

# Environmental Statement: Volume I

## Chapter 1: Introduction

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## 1.0 INTRODUCTION

### 1.1 Overview

- 1.1.1 This Environmental Statement (ES) has been prepared on behalf of VPI Immingham B Ltd ('VPIB' or the 'Applicant') in relation to an application (the 'Application') for a Development Consent Order (a 'DCO') submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy under section 37 of the Planning Act 2008 (the 'PA 2008').
- 1.1.2 VPIB is seeking development consent for the construction, operation and maintenance of a new gas-fired electricity generating station with a gross output capacity of up to 299 megawatts ('MW'), including electrical and gas supply connections, and other associated development (the 'Proposed Development'). The Proposed Development is located primarily on land (the 'Site') to the north of the existing VPI Immingham Combined Heat and Power Plant (the 'Existing VPI CHP Plant'), Rosper Road, South Killingholme, North Lincolnshire, DN40 3DZ.
- 1.1.3 The location of the Site is described by the Order limits shown on Figure 1.1 (ES Volume II, Application Document Ref. 6.3).
- 1.1.4 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under section 14(1)(a) and sections 15(1) and 15(2) of the PA 2008. The DCO, if made by the SoS, would be known as 'The Immingham Open Cycle Gas Turbine Order' (the 'Order'). This ES presents the findings of an Environmental Impact Assessment (EIA).
- 1.1.5 The main components of the Proposed Development are summarised below, as set out in the draft DCO (Application Document Ref: 2.1):
- Work No. 1 – an OCGT power station (the 'OCGT Power Station') with a gross capacity of up to 299MW;
  - Work No. 2 – access works (the 'Access'), comprising access to the OCGT Power Station Site and access to Work Nos. 3, 4, 5 and 6;
  - Work No. 3 – temporary construction and laydown area ('Temporary Construction and Laydown') comprising hard standing, laydown and open storage areas, contractor compounds and staff welfare facilities, vehicle parking, roadways and haul routes, security fencing and gates, gatehouses, external lighting and lighting columns;
  - Work No. 4 – gas supply connection works (the 'Gas Connection') comprising an underground and/ or overground gas pipeline of up to 600 millimetres (nominal internal diameter) and approximately 800 m in length for the transport of natural gas from the Existing Gas Pipeline to Work No. 1;
  - Work No. 5 – an electrical connection (the 'Electrical Connection') of up to 400 kilovolts and associated controls systems; and
  - Work No 6 – utilities and services connections (the 'Utilities and Services Connections').
- 1.1.6 More detail on the elements of the Proposed Development is included in Chapter 4: The Proposed Development.
- 1.1.7 In addition to the Site, the Application includes provision for the use of an existing gas pipeline (the 'Existing Gas Pipeline') to provide fuel to the Proposed Development. The

Existing Gas Pipeline was originally constructed in 2003 to provide fuel to the Existing VPI CHP Plant. The route of the pipeline runs from a connection point at an above ground installation (the 'Existing AGI Site') within the Existing VPI CHP Plant Site to a tie in point at the existing National Grid ('NG') Feeder No.9 pipeline located to the west of South Killingholme.

- 1.1.8 The Applicant is not seeking consent to carry out any works to the Existing Gas Pipeline and, as a result, it does not form part of the Site or Proposed Development. It is included in the Application on the basis that the Applicant is seeking rights to use and maintain the pipeline and it is therefore included within the DCO 'Order land' (the area over which powers of compulsory acquisition or temporary possession are sought).
- 1.1.9 No works of any kind are currently planned or proposed on the Existing Gas Pipeline Site, and none are necessary for the Existing Gas Pipeline to provide fuel to the Proposed Development. As a result, this pipeline has been excluded from the scope of the assessments conducted as part of this EIA. The terms 'Proposed Development' and 'Site' used within this ES therefore also exclude this existing pipeline.
- 1.1.10 All the land required for the power station, new pipeline, laydown, service corridors and electrical connection elements of the Proposed Development lies within the administrative area of North Lincolnshire Council. All land associated with the Proposed Development is referred to in this ES as 'the Site' (which excludes the existing gas pipeline as previously outlined). An explanation of the various areas of the Site is provided in Chapter 3: Site Description.

