality (ie, assessment of the operational traffic (road) emissions, construction plant emissions, installation (stack and fugitive) emissions, and emissions from any nearby facilities (ie, each component should not be assessed in isolation, and if a detailed assessment of road traffic emissions is screened out, the contribution of road traffic to the installation's overall air quality impacts should not be excluded)
- There are public health benefits in reducing public exposures to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards: as such, we recommend consideration of mitigation measures that reduce public exposures to levels as low as reasonably practicable, and that this principle be part of the applicant's proposed air quality management plan.

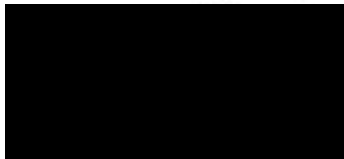
We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc.

will be covered elsewhere in the ES. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in the ES, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.

The attached appendix outlines generic areas that should be addressed by all promoters when preparing ES for inclusion with an NSIP submission. We are happy to assist and discuss proposals further in the light of this advice.

Yours sincerely



Haymond Lam
Environmental Public Health Scientist

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA¹. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES².

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place

¹ Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: <http://webarchive.nationalarchives.gov.uk/20100410180038/http://communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/>

² DCLG guidance, 1999 <http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf>

to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
 - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
 - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken. PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

Additional points specific to emissions to water

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

Land quality

We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed³ and the potential impact on nearby receptors and control and mitigation measures should be outlined.

³ Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report⁴, jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." PHE supports the inclusion of this information within EIAs as good practice.

Electromagnetic fields (EMF)

⁴ Available from: <http://www.cph.org.uk/wp-content/uploads/2012/08/health-risk-perception-and-environmental-problems--summary-report.pdf>

This statement is intended to support planning proposals involving electrical installations such as substations and connecting underground cables or overhead lines. PHE advice on the health effects of power frequency electric and magnetic fields is available in the following link:

<https://www.gov.uk/government/collections/electromagnetic-fields#low-frequency-electric-and-magnetic-fields>

There is a potential health impact associated with the electric and magnetic fields around substations, and power lines and cables. The field strength tends to reduce with distance from such equipment.

The following information provides a framework for considering the health impact associated with the electric and magnetic fields produced by the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

Policy Measures for the Electricity Industry

The Department of Energy and Climate Change has published a voluntary code of practice which sets out key principles for complying with the ICNIRP guidelines:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf

Companion codes of practice dealing with optimum phasing of high voltage power lines and aspects of the guidelines that relate to indirect effects are also available:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224766/powerlines_vcop_microshocks.pdf

Exposure Guidelines

PHE recommends the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). Formal advice to this effect was published by one of PHE's predecessor organisations (NRPB) in 2004 based on an accompanying comprehensive review of the scientific evidence:-

<http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/>

Updates to the ICNIRP guidelines for static fields have been issued in 2009 and for low frequency fields in 2010. However, Government policy is that the ICNIRP

guidelines are implemented in line with the terms of the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/PublicHealth/HealthProtection/DH_4089500

Static magnetic fields

For static magnetic fields, the ICNIRP guidelines published in 2009 recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT.

Power frequency electric and magnetic fields

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines published in 1998 give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m⁻¹ (kilovolts per metre) and 100 µT (microtesla). The reference level for magnetic fields changes to 200 µT in the revised (ICNIRP 2010) guidelines because of new basic restrictions based on induced electric fields inside the body, rather than induced current density. If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects.

Long term effects

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE)

SAGE was set up to explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government:

<http://www.emfs.info/policy/sage/>

SAGE issued its First Interim Assessment in 2007, making several recommendations concerning high voltage power lines. Government supported the implantation of low cost options such as optimal phasing to reduce exposure; however it did not support not support the option of creating corridors around power lines on health grounds, which was considered to be a disproportionate measure given the evidence base on the potential long term health risks arising from exposure. The Government response to SAGE's First Interim Assessment is available here:

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

The Government also supported calls for providing more information on power frequency electric and magnetic fields, which is available on the PHE web pages (see first link above).