## **1.2 The Applicant**

- 1.2.1 VPI Immingham LLP ('VPI LLP') owns and operates the existing VPI Immingham Power Station, one of the largest combined heat and power ('CHP') plants in Europe, capable of generating 1,240 MW (about 2.5% of UK peak electricity demand) and up to 930 tonnes of steam per hour (hereafter referred to as the 'Existing VPI CHP Plant'). The steam is used by nearby oil refineries to turn crude oil into products, such as gasoline. The land comprising the Existing VPI CHP Plant is hereafter referred to as the 'Existing VPI CHP Plant Site'.
- 1.2.2 VPI LLP is a wholly owned subsidiary of the Vitol Group ('Vitol'), founded in 1966 in Rotterdam, the Netherlands. Since then Vitol has grown significantly to become a major participant in world commodity markets and is now the world's largest independent energy trader. Its trading portfolio includes crude oil, oil products, liquid petroleum gas, liquid natural gas, natural gas, coal, electricity, agricultural products, metals and carbon emissions. Vitol trades with all the major national oil companies, the integrated oil majors and independent refiners and traders. For further information on VPI LLP and Vitol please visit:

<https://www.vpi-i.com/>

- 1.2.3 VPIB has been formed as a separate entity for the purposes of developing and operating the Proposed Development.

## **1.3 The Proposed Development**

- 1.3.1 The Proposed Development comprises the construction and operation of an Open Cycle Gas Turbine (OCGT) power station with a generating capacity of up to 299 MW gross

electrical output, comprising a single gas turbine unit and associated ancillary infrastructure. Subject to obtaining the necessary consents and financing, construction is anticipated to start in mid-2021 and commencement of commercial operation could take place from Q4 2022.

- 1.3.2 The Proposed Development will be designed to operate for an expected period of at least 40 years after which ongoing operation will be reviewed and a commercial decision made at that time whether or not to continue operation. When operations cease, the plant will be decommissioned.
- 1.3.3 The Proposed Development will be located largely within a plot of land located between the existing CHP plant to the south, the entrance and carpark associated with the Lindsey Oil Refinery to the north and Rosper Road to the east. The Site extends to approximately 8.8 hectares (ha). Please refer to Chapter 3: Site Description for detailed descriptions of the Site areas. A detailed description of the Proposed Development is provided in Chapter 4: The Proposed Development.
- 1.3.4 The Proposed Development would provide vital new energy infrastructure required to help ensure security of supply to the UK, operating during periods of low electricity supply - due to the intermittency of renewables, other power station maintenance shut-downs or high demand on the transmission network, for example.
- 1.3.5 Environmental impacts arising from the Proposed Development have been studied systematically as part of the EIA process, and the results are presented within this ES. This ES builds on the environmental assessment work done, consulted on and reported in the Preliminary Environmental Information (PEI) Report discussed in Section 1.7. The baseline for the assessment has been derived from measurements and studies in and around the Site. This is explained further in Chapter 2: Assessment Methodology, and in the methodology section of each technical assessment chapter.
- 1.3.6 The EIA process has considered impacts resulting from the construction, operation (including maintenance) and decommissioning phases of the Proposed Development, and the ES proposes measures to eliminate, reduce or mitigate any significant adverse effects on the environment. It also identifies 'residual' impacts, defined as impacts remaining following the implementation of mitigation measures.
- 1.3.7 The EIA also considers the potential cumulative impacts of the Proposed Development with other relevant known, proposed or consented schemes, as outlined in Chapter 17: Cumulative and Combined Effects. In particular, this includes the potential cumulative impacts with an application for a gas fired power station of up to 49.9MW electrical output located on land immediately to the west to the Site (VPI Energy Park A). This application was submitted by a subsidiary of VPI to North Lincolnshire Council in May 2018 under the Town and County Planning Act 1990 (as amended) and planning permission was granted on 7 September 2018.

## **1.4 The Consenting Process**

- 1.4.1 The Proposed Development falls within the definition of a '*Nationally Significant Infrastructure Project*' (NSIP) under Section 14(1)(a) and Sections 15(1) and (2) of the 2008 Act, as it is an onshore generating station in England that would have a generating capacity greater than 50MW. As such, a Development Consent Order (DCO) is required to authorise the Proposed Development in accordance with Section 31 of the 2008 Act.

1.4.2 A DCO has the effect of granting consent for a development in addition to a range of other consents and authorisations, as well as removing the need for some consents (such as planning permission). Section 115 of the Act also provides that a DCO can include consent for ‘*associated development*’, that is, development that is not part of but is required for the development of the NSIP. This may be development that supports the construction or operation of the NSIP, which helps to address the impacts of the NSIP or is of a type normally brought forward with the particular type of NSIP (here the generating station).

1.4.3 An application for development consent is submitted to the Planning Inspectorate, acting on behalf of the Secretary of State (SoS). Subject to the application being accepted, the Planning Inspectorate will then examine it and make a recommendation to the SoS, who then decides whether to grant a DCO.

## **1.5 The Relevant EIA Regulations**

1.5.1 The Proposed Development falls within Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (‘the EIA Regulations’) as it constitutes; “*Industrial installations for the production of electricity, steam and hot water*”. As such it is not automatically EIA development, but as the Applicant has notified the SoS under Regulation 8 of the EIA Regulations that it proposes to provide an Environmental Statement (ES); it therefore constitutes ‘EIA development’. Accordingly an EIA has been undertaken and this ES presents the findings of that EIA.

## **1.6 The EIA Scoping Exercise**

1.6.1 The issues that the Applicant considered the EIA needed to address were identified in the EIA Scoping Report submitted to the Planning Inspectorate in May 2018 (Appendix 1A (ES Volume III, Application Document Ref. 6.4)).

1.6.2 The EIA Scoping Report was developed following initial consultation with a number of statutory consultees and was informed by the EIA team’s experience working on a number of other power station projects, including those in the vicinity of the Site. The SoS’ Scoping Opinion was received in July 2018, including the formal responses received by the Planning Inspectorate from consultees (Appendix 1B (ES Volume III, Application Document Ref. 6.4))). Key issues raised in the Scoping Opinion are summarised at the start of each technical chapter of the ES, and all issues have been considered during the EIA process. As required by the EIA Regulations (regulation 14(3)), the ES is based on the Scoping Opinion.

## **1.7 The Preliminary Environmental Information (PEI) Report**

1.7.1 The PEI Report was published as part of the statutory consultation on the Proposed Development in October 2018. ‘Preliminary Environmental Information’ is defined in Regulation 12 of the EIA Regulations as;

*“information referred to in regulation 14(2) which –*

*(a) has been compiled by the applicant; and*

*(b) is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development)”*

Regulation 14(2) provides the requirements for the content of an Environmental Statement.

- 1.7.2 In order to enable consultees to understand the likely environmental effects of the Proposed Development, the PEI Report presented preliminary findings of the environmental assessments undertaken up to that point in time. This allowed consultees the opportunity to provide informed comment on the Proposed Development, the assessment process and preliminary findings through the consultation process prior to the finalisation of this ES.
- 1.7.3 Feedback on the PEI Report received from consultees (including statutory bodies, land owners, other potentially affected people, the local community and members of the public), along with a summary of other issues raised during consultation relevant to the ES, have informed the EIA process and the findings presented in the ES. The approach to consultation and how the Applicant has had regard to the responses received are detailed in the Consultation Report (Application Document Ref. No 5.1) and summarised in each technical chapter of this ES. The consultation process is described further below.
- 1.7.4 Ongoing refinement of the Proposed Development's design has resulted from feedback from the consultation process and the definition of the Proposed Development has also evolved since the PEI Report was consulted upon, most particularly in terms of the route of the new proposed gas pipeline and the need for a new Above Ground Installation (AGI). This is described in detail in Chapter 4: Proposed Development.

## 1.8 Environmental Statement

- 1.8.1 This ES is submitted as part of the suite of DCO application materials. The information presented in the ES describes the findings of the EIA.
- 1.8.2 Table 1.1 below summarises where the requirements of Regulation 14(2) of the EIA Regulations have been addressed in the ES.