Ionising radiation

Particular considerations apply when an application involves the possibility of exposure to ionising radiation. In such cases it is important that the basic principles of radiation protection recommended by the International Commission on Radiological Protection⁵ (ICRP) are followed. PHE provides advice on the application of these recommendations in the UK. The ICRP recommendations are implemented in the Euratom Basic Safety Standards⁶ (BSS) and these form the basis for UK legislation, including the Ionising Radiation Regulations 1999, the Radioactive Substances Act 1993, and the Environmental Permitting Regulations 2016.

PHE expects promoters to carry out the necessary radiological impact assessments to demonstrate compliance with UK legislation and the principles of radiation protection. This should be set out clearly in a separate section or report and should not require any further analysis by PHE. In particular, the important principles of justification, optimisation and radiation dose limitation should be addressed. In addition compliance with the Euratom BSS and UK legislation should be clear.

When considering the radiological impact of routine discharges of radionuclides to the environment PHE would expect to see a full radiation dose assessment considering both individual and collective (population) doses for the public and, where necessary, workers. For individual doses, consideration should be given to those members of the public who are likely to receive the highest exposures (referred to as the representative person, which is equivalent to the previous term,

⁵ These recommendations are given in publications of the ICRP notably publications 90 and 103 see the website at <http://www.icrp.org/>

⁶ Council Directive 96/29/EURATOM laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

critical group). Different age groups should be considered as appropriate and should normally include adults, 1 year old and 10 year old children. In particular situations doses to the fetus should also be calculated⁷. The estimated doses to the representative person should be compared to the appropriate radiation dose criteria (dose constraints and dose limits), taking account of other releases of radionuclides from nearby locations as appropriate. Collective doses should also be considered for the UK, European and world populations where appropriate. The methods for assessing individual and collective radiation doses should follow the guidance given in 'Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012'⁸. It is important that the methods used in any radiological dose assessment are clear and that key parameter values and assumptions are given (for example, the location of the representative persons, habit data and models used in the assessment).

Any radiological impact assessment should also consider the possibility of short-term planned releases and the potential for accidental releases of radionuclides to the environment. This can be done by referring to compliance with the Ionising Radiation Regulations and other relevant legislation and guidance.

The radiological impact of any solid waste storage and disposal should also be addressed in the assessment to ensure that this complies with UK practice and legislation; information should be provided on the category of waste involved (e.g. very low level waste, VLLW). It is also important that the radiological impact associated with the decommissioning of the site is addressed. Of relevance here is PHE advice on radiological criteria and assessments for land-based solid waste disposal facilities⁹. PHE advises that assessments of radiological impact during the operational phase should be performed in the same way as for any site authorised to discharge radioactive waste. PHE also advises that assessments of radiological impact during the post operational phase of the facility should consider long timescales (possibly in excess of 10,000 years) that are appropriate to the long-lived nature of the radionuclides in the waste, some of which may have half-lives of millions of years. The radiological assessment should consider exposure of members of hypothetical representative groups for a number of scenarios including the expected migration of radionuclides from the facility, and inadvertent intrusion into the facility once institutional control has ceased. For scenarios where the probability of occurrence can be estimated, both doses and health risks should be presented, where the health risk is the product of the probability that the scenario occurs, the dose if the scenario occurs and the health risk corresponding to unit dose. For inadvertent intrusion, the dose if the intrusion occurs should be presented. It is recommended that the post-closure phase be considered as a series of timescales, with the approach changing from more quantitative to more qualitative as

⁷ HPA (2008) Guidance on the application of dose coefficients for the embryo, fetus and breastfed infant in dose assessments for members of the public. Doc HPA, RCE-5, 1-78, available at <https://www.gov.uk/government/publications/embryo-fetus-and-breastfed-infant-application-of-dose-coefficients>