**Table 1.1: Requirements of Regulation 14(2) of the EIA Regulations**

Requirement	Where information is provided
A description of the proposed development comprising information on the site, design, size and other relevant features of the development;	Chapter 3: Description of the Site, Chapter 4: The Proposed Development.
A description of the likely significant effects of the proposed development on the environment;	Chapters 6-16 (technical assessments).
A description of any features of the proposed development, or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;	Chapter 4: The Proposed Development and Chapters 6-16 (technical assessments).
A description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment;	Chapter 4: The Proposed Development.
A non-technical summary of the information referred to in sub-paragraphs (a) to (d)	Non-Technical Summary (Application Document Ref. No 6.1)

<b>Requirement</b>	<b>Where information is provided</b>
Any additional information specified in Schedule 4 relevant to the specific characteristics of the particular development or type of development and to the environmental features likely to be significantly affected	See Table 1.2 below



**Table 1.2: Requirements of Schedule 4 of the EIA Regulations**

EIA Regs Sch 4 requirement	Location in the ES
1. A description of the development, including in particular—	
(a) a description of the location of the development;	Chapter 3: Site Description
(b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;	Chapter 4: Proposed Development
(b) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;	Chapter 4: Proposed Development
(c) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.	Chapter 4: Proposed Development
2. 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.	Chapter 4: Proposed Development
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof 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.	Chapters 6- 16 (technical assessments) Baseline Conditions section
4. A description of the factors specified in regulation 5(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.	Scoping Report (Appendix 1A, ES Volume III, Application Document Ref. 6.4)

EIA Regs Sch 4 requirement	Location in the ES
5. A description of the likely significant effects of the development on the environment resulting from, inter alia—	
(a) the construction and existence of the development, including, where relevant, demolition works;	Chapters 6- 16 (technical assessments) Likely Effects section
(b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;	Chapter 15: Sustainability and Climate Change
(c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;	Chapters 6- 16 (technical assessments)
(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);	Scoping Report (Appendix 1A, ES Volume III, Application Document Ref. 6.4)
(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;	Chapter 17: Cumulative & Combined Effects
(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;	Chapter 15: Sustainability and Climate Change
(g) the technologies and the substances used.	Chapter 4: Proposed Development
The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(1) and Directive 2009/147/EC(2).	Chapters 6- 16 (technical assessments) Likely Effects section
6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	Chapters 6- 16 (technical assessments)

EIA Regs Sch 4 requirement	Location in the ES
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.	Chapters 6- 16 (technical assessments) Mitigation & Enhancement Measures section
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council(3) or Council Directive 2009/71/Euratom(4) or UK environmental assessments 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.	Included within Chapters 6- 16 (technical assessments)
9. A non-technical summary of the information provided under paragraphs 1 to 8.	Non-Technical Summary  (Application Document Ref. No 6.1)
10. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement.	Included within Chapters 6- 16 (technical assessments,) References section

## **1.9 Consultation**

- 1.9.1 Consultation is integral to the preparation of DCO applications and to the EIA process. The views of consultation bodies and the local community serve to focus the environmental studies and to identify specific issues that require further investigation, as well as to inform aspects of the design of the Proposed Development. Consultation is an on-going process as part of the design development.
- 1.9.2 The 2008 Act requires applicants for development consent to carry out statutory pre-application consultation on their proposals. There are a number of requirements as to how this consultation must be undertaken that are set out in the 2008 Act and related regulations:
- Section 42 of the Act requires the applicant to consult with ‘prescribed persons’, which includes certain consultation bodies such as the Environment Agency and Natural England, relevant statutory undertakers, relevant local authorities, those with an interest in the land, as well as those who may be affected by the development;
  - Section 47 of the Act requires the applicant to consult with the local community on the development. Prior to this, the applicant must agree a Statement of Community Consultation (SoCC) with the relevant local authorities. The SoCC must set out the proposed community consultation and, once agreed with the relevant local authorities, a SoCC Notice must be published in local newspapers circulating within the vicinity of the land in question. The consultation must then be carried out in accordance with the SoCC;
  - Section 48 of the Act places a duty on the applicant to publicise the proposed application in the ‘prescribed manner’ in a national newspaper, the London Gazette, local newspapers circulating within the vicinity of the land and (in relevant cases, not including this Application) certain marine publications; and
  - Section 49 places a duty on the applicant to take account of any responses received to the above consultation and publicity when formulating its application for a DCO and finalising the Proposed Development.
- 1.9.3 The Applicant has adopted a two stage approach to pre-application consultation on the Proposed Development. Stage 1 consultation (non-statutory consultation) was carried out during July 2018, and Stage 2 (statutory) consultation was carried out during November and December 2018.
- 1.9.4 As part of its consultation strategy, the Applicant undertook to afford the same weight to the responses received to the non-statutory consultation as to those received to the statutory consultation and to take account of all responses in accordance with the requirements for statutory consultation within the 2008 Act.
- 1.9.5 The pre-application consultation undertaken by the Applicant is summarised in the table below and more fully documented within the Consultation Report (Application Document Ref. No. 5.1):