⁸ The Environment Agency (EA), Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency, Health Protection Agency and the Food Standards Agency (FSA). Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296390/geho1202bklh-e-e.pdf

⁹ HPA RCE-8, Radiological Protection Objectives for the Land-based Disposal of Solid Radioactive Wastes, February 2009

times further in the future are considered. The level of detail and sophistication in the modelling should also reflect the level of hazard presented by the waste. The uncertainty due to the long timescales means that the concept of collective dose has very limited use, although estimates of collective dose from the 'expected' migration scenario can be used to compare the relatively early impacts from some disposal options if required.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach¹⁰ is used

¹⁰ Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

From: [Clerk](#)
To: [Immingham OCGT](#)
Subject: FAO Stephanie Newman
Date: 19 June 2018 10:45:45
Attachments: [image001.png](#)

Dear Stephanie

The South Killingholme Parish Council have expressed concerns over further industrial development in this area and would like to be consulted on any proposals. Their main concerns are noise and air pollution from the substantial increases in megawatts and vibrations, from construction as well as completed working structures. They would like to know about opportunities for local employment and effects on infrastructure. Could you also clarify the governments priority towards renewable resources when we live near one of the largest producers of wind technology in the world. Whilst we recognise the need for back up energy the community feels we are over industrialised in this area.

Kind Regards

Jayne Gale

Clerk to South Killingholme Parish Council



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Sent via email only

Your contact for this matter is:
Martin Evans
martin.evans@west-lindsey.gov.uk
01427 676647

2 July 2018

Dear Stephanie Newman

West Lindsey District Council reference: 137917
Planning Inspectorate reference: EN010097-000002

Planning Act 2008 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by VPI-Immingham B Ltd (the applicant) for an Order granting Development Consent for the VPI Immingham OCGT (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Proposal: PINS consultation for comments on the information that should be provided in an Environmental Statement

Location: Immingham Area, Port Of Immingham

West Lindsey District Council considers the following information should be provided in the Environmental Statement with regards to the potential impact on the District.

Heritage

It is noted the document supplied refers to a number of heritage assets, but with the exception of the historic park and garden at Brocklesby, there are no others mentioned in West Lindsey. Within Brocklesby Park, there are a number of fine buildings and structures, including the grade I listed house, and there are a series of planned and designed 18th century garden structures set around a walk. Some of these are highly graded structures, and in particular, the grade I listed Mausoleum, which is elevated on a mound, and views around the park to and from it are important. It is important to understand how the proposed development may affect the wider setting of the park and any buildings it contains.

In addition, there is another monument on the Brocklesby Estate which also needs full consideration, and this is Pelham's Pillar at Cabourne High Wood, built as a viewing tower and over 39metres high on a hill overlooking the entire estate, and has views to the Humber. There are views too as part of the designed landscape around the Pillar. The Council will therefore need to be assured that any proposal for a very large new structure (up to 45m high) will not impose in a harmful way on this setting. Such information should be provided in an assessment of significance and heritage impact assessment.

LVIA

The Council would wish to see a thorough Landscape and Visual Impact Assessment. This should consider the impact on the area of great landscape value (AGLV) designated under Policy LP17 of the Central Lincolnshire Local Plan. The AGLV and historic park and garden boundaries can be seen on the PDF entitled "00-Central Lincs Policies Map A0" and associated key entitled "Legend-CLLP Policies" from the following link <https://www.n-kesteven.gov.uk/central-lincolnshire/policies-map-and-interactive-map/> .

Air quality

The Council recommends that technical specialist assessments be undertaken for Air Quality and Traffic and Transport and that the detailed assessments for each of these topics are carried out as outlined in paragraph 9.1.2 of the scoping report.

Each of the aforementioned documents should consider cumulative impact of the proposal with other consented or proposed developments as noted in the submitted scoping report.



Martin Evans MPlan (Hons) MRTPI
Senior Development Management Officer