**Table 1.3: Overview of Consultation Undertaken**

Stage	Overview of consultation	Timescales
Initial statutory consultation and engagement	Early consultation of parish councils, elected members, the host local authorities and key technical consultees. This included numerous meetings and emails.	April – June 2018
EIA Scoping	Submission of a request for an EIA Scoping Opinion to the SoS and receipt of EIA Scoping Opinion.	Request submitted 5 June 2018 and Scoping Opinion issued 16 July 2018
Statement of Community Consultation ('SoCC') informal consultation	Preparation of draft SoCC and informal consultation on it with the host local authorities; North Lincolnshire Council ('NLC') and North East Lincolnshire Council ('NELC').	23 August – 30 August 2018
SoCC – statutory consultation	Preparation of draft SoCC and formal consultation on it under Section 47 with NLC and NELC.	5 September – 3 October 2018
<b>Stage 1 Consultation (non-statutory)</b>	<p>Non-statutory consultation with the local community in the vicinity of the Proposed Development, local authorities, technical consultees, local political representatives, potentially affected land ownership interests and statutory undertakers.</p> <p>Although the Stage 1 Consultation was 'non-statutory', VPIB took the decision to undertake it broadly in accordance with the requirements of the PA 2008.</p>	5 July – 6 August 2018 (public exhibitions held on 19 July and 21 July 2018)
SoCC Publication	Publication of the final SoCC and SoCC Notice in accordance with Section 47.	11 October 2018
<b>Stage 2 Consultation (statutory pursuant to sections 42, 43, 44, 45, 46, 47 and 48 of the PA 2008)</b>	<p>Statutory consultation, including the following:</p> <p>Section 42 'Duty to consult': consultation with prescribed consultees, host and other relevant local authorities, non-prescribed consultees (with whom there is no statutory duty to consult) and section 44 persons, each by letter (generally sent by registered post) accompanied by consultation documents, including a PEIR.</p>	23 October – 3 December 2018 (public exhibitions held on 3 November and 5 November 2018)

Stage	Overview of consultation	Timescales
	<p>Section 46 'Duty to notify SoS of proposed application': notify the SoS (through PINS) of the section 42 consultation.</p> <p>Section 47 'Duty to consult local community': consultation in accordance with the published SoCC, advertised by letter distributed in the local area, press releases, newspapers notices and posters. The consultation included two public exhibitions during November 2018. Consultation documents provided to section 42 consultees were made available at the public exhibitions and also at inspection locations in the local area, e.g. local libraries and host authority offices.</p> <p>Section 48 'Duty to publicise' &amp; Environmental Impact Assessment ('EIA') Regulation 13 Publicity: Section 48 Notice published in the Grimsby Telegraph, Scunthrope Telegraph, the Guardian and the London Gazette; and Environmental Impact Assessment Regulation 13 publicity carried out at the same time with EIA consultation bodies being sent a copy of the section 48 Notice as it was to be published.</p>	
Taking account of responses to consultation and (section 49 of the PA 2008)	Section 49 'Duty to take account of responses to consultation and publicity': having regard to responses received to the consultation and publicity carried out in accordance with sections 42, 47 and 48.	December 2018 – March 2019

1.9.6 EIA related consultation forms an important part of the overall pre-application consultation process. The Scoping Opinion from the SoS and consultation on the PEI Report in particular have informed the development of the EIA and assisted in the preparation of the final ES. Furthermore, a key characteristic of the EIA consultation has been the on-going dialogue with the key consultees following the EIA scoping process and the preparation of the PEI Report to inform the final ES.

1.9.7 The issues that have been raised through consultation and how these have been considered and addressed within the design evolution of the Proposed Development and the EIA are set out throughout this ES and in the Consultation Report (Application Document Ref. 5.1). Issues raised that relate to specific environment aspects considered in the ES are listed the relevant technical chapter.

## 1.10 References

None Applicable.